

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
April 13, 2023


_____ ACTION/DECISION

X INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period February 1, 2023, through February 28, 2023.
3. **FACTS:** For the reporting period of February 1, 2023, through February 28, 2023, the Office of Environmental Affairs issued fifty (50) Consent Orders with total assessed civil penalties in the amount of one hundred fifty-one thousand, nine hundred fifty dollars (\$151,950.00). Also, ten (10) Administrative Orders with total assessed civil penalties in the amount of one hundred seventy-eight thousand, three hundred dollars (\$178,300.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	6	\$178,300.00	9	\$16,650.00
Solid Waste	0	0	0	0
Hazardous Waste	0	0	7	\$75,900.00
Mining	0	0	0	0
Radiological Health	0	0	1	\$3,000.00
SUBTOTAL	6	\$178,300.00	17	\$95,550.00
Water				
Recreational Water	0	0	0	0
Drinking Water	0	0	1	0
Water Pollution	1	0	4	\$18,900.00
SUBTOTAL	1	0	5	\$18,900.00
Air Quality				
SUBTOTAL	0	0	1	\$5,000.00
Environmental Health Services				
Food Safety	0	0	26	\$31,500.00
Onsite Wastewater	4	0	1	\$1,000.00
SUBTOTAL	4	0	27	\$32,500.00
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	10	\$178,300.00	50	\$151,950.00

Submitted by:



Myra C. Reece
Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
April 13, 2023**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 22-0315-UST
Order Date: December 20, 2022
Individual/Entity: **Move-Mintz Properties & Sons, LLC**
Facility: Keith's Grocery
Location: 3436 North Governor Williams Highway
Darlington, SC 29540
Mailing Address: 2624 Secretariat Drive
Florence, SC 29505
County: Darlington
Previous Orders: None
Permit/ID Number: 16693
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.36(a)(1)(i), 280.36(a)(1)(ii), 280.70(a), 280.93(a), 280.110(c), and 280.243(b) (2012 & Supp 2022).

Summary: Move-Mintz Properties & Sons, LLC (Individual/Entity) owns underground storage tanks (USTs) in Darlington County, South Carolina. Based on a file review, the Department issued a Notice of Alleged Violation on April 27, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation as follows, failed to: conduct monthly and annual walk-through inspections; maintain release detection on a temporarily closed UST; demonstrate financial responsibility for an UST system; submit evidence of financial assurance to the Department upon request; have a Class A/B operator trained and designated for the facility; and pay annual tank registration fees.

Action: The Individual/Entity is required to submit: proof a Class A/B operator has been trained and designated for the Facility; proof that all compartments of the UST contain less than one (1) inch of liquid; proof that a Walkthrough Inspection log has been initiated and is being properly maintained; a completed Certificate of Financial Responsibility and evidence of financial assurance; and payment of annual tank registration fees and associated late fees for fiscal years 2006 through 2023 in the amount

of five thousand, three hundred two dollars (\$5,302.00) by March 20, 2023. The Department has assessed a civil penalty in the amount of thirty-one thousand, six hundred dollars (\$31,600.00). The Individual/Entity shall pay a civil penalty in the amount of thirty-one thousand, six hundred dollars (**\$31,600.00**) by March 20, 2023.

Update: The Individual/Entity did not file a Request for Review.

- 2) Order Type and Number: Administrative Order 22-0205-UST
Order Date: January 5, 2023
Individual/Entity: **Magnolia Station**
Facility: Magnolia Station
Location: 617 East Savannah Street
Calhoun Falls, SC 29628
Mailing Address: Same
County: Abbeville
Previous Orders: None
Permit/ID Number: 11089
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.93(a), and 280.110(c) (2012 and Supp. 2022).

Summary: Magnolia Station, LLC (Individual/Entity) owns underground storage tank (USTs) in Abbeville County, South Carolina. On May 2, 2022, the Department conducted a file review of the Facility and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to demonstrate financial responsibility for an underground storage tank system and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to submit a completed Certificate of Financial Responsibility and evidence of financial assurance by March 27, 2023. The Department has assessed a total civil penalty in the amount of twenty-eight thousand, six hundred dollars (\$28,600.00). The Individual/Entity shall pay a civil penalty in the amount of twenty-eight thousand, six hundred dollars (**\$28,600.00**) by March 27, 2023.

Update: The Individual/Entity did not file a Request for Review.

- 3) Order Type and Number: Administrative Order 22-0270-UST
Order Date: January 5, 2023
Individual/Entity: **Clifton Ricardo Smith**
Facility: Nickelpumper 233
Location: 3296 Point South Drive

Mailing Address: Yemassee, SC 29945
1544 Red Dam Road
Hardeeville, SC 29927

County: Jasper

Previous Orders: None

Permit/ID Number: 04878

Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.21(a)(3), 280.31(a), 280.70(c), 280.93(a), 280.110(c) (2012 & Supp. 2022), and § 44-2-60(A) (2018).

Summary: Clifton Ricardo Smith (Individual/Entity) owns underground storage tanks (USTs) in Jasper County, South Carolina. Based on a routine file review, the Department issued a Notice of Alleged Violation on June 9, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows, failed to: properly close a substandard underground storage tank (UST) system as required in Subparts G. and F.; maintain and operate a corrosion protection system; properly abandon a temporarily closed UST system after twelve (12) months; demonstrate financial responsibility for an UST system; submit evidence of financial assurance to the Department upon request; and pay annual tank registration fees and associated late fees.

Action: The Individual/Entity is required to submit: a completed UST Tank and Sludge Disposal Form for the permanent closure of all USTs at the Facility by March 27, 2023, and upon Department's approval of the UST Tank and Sludge Disposal Form permanently close the USTs within forty-five (45) days, and within sixty (60) days of the permanent closure of the USTs submit an UST Closure and Assessment Report; should the results of the UST Closure and Assessment Report indicate contamination is present, submit a completed Certificate of Financial Responsibility form and evidence of financial assurance; and payment of annual tank registration fees and associated late fees for fiscal years 1998, 2001, and 2003 through 2023 in the amount of seventeen thousand, seven hundred eighty-seven dollars (\$17,787.00) by March 27, 2023. The Department has assessed a total civil penalty in the amount of fifty-six thousand, seven hundred twenty-five dollars (\$56,725.00). The Individual/Entity shall pay a civil penalty in the amount of fifty-six thousand, seven hundred twenty-five dollars (**\$56,725.00**) by March 27, 2023.

Update: The Individual/Entity did not file a Request for Review.

4) Order Type and Number: Administrative Order 22-0279-UST
Order Date: January 5, 2023
Individual/Entity: **AMT Properties, LLC**
Facility: Mini Mart
Location: 10447 Wilson Boulevard

Blythewood, SC 29016

Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 10503
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.31(a), 280.31(b)(1), 280.34(c), 280.36(a)(1)(i), 280.36(a)(1)(ii), 280.40(a), 280.43(d), 280.50, 280.70(a), 280.242(b)(3), 280.242(b)(4), 280.243(c), and 280.245 (2012 & Supp. 2022).

Summary: AMT Properties, LLC (Individual/Entity) owns and operates underground storage tanks (USTs) in Richland County, South Carolina. Based on a routine compliance inspection, the Department issued a Notice of Alleged Violation on July 1, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain and operate corrosion protection equipment continuously; have the cathodic protection system tested at least every three (3) years; failed to provide records to the Department upon request; failed to check and document monthly required equipment walkthrough inspections; failed to check and document annually required equipment walkthrough inspections; failed to provide an adequate release detection method; conduct proper release detection using an automatic tank gauge (ATG); failed to report a suspected release; failed to maintain corrosion protection or appropriate release detection on a temporarily closed UST; failed to validate that monthly requirements have been met; failed to physically visit each assigned facility once a quarter; failed to train Class C operators before they assume responsibility for the UST facility; and failed to designate and list all Class C operators.

Action: The Individual/Entity is required to submit: either the most recent ten (10) out of twelve (12) months of ATG records with the most recent two (2) months passing for the currently-in-use 4,000-gallon regular and 4,000-gallon premium USTs at the Facility or tank tightness test results and a current passing ATG record for both USTs as proof that a valid release detection method is in place; proof the metal in the submersible turbine pump sump for the 4,000-gallon premium UST has been isolated from soil and/or water; passing cathodic protection system test results for all USTs at the facility; proof the temporarily closed 4,000-gallon regular UST contains less than one (1) inch of residue; proof a Class A/B Operator/Walkthrough Inspection Log has been initiated and is being properly maintained; a list of Class C operators trained and designated for the facility by March 27, 2023. Should any of the required test fail, the Individual/Entity is required to submit proof of repair and/or replacement of the affected system and current passing test results within thirty (30) days of the failed test results. The Department has assessed a total civil penalty in the amount of sixteen thousand, eight hundred fifty dollars (\$16,850.00). The Individual/Entity shall pay a civil penalty in the amount of sixteen thousand, eight hundred fifty dollars (**\$16,850.00**) by March 27, 2023.

Update: The Individual/Entity did not file a Request for Review.

- 5) Order Type and Number: Administrative Order 22-0280-UST
Order Date: January 5, 2023
Individual/Entity: **Jaquawna Terry**
Facility: Rohde Shop-Rite
Location: 806 Proctor Street
Walterboro, SC 29488
Mailing Address: P.O. Box 307
Walterboro, SC 29488
County: Colleton
Previous Orders: None
Permit/ID Number: 02472
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.70(c), 280.93(a), 280.110(c) (2012 & Supp. 2022), and § 44-2-60(A) (2018).

Summary: Jaquawna Terry (Individual/Entity) owns underground storage tanks (USTs) in Colleton County, South Carolina. Based on a routine file review, the Department issued a Notice of Alleged Violation on January 31, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly close a substandard underground storage tank (UST) system as required in Subparts G. and F.; demonstrate financial responsibility for an UST system; submit evidence of financial assurance to the Department upon request; and pay annual tank registration fees and associated late fees.

Action: The Individual/Entity is required to submit: a completed UST Tank and Sludge Disposal Form for the permanent closure of all USTs at the Facility by March 27, 2023, and upon Department's approval of the UST Tank and Sludge Disposal Form permanently close the USTs within forty-five (45) days, and within sixty (60) days of the permanent closure of the USTs submit an UST Closure and Assessment Report; should the results of the UST Closure and Assessment Report indicate contamination is present, submit a completed Certificate of Financial Responsibility form and evidence of financial assurance; and payment of annual tank registration fees and associated late fees for fiscal years 1992 through 2023 in the amount of thirteen thousand, seven hundred dollars (\$13,700.00). The Department has assessed a total civil penalty in the amount of thirty-eight thousand, three hundred dollars (\$38,300.00). The Individual/Entity shall pay a civil penalty in the amount of thirty-eight thousand, three hundred dollars (**\$38,300.00**) by March 27, 2023.

Update: The Individual/Entity did not file a Request for Review.

6) Order Type and Number: Administrative Order 22-0298-UST
Order Date: January 5, 2023
Individual/Entity: **Taleb Abudayya**
Facility: Food Mart
Location: 601 Highway 34 West
Dillon, SC 29536
Mailing Address: 602 North 1st Avenue
Dillon, SC 29536
County: Dillon
Previous Orders: AO 21-0471-UST (\$16,605.00)
Permit/ID Number: 02903
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.34(c), 280.40(a), and 280.43(d) (2012 & Supp. 2022).

Summary: Taleb Abudayya (Individual/Entity) owns and operates underground storage tanks (USTs) in Dillon County, South Carolina. Based on a routine compliance inspection, the Department issued a Notice of Alleged Violation on July 25, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows failed to: provide records to the Department upon request; provide an adequate release detection method; and conduct proper release detection using an automatic tank gauge (ATG).

Action: The Individual/Entity is required to submit a current passing ATG record for the 8,000-gallon regular UST as proof a valid release detection method is in place by March 27, 2023. The Department has assessed a total civil penalty in the amount of six thousand, two hundred twenty-five dollars (\$6,225.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand, two hundred twenty-five dollars (**\$6,225.00**) by March 27, 2023.

Update: The Individual/Entity did not file a Request for Review.

7) Order Type and Number: Consent Order 22-0178-UST
Order Date: February 3, 2023
Individual/Entity: **First Choice Services, LLC**
Facility: Hill Stop, LLC
Location: 729 S. Piedmont Highway
Piedmont, SC 29673
Mailing Address: 14 Hickory Hollow Court
Greenville, SC 29607-5812
County: Greenville
Previous Orders: None

Permit/ID Number: 16391
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.93(a) and 280.110(c) (2012 & Supp 2022).

Summary: First Choice Services, LLC (Individual/Entity) owns underground storage tanks (USTs) in Greenville County, South Carolina. On May 2, 2022, the Department conducted a file review and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for an UST system and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to submit a completed Certificate of Financial Responsibility form and evidence of financial assurance by March 20, 2023. The Department has assessed a total civil penalty in the amount of twenty-six thousand, two hundred dollars (\$26,200.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**) by March 20, 2023, and pay a suspended penalty in the amount of twenty-five thousand dollars (\$25,000.00) should any requirement of the Order not be met.

Update: None

8) Order Type and Number: Consent Order 22-0361-UST
Order Date: February 3, 2023
Individual/Entity: **IT-SPE, LLC**
Facility: Cliff's at Keowee Vineyards Marina
Location: 152 Mariner Circle
Sunset, SC 29685
Mailing Address: P. O. Box 1279
Travelers Rest, SC 29690
County: Pickens
Previous Orders: None
Permit/ID Number: 18763
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.93(a) and 280.110(c) (2012 & Supp 2022).

Summary: IT-SPE, LLC (Individual/Entity) owns an underground storage tank (UST) in Pickens County, South Carolina. On September 19, 2022, the Department conducted a file review and issued a Notice of Alleged Violation. The Individual/Entity

violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for an UST system and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to submit a completed Certificate of Financial Responsibility form and evidence of financial assurance by March 20, 2023. The Department has assessed a total civil penalty in the amount of twenty-six thousand, two hundred dollars (\$26,200.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**) by March 20, 2023 and pay a suspended penalty in the amount of twenty-five thousand dollars (\$25,000.00) should any requirement of the Order not be met.

Update: None

- 9) Order Type and Number: Consent Order 23-0013-UST
Order Date: February 8, 2023
Individual/Entity: **Cox Brothers, Inc.**
Facility: **Cox Brothers, Inc.**
Location: 201 North Main Street
Hemingway, SC 29554
Mailing Address: P. O. Box 64
Hemingway, SC 29554-0064
County: Williamsburg
Previous Orders: None
Permit/ID Number: 12912
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.20(c)(1)(ii) (2012 and Supp. 2022).

Summary: Cox Brothers, Inc. (Individual/Entity) owns underground storage tanks (USTs) in Williamsburg County, South Carolina. On January 10, 2023, the Department conducted a routine inspection of the facility and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to maintain overfill prevention equipment of an underground storage tank system.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**) by March 25, 2023.

Update: The Department received the civil penalty payment on February 1, 2023. The Order is closed.

- 10) Order Type and Number: Consent Order 22-0362-UST
Order Date: February 15, 2023
Individual/Entity: **Saia Motor Freight Line, LLC**
Facility: Wilson Trucking Darlington Terminal
Location: 2233 South Main Street
Florence, SC 29501
Mailing Address: 11465 Johns Creek Parkway, Suite 330
Johns Creek, GA 30097
County: Darlington
Previous Orders: None.
Permit/ID Number: 03263
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-60(A)(2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.93(a), 280.110(c), and 280.243(b) (2012 & Supp 2022).

Summary: Saia Motor Freight Line, LLC (Individual/Entity) owns an underground storage tank (UST) in Darlington County, South Carolina. On September 15, 2022, the Department conducted a file review of the Facility and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed demonstrate financial responsibility for an UST system, failed to submit evidence of financial assurance to the Department upon request, failed to have a Class A/B operator trained in facility specific operation and maintenance and/or emergency response actions, and failed to pay annual underground storage tank registration fees.

Action: The Individual/Entity shall: submit payment for annual underground storage tank registration fees and associated late fees for fiscal year 2023 in the amount of one hundred twenty-one dollars (\$121.00) and a Tank and Sludge Disposal Form for the permanent closure of the UST at the Facility by April 3, 2023. Then, within forty-five (45) days of the Department's approval of the Tank and Sludge Disposal Form, permanently close the USTs, within sixty (60) days of closure, submit an UST Closure and Assessment Report, and pending the results of the UST Closure and Assessment Report, submit a completed Certificate of Financial Responsibility form and evidence of financial assurance. The Department has assessed a total civil penalty in the amount of twenty-six thousand, six hundred dollars (\$26,600.00). The Individual/Entity shall pay a **suspended penalty** in the amount of twenty-six thousand, six hundred dollars (**\$26,600.00**) should any requirement of the Order not be met.

Update: The fiscal year 2023 fees payment was received on February 14, 2023, and the Tank and Sludge Disposal Form was received on February 15, 2023.

11) Order Type and Number: Consent Order 22-0406-UST
Order Date: February 15, 2023
Individual/Entity: **Devine Property C, LLC**
Facility: Jimmy's Tackle, Inc.
Location: 4034 Byrnes Drive
St. Stephens, SC 29479
Mailing Address: 656 Stoneboro Court
Charleston, SC 29412
County: Berkeley
Previous Orders: None
Permit/ID Number: 12695
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-60(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.22(b), 280.34(c); 280.93(a), 280.110(c), 280.242(b)(3), 280.242(b)(4), and 280.243(b) (2012 & Supp 2022) and § 44-2-60(A) (2018).

Summary: Devine Property C, LLC (Individual/Entity) owns underground storage tanks (USTs) in Berkeley County, South Carolina. The Department conducted inspections and issued Notices of Alleged Violations on August 11, 2022, and October 20, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to validate that monthly requirements had been performed, failed to physically visit the Facility once a quarter; failed to provide a change of ownership form within thirty (30) days of acquisition of an UST system; failed to provide records to the Department upon request; failed to demonstrate financial responsibility for an UST system; failed to submit a submit evidence of financial assurance; failed to have a Class A/B operator trained and designated for the Facility; and failed to pay annual tank registration fees.

Action: The Individual/Entity is required to submit: a completed Certificate of Financial Assurance form; evidence of financial responsibility; payment of annual tank registration fees and associated late fees for fiscal year 2023 in the amount of four hundred eighty-four dollars (\$484.00); evidence a Class A/B operator has been designated and trained for the Facility; evidence a Class A/B operator log has been started; and a completed Transfer of Ownership form, by April 10, 2023. The Department has assessed a total civil penalty in the amount of twenty-eight thousand, two hundred dollars (\$28,200.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, two hundred dollars (**\$3,200.00**) by April 10, 2023, and pay a suspended penalty in the amount of twenty-five thousand dollars (\$25,000.00) should any requirement of the Order not be met.

Update: None

12) Order Type and Number: Consent Order 21-0544-UST
Order Date: February 23, 2023
Individual/Entity: **Russell T. Williford**
Facility: Morris Service Station
Location: 1502 Lockhart Highway
Union, SC 29379
Mailing Address: 107 Osborne Street
Union, SC 29379
County: Union
Previous Orders: None
Permit/ID Number: 15373
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.34(c), 280.70(a), 280.242, and 280.242(b)(4) (2012 & Supp 2022), and § 44-2-60(A) (2018).

Summary: Russell T. Williford (Individual/Entity) owns underground storage tanks (USTs) in Union County, South Carolina. Based on a routine compliance inspection, the Department issued a Notice of Alleged Violation on August 24, 2021. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide records to the Department upon request; failed to continue release detection and/or corrosion protection for a temporarily closed UST; failed to have a Class A/B operator trained for the Facility; and failed to pay annual tank registration fees and associated late fees.

Action: The Individual/Entity is required to submit passing corrosion protection system test results for the piping associated with the USTs at the Facility and should the test results fail, proof of repair and/or replacement of the system and/or system components, and subsequent corrosion protection system test results by April 10, 2023. The Department has assessed a total civil penalty in the amount of two thousand, nine hundred dollars (\$2,900.00). The Individual/Entity shall pay a **suspended penalty** in the amount of two thousand, nine hundred dollars (**\$2,900.00**) should any requirement of the Order not be met.

Update: None.

13) Order Type and Number: Consent Order 22-0330-UST
Order Date: February 23, 2023
Individual/Entity: **Lee B. Vining, LLC**
Facility: Mountain View Convenience Store
Location: 3648 Geer Highway
Marietta, SC 29661
Mailing Address: 1856 Geer Highway
Travelers Rest, SC 29690
County: Greenville

Previous Orders: None
Permit/ID Number: 16898
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.22(b), 280.70(a), 280.93(a), and 280.110(c) (2012 & Supp 2022), and § 44-2-60(A) (2018).

Summary: Lee B. Vining, LLC (Individual/Entity) owns underground storage tanks (USTs) in Greenville County, South Carolina. Based on a routine file review, the Department issued a New Owner Notice of Alleged Violation on August 9, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to notify the Department of ownership change within thirty (30) days of acquisition of a regulated UST system; failed to maintain and operate corrosion protection or appropriate release detection on a temporarily closed UST; failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; and failed to pay annual tank registration fees and associated late fees.

Action: The Individual/Entity is required to submit: proof a Class A/B operator has been trained and designated for the Facility; proof all USTs at the Facility contains less than one (1) inch of residue; a completed Notification of Ownership Change for Underground Storage Tanks form; a completed Certificate of Financial Responsibility form and evidence of financial assurance; and payment of annual tank registration fees and associated late fees for fiscal years 2013 through 2015, and 2017 through 2023 in the amount of eleven thousand, eighty-three dollars (\$11,083.00) by April 10, 2023. The Department has assessed a total civil penalty in the amount of twenty-seven thousand, seven hundred dollars (\$27,700.00). The Individual/Entity will pay a civil penalty in the amount of two thousand, seven hundred dollars (**\$2,700.00**) and pay a suspended penalty in the amount of twenty-five thousand dollars (\$25,000.00) should any requirement of the Order not be met.

Update: None

14) Order Type and Number: Consent Order 22-0369-UST
Order Date: February 23, 2023
Individual/Entity: **Rafat Abudayya**
Facility: Hot Zone Mart
Location: 401 Lockemy Highway
Dillon, SC 29536
Mailing Address: Same
County: Dillon
Previous Orders: AO 21-0252-UST (\$16,365.00)
Permit/ID Number: 10297

Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.21(a)(3), 280.31(a), 280.70(c), 280.93(a), and 280.110(c) (2012 & Supp 2022).

Summary: Rafat Abudayya (Individual/Entity) owns underground storage tanks (USTs) in Dillon County, South Carolina. Based on a routine file review, the Department issued a Notice of Alleged Violation on August 8, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly close a substandard UST system in accordance with the regulations; failed to maintain and operate a corrosion protection system; failed to properly abandon a temporarily closed UST system after twelve (12) months; failed to demonstrate financial responsibility for an UST system; and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to: submit a completed UST Tank and Sludge Disposal Form for the permanent closure of all USTs at the Facility by April 10, 2023, and within forty-five (45) days of the Department's approval of the UST Tank and Sludge Disposal Form permanently close the USTs, and within sixty (60) days of the permanent closure of the USTs submit an UST Closure and Assessment Report; and should the results of the UST Closure and Assessment Report indicate contamination is present, submit a completed Certificate of Financial Responsibility form and evidence of financial assurance within thirty (30) days of discovery. The Department has assessed a total civil penalty in the amount of forty-seven thousand, fifty dollars (\$47,050.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, five hundred fifty dollars (**\$3,550.00**) by April 10, 2023, and pay a suspended penalty in the amount of forty-three thousand, five hundred dollars (\$43,500.00) should any requirement of the Order not be met.

Update: None

15) Order Type and Number: Consent Order 22-0388-UST
Order Date: February 23, 2023
Individual/Entity: **Oak3 Investments, LLC**
Facility: Corner Market
Location: 4595 Dorchester Road
Charleston, SC 29405
Mailing Address: 3689 Dorchester Road
N. Charleston, SC 29405
County: Charleston
Previous Orders: None
Permit/ID Number: 01682
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage

Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.93(a), and 280.110(c) (2012 & Supp 2022).

Summary: Oak3 Investments, LLC (Individual/Entity) owns underground storage tanks (USTs) in Charleston County, South Carolina. Based on a routine file review, the Department issued a Notice of Alleged Violation on October 10, 2022. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for an UST system; and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to submit a completed Certificate of Financial Responsibility form and evidence of financial assurance by April 10, 2023. The Department has assessed a total civil penalty in the amount of twenty-six thousand, two hundred dollars (\$26,200.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**) and pay a suspended penalty in the amount of twenty-five thousand dollars (\$25,000.00) should any requirement of the Order not be met.

Update: The civil penalty, in the amount of one thousand, two hundred dollars (\$1,200.00), was paid February 16, 2023, and a completed Certificate of Financial Responsibility form and evidence of financial assurance was submitted February 17, 2023. The Order is closed.

Hazardous Waste Enforcement

16) Order Type and Number: Consent Order 23-02-HW
Order Date: February 3, 2023
Individual/Entity: **My Cleaners & Laundry, Inc. d/b/a Superior Cleaners**
Facility: Superior Cleaners
Location: 2910 Abbeville Highway
Anderson, SC
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: SCD 982 106 767
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018) and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: My Cleaners & Laundry, Inc. d/b/a Superior Cleaners (Individual/Entity) is a drycleaning facility located in Anderson County, South Carolina.

The Department conducted an inspection at the facility on September 18, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to keep containers closed; failed to label containers with the words “Hazardous Waste,” an indication of the hazards, and accumulation start dates; failed to make arrangements with local emergency responders; accumulated waste onsite for greater than 180 days; and failed to declare its generator status annually.

Action: The Individual/Entity is required to: submit analytical results for the waste sludge generated by the new drycleaning process (new solvent) by March 20, 2023. The Department assessed a total civil penalty in the amount of three thousand, five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, five hundred dollars (**\$3,500.00**) by March 6, 2023.

Update: Civil penalty was paid in full on January 25, 2023. Compliance documentation has been submitted. The Order is closed.

17) Order Type and Number: Consent Order 23-03-HW
Order Date: February 10, 2023
Individual/Entity: **Professional Printers, Inc.**
Facility: Professional Printers, Inc.
Location: 1730 Old Dunbar Road
West Columbia, SC 29170
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: SCR 000 768 176
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018) and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: Professional Printers, Inc. (Individual/Entity) offers full service commercial printing at its facility located in Lexington County, South Carolina. The Department conducted an inspection at the facility on September 21, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to determine if a solid waste was a hazardous waste; failed to label containers with the words “Hazardous Waste” and an indication of the hazards; failed to ensure personnel take part in a hazardous waste training program and an annual review; failed to maintain written job descriptions and job titles for each position related to hazardous waste management and the name of the employee filling that position; failed to maintain the type and amount of both introductory and continuing training; failed to maintain training records; offered hazardous waste to a transporter that had not received an EPA identification number; failed to have a contingency plan; failed to submit a copy of a contingency plan and a

quick reference guide to local emergency responders, failed to attempt to make arrangements with local emergency responders; failed to maintain universal waste lamps to prevent a release and to keep such containers closed; and failed to demonstrate the length of time universal waste had been accumulated from the date it became a waste.

Action: The Individual/Entity is required to: submit a contingency plan with a quick reference guide and position descriptions with the job titles, skills, education, and training by April 10, 2023. The Department assessed a total civil penalty in the amount of twenty-five thousand dollars (\$25,000.00). The Individual/Entity shall pay the civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**) in monthly installments by November 15, 2023 and pay a stipulated penalty in the amount of twenty-three thousand, five hundred dollars (\$23,500.00) should any requirement of the Order not be met.

Update: The first installment was paid on February 15, 2023.

18) Order Type and Number: Consent Order 23-04-HW
Order Date: February 15, 2023
Individual/Entity: **E&I Engineering USA Corporation**
Facility: E&I Engineering USA Corporation
Location: 400 Supreme Industrial Drive
Anderson, SC 29621
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: SCD 000 784 959
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018) and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: E&I Engineering USA Corporation (Individual/Entity) is a manufacturer of roller electrical switchgear and power distribution systems at its facility located in Anderson County, South Carolina. The Department conducted an inspection at the facility on November 3, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to mark or label containers with the words “Hazardous Waste” and an indication of the hazards of the contents; failed to manage universal waste lamps in a manner so as to prevent breakage, a release, and to keep such containers closed; failed to label universal waste lamps with the words “Universal Waste-Lamp(s)” or “Waste Lamp(s)”, or “Used Lamps”, and accumulation start dates; failed to include in the Contingency Plan an up to date list of names and emergency telephone numbers of all persons qualified to act as emergency coordinator; and failed to submit the Quick Reference Guide and a copy of the Contingency Plan to local emergency responders.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of six thousand dollars (\$6,000.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**) by March 15, 2023.

Update: The civil penalty has been paid. The Order is closed.

- 19) Order Type and Number: Consent Order 23-05-HW
Order Date: February 24, 2023
Individual/Entity: **Wabtec Passenger Transit**
Facility: Wabtec Passenger Transit
Location: 130 Ridgeview Circle
Duncan, SC
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCD 981 864 663
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018) and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: Wabtec Passenger Transit (Individual/Entity) is a passenger transit light rail braking components manufacturing facility located in Spartanburg County, South Carolina. The Department conducted an inspection at the facility on April 20, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to have an SCDHEC certified lab conduct analytical testing; failed to maintain the name and address of the disposal facility receiving solvent-contaminated wipes, document that the 180-day accumulation time limit is met, and a description of the process the generator uses to ensure solvent-contaminated wipes contain no free liquids at the point of disposal; failure to close a container containing solvent-contaminated wipes; failed to inspect the central accumulation area at least weekly; failed to make an accurate waste determination; failed to maintain records supporting its hazardous waste determination for at least three (3) years; failed to have containers closed at all times except when adding, removing, or consolidating waste; failed to label containers with the words “Hazardous Waste” and an indication of the hazards; failed to declare its generator status annually; failed to contain universal waste lamps in containers that are closed and structurally sound; failed to label universal waste batteries with the words “Universal Waste – Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies)”; failed to label universal waste lamps with the words “Universal Waste – Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s)”; and failed to mark universal waste with an accumulation start date.

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of nine thousand dollars (\$9,000.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand dollars (**\$9,000.00**) by April 26, 2023.

Update: The civil penalty has been paid. The Order is closed.

20) Order Type and Number: Consent Order 23-06-HW
Order Date: February 24, 2023
Individual/Entity: **Spartanburg Regional Medical Center**
Facility: Spartanburg Regional Medical Center
Location: 101 East Wood Street
Spartanburg, SC
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCD 982 085 078
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018) and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: Spartanburg Regional Medical Center (Individual/Entity) is a research and teaching hospital located in Spartanburg County, South Carolina. The Department conducted an inspection at the facility on July 20, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to maintain universal waste lamps in a container that is closed; failed to ensure that containers containing hazardous waste remain closed except when necessary to add or remove waste; failed to mark containers with the words “Hazardous Waste” and an indication of the hazards of the contents; failed to make an accurate waste determination; failed to notify the Department using the Site Identification Form that it is a healthcare facility operating under Subpart P; failed to submit quarterly reports for third quarter 2019 through first quarter 2022; failed to fill out the quarterly reports in accordance with the instructions; failed to file a revised or new Notification Form with the Department whenever a new hazardous waste is generated and whenever information previously provided became outdated; failed to complete manifests as required by the instructions; failed to obtain the handwritten signature of the initial transporter and date of acceptance of the manifest; failed to contact the transporter or owner or operator of the designated facility to determine the status of the hazardous waste shipment after greater than thirty-five (35) days; failed to submit an Exception Report with the Department when it did not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within forty-five (45) days of the date the waste was accepted by the initial transporter; failed to inspect the central accumulation area at least weekly and record those inspections; failed to

establish a contingency plan as required by the Department; and failed to provide the contingency plan and a quick reference guide to all local emergency responders.

Action: The Individual/Entity is required to: make an accurate waste determination on the contents of a specified containers and apply the appropriate indication of the hazards of the contents; submit a revised contingency plan; and upon the Department's approval of the revised contingency plan, submit the revised contingency plan to local emergency responders along with the quick reference guide by March 27, 2023. The Department has assessed a total civil penalty in the amount of twenty thousand dollars (\$20,000.00). The Individual/Entity shall pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**) by March 27, 2023.

Update: Civil penalty was paid in full on February 22, 2023. The Individual/Entity has submitted all compliance documentation The Order is closed.

21) Order Type and Number: Consent Order 23-08-HW
Order Date: February 24, 2023
Individual/Entity: **Pleasurecraft Engine Group**
Facility: Pleasurecraft Engine Group
Location: 1737 Highway 76
Little Mountain, SC
Mailing Address: Same
County: Newberry
Previous Orders: None
Permit/ID Number: SCD 075 017 004
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018) and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: Pleasurecraft Engine Group (Individual/Entity) is a marine engine manufacturer located in Newberry County, South Carolina. The Department conducted an inspection at the facility on September 27, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to keep containers closed; failed to label containers with the words "Hazardous Waste," an indication of the hazards, and accumulation start dates; failed to make an accurate waste determination; failed to ensure that all employees are trained in waste handling and emergency procedures; failed to maintain records documenting arrangements with local emergency responders; failed to conduct weekly inspections of the central accumulation area; failed to declare its generator status annually; and failed to receive an extension to accumulate waste on-site for greater than 270 days.

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of nine thousand,

nine hundred dollars (\$9,900.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand, nine hundred dollars (**\$9,900.00**) by March 27, 2023.

Update: The civil penalty has been paid. The Order is closed.

Radiological Health Enforcement

22)	<u>Order Type and Number:</u>	Consent Order RR-CO-04-2022
	<u>Order Date:</u>	February 17, 2023
	<u>Individual/Entity:</u>	Southern Equine Service
	<u>Facility:</u>	Southern Equine Service
	<u>Location:</u>	1258 Banks Mill Road Aiken, SC 29803
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Aiken
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	911
	<u>Violations Cited:</u>	R.61-63, RHA 3.16.3

Summary: Southern Equine Service (Individual/Entity) is licensed to possess and use radioactive material in their facility located in Aiken County, South Carolina. The Department conducted an inspection on September 1, 2022. The Individual/Entity has violated the Radioactive Materials Title A Regulation as follows: failed to ensure that instruments and equipment used for quantitative radiation measurements (survey meter and well counter) are calibrated at least annually for the radiation measured.

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of three thousand (\$3,000.00) dollars. The Individual/Entity shall pay a civil penalty in the amount of three thousand (**\$3,000.00**) dollars by March 19, 2023.

Update: The Individual/Entity has paid the civil penalty. This Order has been closed.

BUREAU OF WATER

Drinking Water Enforcement

23)	<u>Order Type and Number:</u>	Consent Order 23-003-DW
	<u>Order Date:</u>	February 17, 2023

<u>Individual/Entity:</u>	Boardwalk Villas Homeowners Association, Inc.
<u>Facility:</u>	Boardwalk Villas
<u>Location:</u>	Boardwalk Lane Lexington, SC 29072
<u>Mailing Address:</u>	1722 Main Street, Suite 150 Columbia, SC 29201
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3270304
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.17.K(2)(a) & 61-58.2.B(14)(c)

Summary: Boardwalk Villas Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. A violation was issued on October 6, 2022, as a result of review of Department records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to conduct a Level 2 Assessment and failed to conduct monitoring for surface water influence.

Action: The Individual/Entity is required to: connect the residents' homes to the Town of Lexington water system by August 17, 2023, and within fifteen days of verification by the Department that the connection has been properly completed, submit a written request for the intended use of the well currently serving the residents. The Department has assessed a total civil penalty in the amount of eight thousand dollars (\$8,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**) should any requirement of the Order not be met.

Update: None

Water Pollution Enforcement

24) <u>Order Type and Number:</u>	Administrative Order 23-007-W
<u>Order Date:</u>	February 15, 2023
<u>Individual/Entity:</u>	McAfee Mobile Home Park
<u>Facility:</u>	McAfee MHP WWTF
<u>Location:</u>	975 McAfee Court York, SC 29745
<u>Mailing Address:</u>	1548 Fieldwood Drive Ft. Mill, SC 29708
<u>County:</u>	York
<u>Previous Orders:</u>	18-018-W (\$5,000.00) 20-040-W (\$4,900.00)
<u>Permit/ID Number:</u>	SC0027111

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a) and (e), and Parts II.E and III.A. of NPDES Permit SC002711

Summary: McAfee Mobile Home Park (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in York County, South Carolina. On April 20, 2022, a Notice of Violation (NOV) was issued as a result of deficiencies observed during an inspection conducted by the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly operate and maintain in good working order and operate as efficiently as possible all facilities and systems of treatment and control. The violations cited in this Order are repeat violations at this facility.

Action: The Individual/Entity is required to: submit a notarized document certifying that it has developed and implemented a written O&M manual that provides for the necessary maintenance and operation of the facility, and an Odor Abatement Plan; remove mud and debris from around the weir, channel, and basin, and continue to maintain the vegetation growth by March 15, 2023; complete repairs or replacement of an ISCO meter and submit a construction permit application for an alternative power source, or provide a notarized document developed by a certified professional engineer, certifying that it has developed and implemented a plan of operation which will halt, reduce, or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power by April 19, 2023; and complete the replacement and repairs of the effluent pipe from the lagoon to the contact chamber by May 19, 2023. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: None.

25) Order Type and Number: Consent Order 23-005-W
Order Date: February 8, 2023
Individual/Entity: **Town of Ellore**
Facility: Ellore WWTP
Location: Orangeburg, SC 29047
Mailing Address: P.O. Box 170
Ellore, SC 29047
County: Orangeburg
Previous Orders: 20-034-W (\$850.00)
Permit/ID Number: ND0067628
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a), and ND0067628

Summary: The Town of Elloree (Individual/Entity) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility in Orangeburg County, South Carolina. On August 30, 2022, a Notice of Violation (NOV) was issued as a result of Fecal Coliform violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with effluent limitations of Land Application Permit ND0067628 for Fecal Coliform.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by March 8, 2023; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTP should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of four thousand, seven hundred sixty dollars (\$4,760.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand seven hundred sixty dollars (**\$4,760.00**) by March 8, 2023.

Update: The Individual/Entity has submitted notification of the completion date for corrective actions and has paid the assessed civil penalty.

26) Order Type and Number: Consent Order 23-006-W
Order Date: February 8, 2023
Individual/Entity: **Low Country Regional Water System**
Facility: Hampton WWTF
Location: 501 Saluda Street
Hampton, SC 29924
Mailing Address: 513 Elm Street W
Hampton, SC 29924
County: Hampton
Previous Orders: 19-063-W (\$2,100.00)
Permit/ID Number: SC0021318
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a), and Part III.A. of NPDES Permit SC0021318

Summary: Low Country Regional Water System (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Hampton County, South Carolina. On July 1, 2022, a Notice of Violation (NOV) was issued as a result of ammonia-nitrogen violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation in that it failed to comply with the permitted effluent limitations for ammonia. The violations cited in this Order are repeat violations at this facility.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve effluent violations by March 10, 2023; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of seven thousand, one hundred and forty dollars (\$7,140.00). The Individual/Entity shall pay the civil penalty in the amount of seven thousand, one hundred and forty dollars (**\$7,140.00**) in four equal installments by December 1, 2023.

Update: The Individual/Entity has submitted notification of the completion date for corrective actions and has paid the first installment towards assessed civil penalty.

27) Order Type and Number: Consent Order 23-008-W
Order Date: February 27, 2023
Individual/Entity: **Hilton Head No. 1 Public Service District**
Facility: Hilton Head PSD WWTF
Location: 21 Oak Park Drive
Hilton Head, SC 29926
Mailing Address: Same
County: Beaufort
Previous Orders: None
Permit/ID Number: SC0046191, ND0068462
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), and Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a)

Summary: Hilton Head No. 1 Public Service District (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Beaufort County, South Carolina. On September 16, 2022, a Notice of Violation (NOV) was issued as a result of Fecal Coliform (FC) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation in that it failed to comply with the permitted effluent limitations for FC.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve effluent violations by March 29, 2023; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of three thousand, five hundred dollars (\$3,500.00). The Individual/Entity shall pay the civil penalty in the amount of three thousand, five hundred dollars (**\$3,500.00**) by March 29, 2023.

Update: The Individual/Entity has paid the civil penalty and submitted the required

notification of the corrective action completion date.

28) Order Type and Number: Consent Order 23-009-W
Order Date: February 27, 2023
Individual/Entity: **Blue Granite Water**
Facility: Roosevelt Garden Apts.
Location: Orangeburg, SC
Mailing Address: 130 S Main Street, Suite 800
Greenville SC
County: Orangeburg
Previous Orders: 22-055-W (\$5,250.00)
Permit/ID Number: SC0029645
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a), and NPDES SC0029645

Summary: The Blue Granite Water (Individual/Entity) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility in Orangeburg County, South Carolina. On June 28, 2022, a Notice of Violation (NOV) was issued as a result of ammonia-nitrogen (Ammonia) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with limitations of NPDES Permit SC0029645 for Ammonia.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by March 27, 2023; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of three thousand five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**) by March 27, 2023.

Update: The Individual/Entity has paid the civil penalty and submitted the required notification of the corrective action completion date.

BUREAU OF AIR QUALITY

29) Order Type and Number: Consent Order 23-003-A
Order Date: February 8, 2023
Individual/Entity: **Cummins Inc.**
Facility: Cummins CTC Charleston
Location: 4500 Leeds Avenue, Suite 500

Charleston, SC 29405
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: TV-560-0361
Violations Cited: U.S. EPA 40 CFR 70.5(a)(1)(iii), S.C. Code Ann. Regs 61-62.70.5(a)(1)(iii), and S.C. Code Ann. Regs. 61-62.1, Section II, Permit Requirements

Summary: Cummins, Inc. (Individual/Entity) operates an engine research and development facility located in Charleston County, South Carolina. The Department issued a Notice of Alleged Violation on October 6, 2022, for failure to submit the Title V Permit Renewal Application prior to expiration. The Individual/Entity has violated U.S. EPA Regulations and the S.C. Air Pollution Control Regulations, as follows: failed to submit a timely Part 70 (Title V) Permit renewal application within six months prior to permit expiration.

Action: The Individual/Entity is required to: comply with all terms and conditions of the current TV Permit, until a new TV Permit can be issued. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

Update: On February 9, 2023, the Department received payment of the civil penalty. This Order has been closed.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

30) Order Type and Number: Consent Order 22-300-FOOD
Order Date: February 1, 2023
Individual/Entity: **Charleston Sports Pub**
Facility: Charleston Sports Pub
Location: 359 College Avenue
Clemson, SC 29631
Mailing Address: 1227 Yeamans Hall Road
Hanahan, SC 29631
County: Pickens
Previous Orders: 22-96-FOOD (\$1,000.00);
22-202-FOOD (\$2,500.00); and
22-307-FOOD (\$3,000.00)
Permit Number: 04-206-03286

Violations Cited:

S.C. Code Ann. Regs. 61-25

Summary: Charleston Sports Pub (Individual/Entity) operates a retail food establishment located in Pickens County, South Carolina. The Department conducted inspections on January 5, 2023, and January 12, 2023. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests. The violations cited in this Order are repeat violations at this facility.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

31) Order Type and Number: Consent Order 22-313-FOOD
Order Date: February 1, 2023
Individual/Entity: **Dos Amigos Mexican Grill**
Facility: Dos Amigos Mexican Grill
Location: 2121 Boundary Street, Suite 103
Beaufort, SC 22902
Mailing Address: 2814 Riverbank Drive
Beaufort, SC 29902
County: Beaufort
Previous Orders: None
Permit Number: 07-206-02971
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Dos Amigos Mexican Grill (Individual/Entity) operates a retail food establishment located in Beaufort County, South Carolina. The Department conducted inspections on March 1, 2022, March 10, 2022, March 21, 2022, and November 21, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to provide water at a temperature of at least 100°F through a mixing valve or combination faucet at the handwashing sink(s).

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

32) Order Type and Number: Consent Order 22-333-FOOD
Order Date: February 1, 2023
Individual/Entity: **Lucky Palace Asian Fusion**
Facility: Lucky Palace Asian Fusion
Location: 101-A Commerce Place West
Bluffton, SC 29910
Mailing Address: Same
County: Beaufort
Previous Orders: None
Permit Number: 07-206-10146
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Lucky Palace Asian Fusion (Individual/Entity) operates a retail food establishment located in Beaufort County, South Carolina. The Department conducted inspections on October 12, 2021, August 22, 2022, December 5, 2022, and December 13, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the proper sanitization concentration in a chemical sanitizer used in a manual or mechanical operation during contact times.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand six hundred dollars (\$1,600.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand six hundred dollars (**\$1,600.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

33) Order Type and Number: Consent Order 22-282-FOOD
Order Date: February 2, 2023
Individual/Entity: **Wendy's #221**
Facility: Wendy's #221
Location: 207 North Van Lingle Mungo Boulevard
Pageland, SC 29728
Mailing Address: 8040 Arrowridge Boulevard, Suite 100
Charlotte, NC 28273
County: Chesterfield
Previous Orders: None
Permit Number: 13-206-01386
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Wendy's #221 (Individual/Entity) operates a retail food establishment located in Chesterfield County, South Carolina. The Department conducted inspections on September 28, 2022, October 7, 2022, and October 17, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

34) <u>Order Type and Number:</u>	Consent Order 22-329-FOOD
<u>Order Date:</u>	February 2, 2023
<u>Individual/Entity:</u>	Kings Sushi
<u>Facility:</u>	Kings Sushi
<u>Location:</u>	112 Highway 17 North Surfside Beach, SC 29575
<u>Mailing Address:</u>	224 Haley Lane Conway, SC 29527
<u>County:</u>	Horry
<u>Previous Orders:</u>	22-264-FOOD (\$1,000.00)
<u>Permit Number:</u>	26-206-13054
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Kings Sushi (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on March 8, 2022, September 26, 2022, October 6, 2022, November 21, 2022, and December 1, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; failed to ensure that food was safe, unadulterated, and honestly presented; failed to use effective methods to cool cooked time/temperature control for safety foods; and failed to properly cool cooked time/temperature control for safety foods.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand two hundred fifty dollars (\$2,250.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand two hundred fifty dollars (**\$2,250.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

35) Order Type and Number: Consent Order 22-305-FOOD
Order Date: February 6, 2023
Individual/Entity: **Mid South Bells, LLC**
Facility: Taco Bell
Location: 1610 Sandifer Boulevard
Seneca, SC 29678
Mailing Address: 1340 Hamlet Avenue
Clearwater, FL 33756
County: Oconee
Previous Orders: None
Permit Number: 37-206-01045
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Taco Bell (Individual/Entity) operates a retail food establishment located in Oconee County, South Carolina. The Department conducted inspections on February 28, 2022, October 12, 2022, October 21, 2022, and November 2, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that physical facilities were maintained in good repair.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

36) Order Type and Number: Consent Order 22-314-FOOD
Order Date: February 6, 2023
Individual/Entity: **Kevin Richard**
Facility: Chuck's Steak House
Location: 9695 North Kings Highway
Myrtle Beach, SC 29572
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-14165
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Chuck's Steak House (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on March 2, 2022, September 14, 2022, September 22, 2022, September 29, 2022, and November 4, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that physical facilities were maintained in good repair.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of six hundred dollars (\$600.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred dollars **(\$600.00)**.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

37) <u>Order Type and Number:</u>	Consent Order 22-317-FOOD
<u>Order Date:</u>	February 6, 2023
<u>Individual/Entity:</u>	Chris Manning
<u>Facility:</u>	International Club
<u>Location:</u>	1560 International Club Boulevard Murrells Inlet, SC 29576
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	26-206-14263
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: International Club (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on October 14, 2021, April 25, 2022, May 5, 2022, May 12, 2022, September 28, 2022, October 7, 2022, and October 31, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that at least one employee that has supervisory and management responsibility, the authority to direct and control food preparation and service, the ability to enforce employee health policies, and a frequent presence at the facility is a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)**.

Update: The Department has entered into a payment plan with the Individual/Entity for the civil penalty.

38) Order Type and Number: Consent Order 22-331-FOOD
Order Date: February 6, 2023
Individual/Entity: **Miller's All Day**
Facility: Miller's All Day
Location: 1956 Maybank Highway, Unit A
Charleston, SC 29412
Mailing Address: 120 King Street
Charleston, SC 29401
County: Charleston
Previous Orders: None
Permit Number: 10-206-13321
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Miller's All Day (Individual/Entity) operates a retail food establishment located in Charleston County, South Carolina. The Department conducted inspections on October 11, 2022, October 21, 2022, and November 30, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred fifty dollars (\$550.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred fifty dollars (**\$550.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

39) Order Type and Number: Consent Order 23-03-FOOD
Order Date: February 7, 2023
Individual/Entity: **Papa John's Pizza**
Facility: Papa John's Pizza
Location: 3014 A North Main
Anderson, SC 29621
Mailing Address: 401 Vardy Street
Greenville, SC 29601
County: Anderson
Previous Orders: None
Permit Number: 04-206-03415

Violations Cited:

S.C. Code Ann. Regs. 61-25

Summary: Papa John's Pizza (Individual/Entity) operates a retail food establishment located in Anderson County, South Carolina. The Department conducted inspections on October 27, 2022, November 4, 2022, and November 9, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

40) <u>Order Type and Number:</u>	Consent Order 22-321-FOOD
<u>Order Date:</u>	February 8, 2023
<u>Individual/Entity:</u>	Gilbert Rivera
<u>Facility:</u>	Charley's Grilled Subs
<u>Location:</u>	10835 Kings Road, #288 Myrtle Beach, SC 29572
<u>Mailing Address:</u>	3304 Collaroy Road Waxhaw, NC 28173
<u>County:</u>	Horry
<u>Previous Orders:</u>	22-84-FOOD (\$800.00)
<u>Permit Number:</u>	26-206-12158
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Charley's Grilled Subs (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on June 3, 2022, November 7, 2022, November 15, 2022, and November 22, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that at least one employee that has supervisory and management responsibility, the authority to direct and control food preparation and service, the ability to enforce employee health policies, and a frequent presence at the facility is a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred

dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

41) Order Type and Number: Consent Order 22-230-FOOD
Order Date: February 9, 2023
Individual/Entity: **Waffle House #1461**
Facility: Waffle House #1461
Location: 1710 Richland Avenue West
Aiken, SC 29801
Mailing Address: P. O. Box 6450
Norcross, GA 30091
County: Aiken
Previous Orders: None
Permit Number: 02-206-01914
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Waffle House #1461 (Individual/Entity) operates a retail food establishment located in Aiken County, South Carolina. The Department conducted inspections on August 23, 2022, October 11, 2022, November 10, 2022, November 15, 2022, November 28, 2022, and December 7, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure written procedures were in place and made available to the Department when the facility uses time as a public health control and failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand eight hundred dollars (\$2,800.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

42) Order Type and Number: Consent Order 23-04-FOOD
Order Date: February 9, 2023
Individual/Entity: **Wendy's #53**
Facility: Wendy's #53
Location: 330 Pearman Dairy Road
Anderson, SC 29625
Mailing Address: 9541 Julian Clark Avenue, Suite 210

Huntersville, NC 28078
County: Anderson
Previous Orders: None
Permit Number: 04-206-04639
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Wendy's #53 (Individual/Entity) operates a retail food establishment located in Anderson County, South Carolina. The Department conducted inspections on August 26, 2022, August 30, 2022, September 8, 2022, November 4, 2022, November 10, 2022, and November 17, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to provide individual disposable towels at each hand washing sink or group of adjacent handwashing sinks; failed to keep equipment food contact surfaces and utensils clean to sight and touch; failed to ensure written procedures were in place and made available to the Department when the facility uses time as a public health control; and failed to ensure employees wash hands after engaging in activities that contaminate their hands.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

43) Order Type and Number: Consent Order 22-325-FOOD
Order Date: February 10, 2023
Individual/Entity: **Waffle House #973**
Facility: Waffle House #973
Location: 2519 Whiskey Road
Aiken, SC 29803
Mailing Address: P. O. Box 6450
Norcross, GA 30091
County: Aiken
Previous Orders: None
Permit Number: 02-206-01349
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Waffle House #973 (Individual/Entity) operates a retail food establishment located in Greenwood County, South Carolina. The Department conducted inspections on November 15, 2022, November 23, 2022, December 2, 2022, and December 12, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that the temperature of the fresh hot water sanitizing rinse as it enters the manifold was not more than 194 degrees in a

mechanical operation, less than 165 degrees for a stationary rack, single temperature machine, or less than 180 degrees for all other machines.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

44) <u>Order Type and Number:</u>	Consent Order 22-251-FOOD
<u>Order Date:</u>	February 14, 2023
<u>Individual/Entity:</u>	Bojangles #880
<u>Facility:</u>	Bojangles #880
<u>Location:</u>	2041 E. Greenville Street Anderson, SC 29621
<u>Mailing Address:</u>	7750 N. MacArthur Boulevard Suite 120-223 Irving, TX 75063
<u>County:</u>	Anderson
<u>Previous Orders:</u>	22-166-FOOD (\$1,600.00)
<u>Permit Number:</u>	04-206-04729
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Bojangles #880 (Individual/Entity) operates a retail food establishment located in Anderson County, South Carolina. The Department conducted inspections on September 20, 2022, September 29, 2022, October 7, 2022, October 17, 2022, October 26, 2022, November 4, 2022, and November 14, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to keep equipment food contact surfaces and utensils clean to sight and touch; failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; and failed to convey sewage to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law. The violations cited in this Order are repeat violations at this facility.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four thousand seven hundred fifty dollars (\$4,750.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand seven hundred fifty dollars (**\$4,750.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

45) Order Type and Number: Consent Order 22-286-FOOD
Order Date: February 14, 2023
Individual/Entity: **Amy Swing**
Facility: Deckerz
Location: 90 Hillside Drive South
North Myrtle Beach, SC 29582
Mailing Address: P. O. Box 4171
North Myrtle Beach, SC 29582
County: Horry
Previous Orders: None
Permit Number: 26-206-12182
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Deckerz (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on February 9, 2022, October 7, 2022, October 17, 2022, and October 27, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that at least one employee that has supervisory and management responsibility, the authority to direct and control food preparation and service, the ability to enforce employee health policies, and a frequent presence at the facility is a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

46) Order Type and Number: Consent Order 22-296-FOOD
Order Date: February 14, 2023
Individual/Entity: **Melanbo Holdco, LLC**
Facility: Bojangles #756
Location: 2780 Highway 501
Aynor, SC 29511
Mailing Address: 10801 Johnston, Suite 121
Charlotte, NC 28206

County: Horry
Previous Orders: None
Permit Number: 26-206-14250
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Bojangles #756 (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on June 14, 2022, October 13, 2022, October 21, 2022, November 3, 2022, and November 10, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that physical facilities were maintained in good repair.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of six hundred dollars (\$600.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

47) Order Type and Number: Consent Order 22-315-FOOD
Order Date: February 14, 2023
Individual/Entity: **Suzanne Mullin**
Facility: Murphy's Law
Location: 4204 Carolina Exchange
Myrtle Beach, SC 29579
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-10993
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Murphy's Law (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on January 10, 2022, August 22, 2022, August 31, 2022, September 8, 2022, and November 17, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that at least one employee that has supervisory and management responsibility, the authority to direct and control food preparation and service, the ability to enforce employee health policies, and a frequent presence at the facility is a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of six hundred dollars (\$600.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

48) Order Type and Number: Consent Order 22-323-FOOD
Order Date: February 14, 2023
Individual/Entity: **Bojangles #443**
Facility: Bojangles #443
Location: 1107 West Faris Road
Greenville, SC 29605
Mailing Address: 7750 North MacArthur Boulevard
Suite 120-223
Irving, TX 75063
County: Greenville
Previous Orders: None
Permit Number: 23-206-12928
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Bojangles #443 (Individual/Entity) operates a retail food establishment located in Greenville County, South Carolina. The Department conducted inspections on August 23, 2022, September 2, 2022, November 17, 2022, November 23, 2022, and December 2, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure employees wash hands after engaging in activities that contaminate their hands and failed to provide individual disposable towels at each hand washing sink or group of adjacent handwashing sinks.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

Update: The Department has entered into a payment plan with the Individual/Entity for the civil penalty.

49) Order Type and Number: Consent Order 22-319-FOOD
Order Date: February 22, 2023
Individual/Entity: **7-Eleven #39128**
Facility: 7-Eleven #39128

Location: 4301 Sunset Boulevard
Lexington, SC 29072
Mailing Address: 279 Cedarcrest Drive
Lexington, SC 29072
County: Lexington
Previous Orders: None
Permit Number: 32-206-07054
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: 7-Eleven #39128 (Individual/Entity) operates a retail food establishment located in Lexington County, South Carolina. The Department conducted inspections on November 21, 2022, November 30, 2022, and December 7, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that the handwashing sinks were accessible at all times and failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

50) Order Type and Number: Consent Order 22-326-FOOD
Order Date: February 22, 2023
Individual/Entity: **Cheesesteak Factory**
Facility: Cheesesteak Factory
Location: 310 Highway 17 North
Surfside Beach, SC 29575
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-12733
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Cheesesteak Factory (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on September 13, 2022, September 23, 2022, and December 1, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained

at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: If payment is not received by April 7, 2023, the Department will issue a payment demand letter.

51) <u>Order Type and Number:</u>	Consent Order 22-327-FOOD
<u>Order Date:</u>	February 22, 2023
<u>Individual/Entity:</u>	Jersey Mike's Subs (Sayebrook)
<u>Facility:</u>	Jersey Mike's Subs (Sayebrook)
<u>Location:</u>	102 Loyola Drive, Unit B Myrtle Beach, SC 29588
<u>Mailing Address:</u>	P O. Box 1007 North Myrtle Beach, SC 29598
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	26-206-12355
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Jersey Mike's Subs (Sayebrook) (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on October 12, 2021, August 10, 2022, and December 5, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

52) Order Type and Number: Consent Order 23-06-FOOD
Order Date: February 22, 2023
Individual/Entity: **Taqueria Chile Caliente**
Facility: Taqueria Chile Caliente
Location: 5343 Highway 321
Gaston, SC 29053
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit Number: 32-206-06368
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Taqueria Chile Caliente (Individual/Entity) operates a retail food establishment located in Lexington County, South Carolina. The Department conducted inspections on April 6, 2022, June 3, 2022, and January 4, 2023. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure employees wash hands after engaging in activities that contaminate their hands and failed to ensure that the handwashing sinks were accessible at all times.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

53) Order Type and Number: Consent Order 23-22-FOOD
Order Date: February 22, 2023
Individual/Entity: **Santa Fe Mexican Grill**
Facility: Santa Fe Mexican Grill
Location: 248 Birchtree Drive
Greenwood, SC 29649
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit Number: 24-206-01407
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Santa Fe Mexican Grill (Individual/Entity) operates a retail food establishment located in Greenwood County, South Carolina. The Department conducted inspections on December 30, 2021, December 15, 2022, December 20, 2022, December 29, 2022, January 6, 2023, and January 19, 2023. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that the

handwashing sinks were accessible at all times; failed to ensure that each handwashing sink or group of two (2) adjacent handwashing sinks was provided with a supply of hand cleaning, liquid, powder or bar soap; failed to maintain the premises free of insects, rodents, and other pests; failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked; and failed to provide a test kit or other device that accurately measures the concentration of MG/L of sanitizing solutions.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand four hundred dollars (\$2,400.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand four hundred dollars (**\$2,400.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

54) <u>Order Type and Number:</u>	Consent Order 23-26-FOOD
<u>Order Date:</u>	February 22, 2023
<u>Individual/Entity:</u>	Bonefish Grill
<u>Facility:</u>	Bonefish Grill
<u>Location:</u>	8703 Highway 17 Bypass Surfside Beach, SC 29582
<u>Mailing Address:</u>	2202 North West Shore Boulevard, 5 th Floor Tampa, FL 33607
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	26-206-10399
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Bonefish Grill (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on September 19, 2022, September 28, 2022, and January 18, 2023. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

55) Order Type and Number: Consent Order 23-05-FOOD
Order Date: February 23, 2023
Individual/Entity: **Asian Bistro & Sushi Bar**
Facility: Asian Bistro & Sushi Bar
Location: 4620 Dickpond Road, Unit J
Myrtle Beach, SC 29588
Mailing Address: Same
County: Horry
Previous Orders: 2019-206-06-170 (\$1,000.00)
Permit Number: 26-206-13855
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Asian Bistro & Sushi Bar (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on April 27, 2022, October 24, 2022, and December 21, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that each handwashing sink or group of two (2) adjacent handwashing sinks was provided with a supply of hand cleaning liquid, powder, or bar soap; failed to provide individual disposable towels at each hand washing sink or group of adjacent handwashing sinks; failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked; and failed to inform consumers of the significantly increased risk of consuming raw animal foods by way of a disclosure and reminder (using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means). The violations cited in this Order are repeat violations at this facility.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand two hundred fifty dollars (\$1,250.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand two hundred fifty dollars (**\$1,250.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

On-Site Wastewater Enforcement

56) Order Type and Number: Administrative Order 22-073-OSWW
Order Date: January 18, 2023
Individual/Entity: **ABC&W, LLC**
Facility: ABC&W, LLC
Location: 1975 McAfee Court
York, SC 29745
Mailing Address: 1548 Fieldwood Drive
Fort Mill, SC 29708
County: York
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: ABC&W, LLC (Individual/Entity) owns property located in York County, South Carolina. The Department conducted an investigation on October 13, 2022, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

57) Order Type and Number: Administrative Order 22-074-OSWW
Order Date: January 18, 2023
Individual/Entity: **Estate of Terry Adams**
Facility: Estate of Terry Adams
Location: 640 Michaw Street
Lancaster, SC 29720
Mailing Address: Same
County: Lancaster
Previous Orders: None
Permit Number: None

Violations Cited:

S.C. Code Ann. Regs. 61-56

Summary: The Estate of Terry Adams (Individual/Entity) owns property located in Lancaster County, South Carolina. The Department conducted an investigation on October 19, 2022, and observed domestic wastewater discharging onto the surface of the ground and the septic tank open. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The case has been referred to the Department's Office of General Counsel to file a complaint in the Administrative Law Court for the enforcement of this Order.

58) <u>Order Type and Number:</u>	Administrative Order 22-075-OSWW
<u>Order Date:</u>	January 18, 2023
<u>Individual/Entity:</u>	Theresa Matthews
<u>Facility:</u>	Theresa Matthews
<u>Location:</u>	201 West Butternut Road Summerville, SC 29483
<u>Mailing Address:</u>	Same
<u>County:</u>	Dorchester
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Theresa Matthews (Individual/Entity) owns property located in Dorchester County, South Carolina. The Department conducted an investigation on November 3, 2022, and observed domestic wastewater discharging onto the surface of the ground from a recreational vehicle (RV) parked at the site. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department and allowed the RV to be occupied for more than two hours per day without an approved means of domestic wastewater treatment and disposal.

Action: The Individual/Entity is required to apply for a Permit to Construct an OSWW system within five (5) days and install the OSWW system within ten days of the issuance of a permit to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground or immediately vacate the RV to eliminate the flow of domestic wastewater to the surface of the ground. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The case has been referred to the Department's Office of General Counsel to file a complaint in the Administrative Law Court for the enforcement of this Order.

59) <u>Order Type and Number:</u>	Administrative Order 23-004-OSWW
<u>Order Date:</u>	January 31, 2023
<u>Individual/Entity:</u>	Mary Woods
<u>Facility:</u>	Mary Woods
<u>Location:</u>	68 Palmetto Point Hardeeville, SC 29927
<u>Mailing Address:</u>	P. O. Box 561 Hardeeville, SC 29927
<u>County:</u>	Jasper
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Mary Woods (Individual/Entity) owns property located in Jasper County, South Carolina. The Department conducted an investigation on December 30, 2022, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Department has filed a complaint with the Administrative Law Court to assist in the enforcement of this Order. The Department has not received a hearing date at this time.

60) <u>Order Type and Number:</u>	Consent Order 22-069-OSWW
<u>Order Date:</u>	February 22, 2023
<u>Individual/Entity:</u>	Michelle Wilson, DBA Wilson's Septic Tank Service
<u>Facility:</u>	Michelle Wilson, DBA Wilson's Septic Tank Service
<u>Location:</u>	1375 Sailclub Road Hartsville, SC 29550
<u>Mailing Address:</u>	P. O. Box 1506 Hartsville, SC 29550
<u>County:</u>	Chesterfield
<u>Previous Orders:</u>	22-019-OSWW
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Michelle Wilson, DBA Wilson's Septic Tank Service (Individual/Entity) installed an OSWW system on property located in Chesterfield County, South Carolina. The Department conducted a review of submitted documentation on November 10, 2022, and determined that the Individual/Entity never scheduled a final inspection with the Department for the installation of the OSWW system. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: they did not schedule a final inspection for an OSWW system they installed.

Action: The Individual/Entity is required to cease and desist installing OSWW systems without scheduling final inspections with the Department. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

* Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Affairs Programs within the last five (5) years.