

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 8, 2022

_____ 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 July 1, 2022, through July 31, 2022.
3. **FACTS:** For the reporting period of July 1, 2022, through July 31, 2022, the Office of Environmental Affairs issued forty-two (42) Consent Orders with total assessed civil penalties in the amount of one hundred two thousand, six hundred fifty dollars (\$102,650.00). Also, thirteen (13) Administrative Orders with total assessed civil penalties in the amount of one hundred twenty thousand, five hundred eighteen dollars and twenty-five cents (\$120,518.25) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	6	\$89,758.25	9	\$34,270.00
Aboveground Tanks	0	0	0	0
Solid Waste	1	\$13,860.00	2	\$6,300.00
Hazardous Waste	0	0	2	\$25,500.00
Infectious Waste	0	0	0	0
Mining	0	0	0	0
SUBTOTAL	7	\$103,618.25	13	\$66,070.00
Water				
Recreational Water	0	0	8	\$8,180.00
Drinking Water	0	0	1	0
Water Pollution	1	\$6,000.00	2	\$7,500.00
Dam Safety	0	0	0	0
SUBTOTAL	1	\$6,000.00	11	\$15,680.00
Air Quality				
SUBTOTAL	0	0	0	0
Environmental Health Services				
Food Safety	1	\$10,400.00	18	\$20,900.00
Onsite Wastewater	4	\$500.00	0	0
SUBTOTAL	5	\$10,900.00	18	\$20,900.00
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	13	\$120,518.25	42	102,650.00

Submitted by:



Myra C. Reece
Director of Environmental Affairs

ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 8, 2022

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 21-0422-UST
 Order Date: April 12, 2022
 Individual/Entity: **William J. Smith**
 Facility: Smith & Brewington
 Location: 1930 Main Street
 Newberry, SC 29108
 Mailing Address: 1216 Crenshaw Street
 Newberry, SC 29202

 County: Newberry
 Previous Orders: None
 Permit/ID Number: 19345
 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 62-92, 280.65 (2012 & Supp 2020).

Summary: William J. Smith (Individual/Entity) owned property in Newberry County, South Carolina which formally contained underground storage tanks (USTs). A release of petroleum products to the environment was confirmed during the time the Individual/Entity owned the property. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to determine the full extent of groundwater contamination at the Site.

Action: The Individual/Entity is required to submit a Tier II Assessment Report by July 8, 2022. The Department has assessed a civil penalty in the amount of ten thousand, nine hundred thirty-eight dollars and twenty-five cents (\$10,938.25). The Individual/Entity shall pay a civil penalty in the amount of ten thousand, nine hundred thirty-eight dollars and twenty-five cents (\$10,938.25) by June 23, 2022.

Update: The Individual/Entity did not file a Request for Review and has not complied with the Order. This has been referred to Office of General Counsel for further action. A summons and complaint has been filed. We have met with the RP and are working to resolve the violation.

- 2) Order Type and Number: Administrative Order 21-0124-UST
 Order Date: June 6, 2022
 Individual/Entity: **Willie Dave Cooper Family Trust**
 Facility: Cooper's Grocery
 Location: 2129 IM Graham Road
 Lake City, SC 29560
 Mailing Address: 702 San Antonio Trail

Lake City, SC 76063

County: Williamsburg
Previous Orders: None
Permit/ID Number: 15828
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 & Supp 2020).

Summary: Willie Dave Cooper Family Trust (Individual/Entity) owns an underground storage tank (UST) in Williamsburg County, South Carolina. On November 30, 2022, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain corrosion protection or appropriate release detection on a temporarily closed UST and failure to conduct monthly and annual walkthrough inspections.

Action: The Individual/Entity is required to submit: evidence a Walk-through Inspection log has been initiated and is being maintained and evidence the three thousand (3,000) gallon regular UST contains less than one (1) inch of liquid by August 8, 2022. The Department has assessed a total civil penalty in the amount of one thousand, eight hundred dollars (\$1,800.00). The Individual/Entity shall pay a total civil penalty in the amount of one thousand, eight hundred dollars (**\$1,800.00**) by August 8, 2022.

Update: The Department received evidence the 3,000-gallon UST contained less than one inch of liquid. This has been referred to Office of General Counsel for further action.

3) Order Type and Number: Administrative Order 21-0011-UST
Order Date: June 8, 2022
Individual/Entity: **Rafat Abudayya**
Facility: Scotchman Mart
Location: 1109 East Liberty Street
Marion, SC 29571-4332
Mailing Address: 401 Lockemy Highway
Dillon, SC 29536
County: Marion
Previous Orders: None
Permit/ID Number: 06274
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, 280.31(a), 280.34(c), 280.35(a)(2), 280.36(a)(1)(i), 280.36(a)(1)(ii), 280.40(a), 280.45(b)(1), and 280.242(b)(3) (2012 and Supp. 2020).

Summary: Rafat Abudayya (Individual/Entity) owns and operates underground storage tanks (USTs) in Marion County, South Carolina. On November 9, 2020, the Department conducted an 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 and operate a corrosion protection system continuously; failed to provide records to the Department

upon request; failed to test overfill prevention equipment once every three (3) years; failed to document monthly and annually required equipment walkthrough inspections; failed to provide an adequate release detection method; failed to maintain results of annual operation tests for three (3) years; and, failed to validate that monthly requirements have been met.

Action: The Individual/Entity is required to submit: proof the liquid from dispenser 1/2's under dispenser containment sump has been removed and disposed of properly; proof a Class A/B walkthrough/operator inspection log has been initiated and is being properly maintained; overfill prevention equipment operability test results for the 4,000-gallon regular and 6,000-gallon premium USTs; and a current passing automatic tank gauge record for all USTs at the facility as proof a valid release detection method is in place by August 27, 2022. The Department has assessed a total civil penalty in the amount of twelve thousand, seven hundred thirty dollars (\$12,730.00). The Individual/Entity shall pay a civil penalty in the amount of twelve thousand, seven hundred thirty dollars (**\$12,730.00**) by August 27, 2022.

Update: The Individual/Entity did not file a Request for Review, therefore the Order is effective July 13, 2022. No documentation has been submitted.

4) Order Type and Number: Administrative Order 22-0075-UST
Order Date: June 14, 2022
Individual/Entity: **Gordhanbhai Patel**
Facility: Quick Food Mart 1
Location: 2555 North Dawson Drive
Chester, SC 29706
Mailing Address: 1139 Johnston Parkway
Kenly, NC 27542
County: Chester
Previous Orders: None
Permit/ID Number: 12357
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(b)&(c), 280.22(b), 280.31(a), 280.70(c), 280.93(a), and 280.110(c) (2012 & Supp 2020).

Summary: Gordhanbhai Patel (Individual/Entity) owns and operates underground storage tanks (USTs) in Chester County, South Carolina. Based on a file review, the Department issued a Notice of Alleged Violation on December 16, 2021. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to protect an operating UST system from corrosion; failed to submit written notification with supporting documentation within thirty (30) days of acquisition of a regulated UST system; failed to operate and maintain cathodic protection equipment continuously; 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 Certificate of Financial Responsibility form and evidence of financial assurance; a completed Transfer of Ownership form; and a completed UST Tank and Sludge Disposal Form for the permanent closure of all USTs at the Facility by August 15, 2022; within thirty (30) 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. The Department has assessed a total civil penalty in the amount of fifty thousand, five hundred seventy-five dollars (\$50,575.00). The Individual/Entity shall pay a civil penalty in the amount of fifty thousand, five hundred seventy-five dollars (**\$50,575.00**) by August 15, 2022.

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

- 5) Order Type and Number: Administrative Order 22-0500-UST
Order Date: June 21, 2022
Individual/Entity: **Raja Ram, LLC**
Facility: Quick C Food Mart
Location: 583 Lancaster Highway
Chester, SC 29706
Mailing Address: 3434 Millstone Creek Road
County: Chester
Previous Orders: None
Permit/ID Number: 16060
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, 280.40(a)(2) (2012 & Supp 2020).

Summary: Raja Ram, LLC (Individual/Entity) owns and operates a compartmented underground storage tank (USTs) in Chester County, South Carolina. Based on a file review, the Department issued a Notice of Alleged Violation on August 10, 2021. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly maintain release detection equipment.

Action: The Individual/Entity is required to submit passing line leak detector function check results for the 2,000-gallon kerosene compartment of tank 2 by August 31, 2022. The Department has assessed a total civil penalty in the amount of five thousand, two hundred fifteen dollars (\$5,215.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, two hundred fifteen dollars (**\$5,215.00**) by August 31, 2022.

Update: Kerosene tank was emptied to less than one inch of liquid and will remain tagged until new line leak detector can be installed (backordered). Paid \$1,500.00 civil penalty with remainder suspended. The Order is closed.

- 6) Order Type and Number: Administrative Order 21-0606-UST
Order Date: June 28, 2022
Individual/Entity: **Johnnie Capers**
Facility: Pringletown Quick Stop
Location: 1088 Old Gillard Road
Ridgeville, SC 29472
Mailing Address: P. O. Box 264
Ridgeville, SC 29472
County: Berkeley
Previous Orders: None
Permit/ID Number: 18369

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 & Supp 2020).

Summary: Johnnie Capers (Individual/Entity) own an underground storage tank (UST) in Berkeley County, South Carolina. On November 2, 2021, the Department conducted an inspection 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 maintain overfill prevention equipment.

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 eight thousand, five hundred dollars (\$8,500.00). The Individual/Entity shall pay a total civil penalty in the amount of eight thousand, five hundred dollars (**\$8,500.00**) by August 12, 2022.

Update: The Individual/Entity did not file a Request for Review. The civil penalty was paid (\$6,000.00) was paid July28, 2022; the remaining balance (\$2,500.00) was suspended. The Order is closed.

7) Order Type and Number: Consent Order 22-0058-UST
Order Date: July 5, 2022
Individual/Entity: **South Carolina Aeronautics Commission**
Facility: SC Aeronautics Commission
Location: 2553 Airport Boulevard
West Columbia, SC 29169
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 05797
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, 280.30(a) and 280.40(a)(3) (2012 and Supp. 2020).

Summary: South Carolina Aeronautics Commission (Individual/Entity) owns and operates underground storage tanks (USTs) in Lexington County, South Carolina. On November 10, 2021, the Department conducted an 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 ensure that releases due to spilling or overfilling do not occur; and failed to test tank release detection equipment annually.

Action: The Individual/Entity has corrected all violations. 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**) by August 19, 2022.

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

- 8) Order Type and Number: Consent Order 22-0153-UST
Order Date: July 5, 2022
Individual/Entity: **Lexington County**
Facility: Public Safety East Region Service Center
Location: 407 Foster Brothers Drive
West Columbia, SC 29171
Mailing Address: 401 Ballpark Road
Lexington, SC 29072-2241
County: Lexington
Previous Orders: None
Permit/ID Number: 19915
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 & Supp 2020).

Summary: Lexington County (Individual/Entity) owns and operates underground storage tanks (USTs) in Lexington County, South Carolina. On May 31, 2022, the Department conducted an inspection 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 maintain overfill prevention equipment.---

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 total civil penalty in the amount of six thousand dollars (**\$6,000.00**) by August 19, 2022.

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

- 9) Order Type and Number: Consent Order 22-0084-UST
Order Date: July 11, 2022
Individual/Entity: **Jones Petroleum Transport Co.**
Facility: Bradley's Marathon
Location: 1601 Harbor View Road
Charleston, SC 29412
County: Charleston
Previous Orders: None
Permit/ID Number: 01530
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. 2020).

Summary: Jones Petroleum Transport Company (Individual/Entity) owns and operates underground storage tanks (USTs) in Charleston County, South Carolina. On January 25, 2022, the Department conducted an inspection 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 UST system.---

Action: The Individual/Entity corrected the violation 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 August 25, 2022.

Update: The Department received the civil penalty on July 12, 2022. The Order is closed.

10) Order Type and Number: Consent Order 22-0134-UST
Order Date: July 13, 2022
Individual/Entity: **RL Jordan Oil Company of NC, Inc.**
Facility: Hot Spot 1607
Location: 12340 Old 6 Highway
Eutawville, SC 29048
Mailing Address: P.O. Box 2527
Spartanburg, SC 29304-2527
County: Orangeburg
Previous Orders: None
Permit/ID Number: 13186
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. 2020).

Summary: R. L. Jordan Oil Company of North Carolina, Inc. (Individual/Entity) owns and operates underground storage tanks (USTs) in Orangeburg County, South Carolina. On May 4, 2022, the Department conducted an inspection 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 UST system.

Action: The Individual/Entity corrected the violation prior to issuance of the order. 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**) by August 29, 2022.

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

11) Order Type and Number: Consent Order 21-0628-UST
Order Date: July 19, 2022
Individual/Entity: **Digvijay Singh**
Facility: Godwin Brothers Grocery
Location: 105 E. Myrtle Beach Highway
Lake City, SC 29560
Mailing Address: 287 Traditions Court
Columbia, SC 29229
County: Florence
Previous Orders: None
Permit/ID Number: 11700
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, 280.21(a)(3) and 280.70(c) (2012 and Supp. 2020).

Summary: Digvijay Singh (Individual/Entity) owns and operates underground storage tanks (USTs) in Florence County, South Carolina. On October 11, 2021, the Department conducted an 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 properly close a substandard UST system; and failed to properly abandon a temporarily closed system after twelve (12) months that does not meet either performance standards in Section 280.20 for new UST systems or the upgrading requirements in Section 280.21.

Action: The Individual/Entity is required to: submit a completed Tank and Sludge Disposal form by September 2, 2022; within sixty (60) days of the Department's approval, permanently close UST tank 3 and submit a UST Closure and Assessment Report. The Department has assessed a total civil penalty in the amount of ten thousand, nine hundred fifty dollars (\$10,950.00). The Individual/Entity shall pay a civil penalty in the amount of ten thousand, nine hundred fifty dollars (**\$10,950.00**) by September 2, 2022.

Update: None.

12) <u>Order Type and Number:</u>	Consent Order 22-0157-UST
<u>Order Date:</u>	<u>July 19, 2022</u>
<u>Individual/Entity:</u>	Sam Cox
<u>Facility:</u>	Bi Fast Mart 2
<u>Location:</u>	2800 Greenville Highway Easley, SC 29641
<u>Mailing Address:</u>	P.O. Box 1422 Easley, SC 29641-1422
<u>County:</u>	Pickens
<u>Previous Orders:</u>	<u>None.</u>
<u>Permit/ID Number:</u>	07182
<u>Violations Cited:</u>	The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), <u>S.C.</u> code Ann. § 44-2-10 <u>et seq.</u> (2018); and South Carolina Underground Storage Tank Control Regulation, 7 <u>S.C.</u> Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2020).

Summary: Sam Cox (Individual/Entity) operates underground storage tanks (USTs) in Spartanburg County, South Carolina. On June 2, 2022, the Department conducted an inspection 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 maintain overfill prevention equipment.

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, three hundred dollars (\$3,300.00). The Individual/Entity shall pay a total civil penalty in the amount of three thousand, three hundred dollars (**\$3,300.00**) by September 2, 2022.

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

13) Order Type and Number: Consent Order 22-0169-UST
Order Date: July 19, 2022
Individual/Entity: **TA Operating, LLC**
Facility: Travel Centers of America 262
Location: 7400 Wilson Boulevard
Columbia, SC 29203
Mailing Address: 24601 Center Ridge Road
Westlake, OH 44145
County: Richland
Previous Orders: None
Permit/ID Number: 09732
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 & Supp 2020).

Summary: TA Operating, LLC (Individual/Entity) owns underground storage tanks (USTs) in Richland County, South Carolina. On June 2, 2022, the Department conducted an inspection 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 maintain overfill prevention equipment. .

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 total civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**) by September 2, 2022.

Update: The civil penalty payment was received on July 18, 2022. The Order is closed.

14) Order Type and Number: Consent Order 22-0149-UST
Order Date: July 29, 2022
Individual/Entity: **XPO Logistics Freight, Inc.**
Facility: XPO Logistics Freight, Inc. NAG
Location: 11026 Atomic Road
North Augusta, SC 29841
Mailing Address: 2211 Old Earhart Road, Suite 100
Ann Arbor, MI 48105
County: Aiken
Previous Orders: None
Permit/ID Number: 00241
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. 2020).

Summary: XPO Logistics Freight, Inc. (Individual/Entity) owns an underground

storage tank (UST) in Aiken County, South Carolina. On April 4, 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 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 September 12, 2022. 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 September 12, 2022, and pay a suspended penalty in the amount of twenty-five thousand dollars (\$25,000.00) should any of the requirements not be met.

Update: The Individual/Entity has submitted a completed Certificate of Financial Responsibility form and evidence of financial assurance.

15) Order Type and Number: Consent Order 22-0190-UST
Order Date: July 29, 2022
Individual/Entity: **RPR, LLC**
Facility: RPR
Location: 4512 Augusta Road
Greenville, SC 29605-1442
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 04159
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. 2020).

Summary: RPR, LLC (Individual/Entity) owns underground storage tanks (USTs) in Greenville 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 UST system; and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to submit a civil penalty only. The Department has assessed a total civil penalty in the amount of one thousand, two hundred dollars (\$1,200.00). The Individual/Entity shall pay a civil penalty in the amount of seven hundred twenty dollars (**\$720.00**) by September 12, 2022, and pay a suspended penalty in the amount of four hundred eighty dollars (\$480.00) should any of the requirements not be met.

Update: A completed Certificate of Financial Responsibility and evidence of financial assurance was received on July 6, 2022. The civil penalty has been paid. The Order is closed.

Solid Waste Enforcement

- 16) Order Type and Number: Administrative Order 22-04-SW
 Order Date: June 8, 2022
 Individual/Entity: **378 Recycle Center, LLC**
 Facility: 378 Recycle Center Composting
 Facility
 Location: 4989 Sunset Boulevard
 Lexington County, SC
 Mailing Address: 5009 Sunset Boulevard
 Lexington, SC 29072
 County: Lexington
 Previous Orders: 19-27-SW (\$500.00)
 Permit/ID Number: 322456-3002
 Violations Cited: South Carolina Solid Waste Policy and
 Management Act of 1991, S.C. Code Ann. §§ 44-96-10 (2018 & Supp.
 2019) (Act) and the Solid Waste Management: Compost and Mulch Production
 from Land-clearing Debris, Yard Trimmings, and Organic Residuals Regulation
 (2015) (Regulation), R.61-107.4, Part III.E.1.d. and .E.1.e and Permit # 322456-
 3002 (Permit).

Summary: 378 Recycle Center, LLC (Individual/Entity), owns a composting facility in Lexington, South Carolina. Based on inspections, conducted September 24, 2021, December 31, 2021, and January 31, 2022, and the enforcement conference, the Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings, and Organic Residuals Regulation, and Permit 322456-3002 as follows: exceeded the permitted capacity of unprocessed feedstocks and other material at the facility.

Action: The Individual/Entity is required to: cease receipt and/or transport of solid waste debris at the facility; and submit proof the storage of unprocessed feedstocks or other materials at the facility is less than 1,425 cubic yards by August 27, 2022. The Department assessed a total civil penalty in the amount of thirteen thousand, eight hundred sixty dollars (\$13,860.00). The Individual/Entity shall pay a civil penalty in the amount of thirteen thousand, eight hundred sixty dollars (\$13,860.00) by August 27, 2022.

Update: The Individual/Entity did not file a Request for Review. The Order is effective July 13, 2022.

- 17) Order Type and Number: Consent Order 22-14-SW
 Order Date: July 5, 2022
 Individual/Entity: **H. V. Gore, Jr.**
 Facility: Gore Tire Service
 Location: 1400 East Liberty Street
 Marion, SC 29571
 Mailing Address: Same
 County: Marion
 Previous Orders: None
 Permit/ID Number: N/A

Violations Cited: Solid Waste Policy and Management Act of 1991, S.C. Code Ann. 44-96-10 et seq. (Rev. 2018 & Supp. 2019); Solid Waste Management: Waste Tires, R.61-107.3, Part III A.1, Part III.B.1, Part III B.3. (2015)

Summary: H. V. Gore, Jr. (Individual/Entity), owns a retail tire business in Columbia, South Carolina. After multiple inspections, the Department issued a Notice of Alleged Violation/Notice of Enforcement Conference on May 9, 2022. The Individual/Entity has violated the Act and the Regulations as follows: failed to obtain a permit to operate a waste tire collection facility from the Department before storing greater than one thousand (1,000) waste tires at the Facility and failed to separate used tires from waste tires, store by size, and stack or rack not more than two (2) rows wide in a manner that allowed for inspection of each tire.

Action: The Individual/Entity is required to: dispose of the waste tires over one thousand (1,000) at a Facility permitted by the Department to accept waste tires and provide disposal receipts to the Department; separate used tires from waste tires, store them by size in stacks or racks not more than two (2) rows wide in a manner that allows for the inspection of each tire; and submit a plan to maintain compliance with the Act and Regulations by August 5, 2022. The Department assessed a total civil penalty in the amount of one thousand, eight hundred dollars (\$1,800.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, eight hundred dollars (**\$1,800.00**) by August 5, 2022.

Update: The civil penalty has been paid. The plan was submitted and approved. The Order is closed.

18) Order Type and Number: Consent Order 22-12-SW
Order Date: July 20, 2022
Individual/Entity: **VLS Piedmont, LLC**
Facility: TMS # 095-00-00-047
Location: 1650 North Old Laurens Road
Gray Court, SC 29645
Mailing Address: 305 South Main Street
Mauldin, SC 29662
County: Laurens
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-40(34) (2002 & Supp. 2018).

Summary: The VLS Piedmont, LLC (Individual/Entity), operates a Recovered Materials Recycling Facility located in Laurens County, South Carolina. Based a records review, the Department issued a Notice of Alleged Violation. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, in that the Individual/Entity: failed to use, reuse, recycle, or transfer to a different site for use, reuse, or recycling the required 75% by weight of materials received the previous calendar year.

Action: The Individual/Entity is required to: ensure compliance with the 75% by weight recycling rate as required by S.C. Code Ann., Section 44-96-40(34) by the end of 2022; submit a permit application for a Solid Waste Processing Facility by April 1st of the following year should the 75% by weight recycling rate for 2022, 2023, or 2024 not be

met; and submit annual reports for 2022, 2023, and 2024 on or before January 31st of the following year. The Department has assessed a civil penalty of four thousand, five hundred dollars (\$4,500.00). The Individual/Entity shall pay a civil penalty of four thousand, five hundred dollars (**\$4,500.00**) by September 6, 2022.

Update: None.

Hazardous Waste Enforcement

19) Order Type and Number: Consent Order 22-12-HW
Order Date: July 5, 2022
Individual/Entity: **MUSC Health Florence Medical Center**
Facility: MUSC Health Florence Medical Center
Location: 805 Pamplico Highway, Florence, SC 29505
Mailing Address: Same
County: Florence
Previous Orders: N/A
Permit/ID Number: SCR 000 776 740
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: MUSC Health Florence Medical Center (Individual/Entity) is an acute care facility providing an extensive range of services that include, but not limited to: emergency care, heart and vascular care, cancer treatment, orthopedic and general surgery at its facility located in Florence County, South Carolina. The Department conducted an inspection at the facility on February 17, 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 an indication of the hazards of the contents; failed to equip areas where hazardous waste is either generated or accumulated with the equipment necessary to prepare for and respond to emergencies; failed to post the name and telephone number of the emergency coordinator, the location of fire extinguishers and spill control materials, and the telephone number of the fire department next to the telephones or in areas where hazardous waste is generated and accumulated; failed to keep a copy of signed manifest onsite for three (3) years; failed to declare generator status annually, failed to notify the Department that it was operating under Subpart P – Hazardous Waste Pharmaceuticals; failed to label containers of universal waste lamps and contain any lamps in a manner 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 has corrected the violations. The Department assessed a total civil penalty in the amount of ten thousand, five hundred dollars (\$10,500.00). The Individual/Entity shall pay a civil penalty in the amount of ten thousand five hundred dollars (**\$10,500.00**) by August 5, 2022.

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

20) Order Type and Number: Consent Order 22-11-HW
Order Date: July 19, 2022
Individual/Entity: **GKN Aerospace South Carolina, Inc.**
Facility: GKN Aerospace South Carolina, Inc.
Location: 174 Millennium Drive
Orangeburg, SC 29115
Mailing Address: Same
County: Orangeburg
Previous Orders: 20-01-HW (\$6,000.00)
Permit/ID Number: SCR 000 784 041
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. 2018).

Summary: GKN Aerospace South Carolina, Inc. (Individual/Entity), specializes in the manufacturing of aerospace structures, engine systems, and special technologies at its facility located in Orangeburg County South Carolina. The Department conducted an inspection on January 25, 2021. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations: failed to mark or label its container with the following: (i) the words “Hazardous Waste” and (ii) an indication of the hazards of the contents; failed to ensure that a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste; failed to ensure the container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak; failed to, at least weekly, inspect central accumulation areas; failed to label hazardous waste containers with an indication of the hazards of the contents and to ensure the date upon which the period of accumulation begins is clearly visible for inspection on each container; failed to ensure that facility personnel successfully complete a program of classroom instruction, online training, or on-the-job training that teaches them to perform their duties; failed to ensure that facility personnel successfully complete a hazardous waste training program within six (6) months after the date of their employment or assignment to the facility, or to a new position at the facility, whichever is later and to ensure that facility personnel must take part in an annual review of the initial training; failed to maintain at the facility the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job and a written job description for each position listed under paragraph (a)(7)(iv)(A) of this section; failed to ensure that each battery or a container or package in which such batteries are contained, are labeled or marked clearly with any one of the following phrases: “Universal Waste -Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies)”; failed to ensure that each or a container in which the aerosol cans are contained is labeled or marked with one of the following phrases: “Universal Waste – Aerosol Can(s),” “Waste Aerosol Can(s),” or “Used Aerosol Can(s)”; failed to manage universal waste aerosol cans in a way that prevents releases of any universal waste or component of a universal waste to the environment; accumulated universal waste for longer than one (1) year from the date the universal waste was generated, or received from another handler; and failed to demonstrate the length of time that the universal waste had been accumulated from the date it became a waste or was received.

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

thousand dollars (**\$15,000.00**) by August 19, 2022.

Update: None.

BUREAU OF WATER

Recreational Waters Enforcement

21) Order Type and Number: Consent Order 22-019-RW
Order Date: July 11, 2022
Individual/Entity: **Airport Properties, Inc.**
Facility: Sandcastle North
Location: 1802 North Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: P.O. Box 1362
Myrtle Beach, SC 29578
County: Horry
Previous Orders: None
Permit/ID Number: 26-J85-1 & 26-J87-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Airport Properties, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a lazy river and a kiddie pool located in Horry County, South Carolina. The Department conducted inspections on May 31, 2022, and June 22, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: waterline tiles were missing; the chlorine and pH levels were not within the acceptable range of water quality standards; the letters on the “Shallow Water – No Diving Allowed” signs were not the appropriate size; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, three hundred sixty dollars (\$1,360.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, three hundred sixty dollars (**\$1,360.00**) by July 21, 2022.

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

22) Order Type and Number: Consent Order 22-020-RW
Order Date: July 11, 2022
Individual/Entity: **5516 Lakeshore Drive Association, Inc.**
Facility: Lakeshore Condos
Location: 5516 Lakeshore Drive
Columbia, SC 29206
Mailing Address: 5516 Lakeshore Drive, Apt. 411
Columbia, SC 29206
County: Richland
Previous Orders: None
Permit/ID Number: 40-023-1
Violations Cited: S.C. Code Ann. Regs. 61-51(K)(1)(c)

Summary: 5516 Lakeshore Drive Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. On June 20, 2022, the pool was inspected, and a violation was issued for re-opening prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool was operating prior to receiving Department approval.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of three hundred dollars (\$300.00). The Individual/Entity shall pay a civil penalty in the amount of three hundred dollars (**\$300.00**) by July 21, 2022.

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

23) Order Type and Number: Consent Order 22-021-RW
Order Date: July 13, 2022
Individual/Entity: **Grand Oaks Preserve Property Owners Association, Inc.**
Facility: Grand Oaks Preserve
Location: 9612 Avenue of Oaks
Ladson, SC 29456
Mailing Address: 4401 Leeds Avenue, Suite 120
North Charleston, SC 29405
County: Dorchester
Previous Orders: None
Permit/ID Number: 18-1031B
Violations Cited: S.C. Code Ann. Regs. 61-51(K)(1)(c)

Summary: Grand Oaks Preserve Property Owners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dorchester County, South Carolina. On June 16, 2022, the pool was inspected, and a violation was issued for re-opening prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool was operating prior to receiving Department approval.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of three hundred dollars (\$300.00). The Individual/Entity shall pay a civil penalty in the amount of three hundred dollars (**\$300.00**) by July 23, 2022.

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

24) Order Type and Number: Consent Order 22-022-RW
Order Date: July 15, 2022
Individual/Entity: **North Beach Towers Homeowners' Association, Inc.**
Facility: North Beach Resort and Villas
Location: 48th Ave S
North Myrtle Beach, SC 29582
Mailing Address: P.O. Box 7706

Myrtle Beach, SC 29572
County: Horry
Previous Orders: None
Permit/ID Number: 26-1719D & 26-1720D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: North Beach Towers Homeowners' Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of two spas located in Horry County, South Carolina. The Department conducted inspections on February 15, 2022, and June 20, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the water level was too high; the chlorine and pH levels were not within the acceptable range of water quality standards; the spa temperature was not monitored by the facility; the spa rules sign was not completely filled out; the bound and numbered log book was not maintained on a daily basis; and the coping was not grouted.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, three hundred sixty dollars (\$1,360.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, three hundred sixty dollars (**\$1,360.00**) by July 12, 2022.

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

25) Order Type and Number: Consent Order 22-023-RW
Order Date: July 18, 2022
Individual/Entity: **1600 Marina Road, LLC**
Facility: The Residence at Marina Bay Apartments
Location: 1600 Marina Bay Road
Irmo, SC 29063
Mailing Address: 700 Gervais Street, Suite 275
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-1133B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: 1600 Marina Road, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 9, 2022, and June 14, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the waterline tiles were dirty; the plaster on the pool floor was deteriorating; the frost proof tiles on the pool wall were broken; skimmers were missing weirs; the water level was too low; the drinking water fountain was not operating properly; non-pool related items were stored in the pump room; the fans and light in the pump room and chemical storage room were not operating; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign did not have all of the required rules; the wording on the "No Lifeguard On Duty – Swim At Your Own Risk" signs was not correct and the letters were not the appropriate size; there were chlorine sticks in the skimmer baskets; the bound and numbered log book

was not the correct year and was not dated properly; and the bound and numbered log book was not maintained a minimum of three times per week by the operator of record.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by July 28, 2022.

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

26) Order Type and Number: Consent Order 22-024-RW
Order Date: July 18, 2022
Individual/Entity: **The Village at Hilton Homeowners Association, Inc.**
Facility: Village at Hilton
Location: 205 Lake Hilton Drive
Chapin, SC 29036
Mailing Address: 1722 Min Street, Suite 150
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-1016B
Violations Cited: S.C. Code Ann. Regs. 61-51(K)(1)(c)

Summary: The Village at Hilton Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. On June 16, 2022, the pool was inspected, and a violation was issued for re-opening prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool was operating prior to receiving Department approval.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of three hundred dollars (\$300.00). The Individual/Entity shall pay a civil penalty in the amount of three hundred dollars (**\$300.00**) by August 8, 2022.

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

27) Order Type and Number: Consent Order 22-025-RW
Order Date: July 25, 2022
Individual/Entity: **CHP Columbia SC Owner, LLC**
Facility: Wellmore Health Care Community
Location: 200 Wellmore Drive
Lexington, SC 29072
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 32-1104B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: CHP Columbia SC Owner, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Lexington County, South Carolina. The Department conducted inspections on March 29, 2022, and June 2, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool floor was dirty; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the disinfection equipment was not operating properly; and the automatic controller was not operating properly.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by August 8, 2022.

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

28) <u>Order Type and Number:</u>	Consent Order 22-026-RW
<u>Order Date:</u>	July 28, 2022
<u>Individual/Entity:</u>	South Aiken Fitness, Inc.
<u>Facility:</u>	Max Fitness Aiken
<u>Location:</u>	101 Corporate Parkway Aiken, SC 29803
<u>Mailing Address:</u>	Same
<u>County:</u>	Aiken
<u>Previous Orders:</u>	21-022-RW (\$680.00) 22-012-RW (\$2,000.00)
<u>Permit/ID Number:</u>	02-1014B
<u>Violations Cited:</u>	<u>S.C. Code Ann. Regs. 61-51(J)</u>

Summary: South Aiken Fitness, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Aiken County, South Carolina. The Department conducted inspections on January 28, 2022, and May 23, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the waterline tiles were dirty; skimmers were missing weirs; electrical wiring was exposed in a hole that surrounds the pool area; the chlorine level was not within the acceptable range of water quality standards; only one “Shallow Water – No Diving Allowed” sign was posted; only one “No Lifeguard On Duty - Swim At Your Own Risk” sign was posted; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of three thousand, two hundred dollars (\$3,200.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, two hundred dollars (**\$3,200.00**) by August 16, 2022.

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

Drinking Water Enforcement

29) <u>Order Type and Number:</u>	Consent Order 22-022-DW
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<u>Order Date:</u>	July 20, 2022
<u>Individual/Entity:</u>	Camp Long Ridge Corporation
<u>Facility:</u>	Camp Longridge
<u>Location:</u>	10 Longridge Road Ridgeway, SC 29130
<u>Mailing Address:</u>	P.O. Box 220 Ridgeway, SC 29130
<u>County:</u>	Fairfield
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2070675
<u>Violations Cited:</u>	<u>S.C. Code Ann. Regs. 61-58.7 & 61-58.1.B</u> & 61-58.1.K(1)

Summary: Camp Long Ridge Corporation (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Fairfield County, South Carolina. The Department conducted an inspection on December 30, 2021, and the PWS was rated needs improvement for failure to properly operate and maintain, and failure to obtain a permit and approval to operate prior to modifying the PWS. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the sample tap located at Well 1 was threaded; the sanitary seal for Well 1 was dirty and there was an open pipe on the well pad; the casing vent at Well 3 did not have a screen; the electrical wiring at Well 3 was not in conduit; there was a gap in the sanitary seal at Well 3; there were items stored in the well house for Well 3 that were unrelated to the operation of the PWS; and the hydro-pneumatic storage tank was replaced with bladder storage tanks.

Action: The Individual/Entity is required to: correct the deficiencies by August 20, 2022; submit to the Department for review and approval a corrective action plan with a schedule to obtain a permit for the modifications of the PWS by January 20, 2023; and complete the construction and obtain approval to operate by March 20, 2023. The Department has assessed a total civil penalty in the amount of ten thousand dollars (\$10,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of ten thousand dollars (**\$10,000.00**) should any requirement of the Order not be met._____

Update: The Individual/Entity has corrected the deficiencies.

Water Pollution Enforcement

30)	<u>Order Type and Number:</u>	Administrative Order 22-045-W
	<u>Order Date:</u>	July 27, 2022
	<u>Individual/Entity:</u>	Hutto's Salvage
	<u>Facility:</u>	Hutto's Salvage
	<u>Location:</u>	396 Broxton Bridge Road Bamberg, SC 29003
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Bamberg
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	SCR004010
	<u>Violations Cited:</u>	Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.26(a)(1) and (6), and Industrial Stormwater Permit SCR004010.

Summary: Hutto's Salvage (Individual/Entity) owns and is responsible for the proper operation and maintenance of a salvage facility in Bamberg County, South Carolina. On January 5, 2022, a Notice of Alleged Violation (NOAV) was issued for failure to properly operate and maintain its salvage facility in accordance with Industrial Stormwater Permit SCR004010. The Individual/Entity has violated Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to properly operate and maintain its salvage facility in accordance with Industrial Stormwater Permit SCR004010.

Action: The Individual/Entity is required to: submit a Stormwater Pollution Prevention Plan (SWPPP) by August 26, 2022; submit an implementation plan detailing necessary actions to return to compliance and a schedule for conducting quarterly facility inspections, quarterly benchmark monitoring of constituents specified in Industrial Stormwater Permit SCR004010, and annual comprehensive site inspections by September 10, 2022; submit a notarized document certifying that all appropriate employees of the Individual/Entity have been trained on the proper handling of oil, used mineral spirits, anti-freeze, mercury switches and solvents by September 10, 2022; and submit a notarized document certifying that all necessary Best Management Practices (BMPs) have been installed in order to minimize pollutant discharges from the site by September 25, 2022. The Department has assessed a civil penalty in the amount of six thousand dollars (\$6,000.00). The Individual/Entity shall pay the civil penalty in the amount of six thousand dollars (**\$6,000.00**) by August 26, 2022.

Update: None

31) <u>Order Type and Number:</u>	Consent Order 22-043-W
<u>Order Date:</u>	July 15, 2022
<u>Individual/Entity:</u>	City of Columbia
<u>Facility:</u>	Columbia Metro WWTF
<u>Location:</u>	1200 Simmon Tree Lane Columbia, SC 29201
<u>Mailing Address:</u>	P.O. Box 147 Columbia, SC 29202
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SC0020940
<u>Violations Cited:</u>	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)

Summary: The City of Columbia (Individual/Entity) is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Richland County, South Carolina. On December 9, 2021, a Notice of Violation was issued as a result of violations of the permitted discharge limits for Escherichia coli (E.coli) as reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for E.coli.

Action: The Individual/Entity is required to: submit a written notification of the completion date for all corrective actions necessary to resolve the violations by August 15, 2022; conduct a six (6) 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 August 15, 2022.

Update: None

32) Order Type and Number: Consent Order 22-044-W
Order Date: July 27, 2022
Individual/Entity: **Sonoco Products Company**
Facility: Sonoco Products Company
Location: 1 North Second Street
Hartsville, SC 29550
Mailing Address: P.O. Box 160-112
Hartsville, SC 29550
County: Darlington
Previous Orders: 21-065-W
Permit/ID Number: SC0003042
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2016), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a), and Part III.A. of NPDES Permit SC0003042

Summary: Sonoco Products Company (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Darlington County, South Carolina. The Individual/Entity: reported violations of pH on discharge monitoring reports (DMRs) submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the permitted effluent limitations for pH.

Action: The Individual/Entity is required to: submit a written notification of the completion date for all corrective actions necessary to resolve the violations by August 26, 2022; conduct a six (6) 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 civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay the civil penalty in the amount of four thousand dollars (**\$4,000.00**) by August 26, 2022.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

33) Order Type and Number: Administrative Order 22-24-FOOD
Order Date: July 13, 2022
Individual/Entity: **Young Yu**
Facility: Nick's Gyro and Seafood
Location: 780 St. Andrews Road
Columbia, SC 29210
Mailing Address: 4214 Bethel Church Road, Apt. C-22
Columbia, SC 29206

County: Lexington
Previous Orders: N/A
Permit Number: 32-206-07234
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Nick's Gyro and Seafood (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on June 29, 2021, February 17, 2022, February 25, 2022, March 7, 2022, March 16, 2022, April 14, 2022, April 21, 2022, April 28, 2022, May 5, 2022, May 12, 2022, June 13, 2022, and June 23, 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 shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program; failed to ensure that at all times during operation, the person in charge shall be a certified food handler or a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program; failed to ensure that the retail food establishment had written procedures for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the retail food establishment; failed to provide a written plan for the restriction, exclusion, and re-instatement of food employees when they have symptoms and/or diseases that are transmissible through food; failed to ensure that time/temperature control for safety food 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 maintain the premises free of insects, rodents, and other pests; failed to keep food contact surfaces of cooking equipment and pans free of encrusted grease deposits and other soil accumulations and non-food contact surfaces clean and free of accumulation of dust, dirt, food residue, and other debris; 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; failed to clearly and individually identify with the common name of the material, on all working containers used for storing poisonous or toxic materials such as cleaners and sanitizers taken from bulk supplies; 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; failed to clean the physical facilities as often as necessary to keep them clean.

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 ten thousand, four hundred dollars (\$10,400.00). The Individual/Entity shall pay a civil penalty in the amount of ten thousand, four hundred dollars (**\$10,400.00**).

Update: The Individual/Entity has entered into a payment agreement with the Department. The first payment is due on August 29, 2022.

34) Order Type and Number: Consent Order 22-64-FOOD
Order Date: July 1, 2022
Individual/Entity: **Applebee's #85047**
Facility: Applebee's #85047

Location: 4505 Devine Street
Columbia, SC 29205
Mailing Address: 193 Palm Street
Chapin, SC 29036
County: Richland
Previous Orders: None
Permit Number: 40-206-08375
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Applebee's #85047 (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on November 16, 2021, May 11, 2022, and May 19, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food 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 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 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.

35) Order Type and Number: Consent Order 22-73-FOOD
Order Date: July 5, 2022
Individual/Entity: **Maria's Mexican Grill**
Facility: Maria's Mexican Grill
Location: 2817 Maybank Highway
John's Island, SC 29455
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit Number: 10-206-06131
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Maria's Mexican Grill (Individual/Entity) operates a restaurant located in Charleston County, South Carolina. The Department conducted inspections on May 9, 2022, May 17, 2022, May 27, 2022, and May 31, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food 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 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.

36) <u>Order Type and Number:</u>	Consent Order 22-50-FOOD
<u>Order Date:</u>	July 6, 2022
<u>Individual/Entity:</u>	Pee Dee Grocery
<u>Facility:</u>	Pee Dee Grocery
<u>Location:</u>	9150 Highway 701 South Conway, SC 29527
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	26-206-10614
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Pee Dee Grocery (Individual/Entity) operates a retail food establishment located in Horry County, South Carolina. The Department conducted inspections on October 1, 2021, March 7, 2022, March 17, 2022, March 25, 2022, and April 4, 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 shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program; and failed to ensure that at all times during operation, the person in charge shall be a certified food handler or 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 Department intends to move forward with issuance of further enforcement action based on the continued noncompliance with the regulation and the Order.

37) <u>Order Type and Number:</u>	Consent Order 22-82-FOOD
<u>Order Date:</u>	July 11, 2022
<u>Individual/Entity:</u>	The Whole Food Mediterranean Grill
<u>Facility:</u>	The Whole Food Mediterranean Grill
<u>Location:</u>	3711 Highway 17 South North Myrtle Beach, SC 29582
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	26-206-12908
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: The Whole Food Mediterranean Grill (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted an

inspection on June 6, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: obscured, covered, defaced, relocated, or removed the grade decal that was posted by the Department.

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.

38) <u>Order Type and Number:</u>	Consent Order 22-78-FOOD
<u>Order Date:</u>	July 13, 2022
<u>Individual/Entity:</u>	Tienda Mexicana El Mariachi #3
<u>Facility:</u>	Tienda Mexicana El Mariachi #3
<u>Location:</u>	1735 Decker Boulevard Columbia, SC 29206
<u>Mailing Address:</u>	Same
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	40-211-07656
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Tienda Mexicana El Mariachi #3 (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on April 5, 2022, April 14, 2022, and June 2, 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; failed to ensure that time/temperature control for safety food 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 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 ensure that surfaces such as cutting blocks and boards that are subject to scratching and scoring shall be resurfaced if they can no longer be effectively cleaned and sanitized or discarded if they are not capable of being resurfaced.

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 dollars (\$1,200.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**).

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

39)	<u>Order Type and Number:</u>	Consent Order 22-51-FOOD
	<u>Order Date:</u>	July 13, 2022
	<u>Individual/Entity:</u>	Duffy Street Seafood Shack Main Street
	<u>Facility:</u>	Duffy Street Seafood Shack Main Street
	<u>Location:</u>	202 Main Street North Myrtle Beach, SC 29582
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	2016-206-06-083 (\$800.00)
	<u>Permit Number:</u>	26-206-08364
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Duffy Street Seafood Shack Main Street (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on August 26, 2021, March 24, 2022, and April 1, 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 five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

Update: If payment is not received by August 29, 2022, a payment demand letter will be issued.

40)	<u>Order Type and Number:</u>	Consent Order 22-90-FOOD
	<u>Order Date:</u>	July 13, 2022
	<u>Individual/Entity:</u>	Ichiro's Express
	<u>Facility:</u>	Ichiro's Express
	<u>Location:</u>	2450 U.S. 501 Conway, SC 29526
	<u>Mailing Address:</u>	3456 Forestbrook Road Myrtle Beach, SC 29588
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	26-206-11625
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Ichiro's Express (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on April 13, 2022, April 22, 2022, May 2, 2022, and May 12, 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 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.

41) Order Type and Number: Consent Order 22-93-FOOD
Order Date: July 13, 2022
Individual/Entity: **Rancho Grande**
Facility: Rancho Grande
Location: 136 Sea Isle Parkway, Suite 4
Beaufort, SC 29907
Mailing Address: Same
County: Beaufort
Previous Orders: 2018-206-08-007 (\$200.00);
21-07-FOOD (\$3,000.00)
Permit Number: 07-206-02367
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Rancho Grande (Individual/Entity) operates a restaurant located in Beaufort County, South Carolina. The Department conducted an inspection on June 13, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food 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 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.

42) Order Type and Number: Consent Order 22-88-FOOD
Order Date: July 22, 2022
Individual/Entity: **Happy Donkey Mexican Grill**
Facility: Happy Donkey Mexican Grill
Location: 3230 South Main Street Extension
Anderson, SC 29624
Mailing Address: Same
County: Anderson
Previous Orders: 22-37-FOOD (\$3,600.00)
Permit Number: 04-206-04149
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Happy Donkey Mexican Grill (Individual/Entity) operates a restaurant located in Anderson County, South Carolina. The Department conducted inspections on June 14, 2022, and June 23, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to store foods in a manner to prevent cross contamination; 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 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 Individual/Entity is required to, within ten (10) days of the execution date of this Consent Order, correct all outstanding violations identified.. 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.

43) <u>Order Type and Number:</u>	Consent Order 22-67-FOOD
<u>Order Date:</u>	July 26, 2022
<u>Individual/Entity:</u>	Pirates Cove
<u>Facility:</u>	Pirates Cove
<u>Location:</u>	205 Main Street North Myrtle Beach, SC 29582
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	26-206-13648
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Pirates Cove (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on June 17, 2021, April 26, 2022, May 5, 2022, and May 12, 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 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; 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 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 September 1, 2022, a payment demand letter will be issued.

44) <u>Order Type and Number:</u>	Consent Order 22-79-FOOD
<u>Order Date:</u>	July 26, 2022
<u>Individual/Entity:</u>	Menkoi Ramen
<u>Facility:</u>	Menkoi Ramen
<u>Location:</u>	1004 Gervais Street Columbia, SC 29201
<u>Mailing Address:</u>	Same

County: Richland
Previous Orders: 2019-206-03-101 (\$1,000.00)
Permit Number: 40-206-06890
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Menkoi Ramen (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on May 18, 2022, May 26, 2022, and June 3, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food 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 properly cool cooked time/temperature control for safety foods; and failed to use effective methods to 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 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.

45) Order Type and Number: Consent Order 22-84-FOOD
Order Date: July 26, 2022
Individual/Entity: **Charley's Grilled Subs**
Facility: Charley's Grilled Subs
Location: 10835 Kings Road
Myrtle Beach, SC 29572
Mailing Address: 2220 Whiskey Drive
Waxhaw, NC 28173
County: Horry
Previous Orders: None
Permit Number: 26-206-12158
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Charley's Grilled Subs (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on May 19, 2022, May 26, 2022, and June 3, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food 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.

46) Order Type and Number: Consent Order 22-86-FOOD
Order Date: July 26, 2022
Individual/Entity: **Asian Buffet**
Facility: Asian Buffet
Location: 364 Market Street
Seneca, SC 29678
Mailing Address: Same
County: Oconee
Previous Orders: 22-13-FOOD (\$400.00)
Permit Number: 37-206-01280
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Asian Buffet (Individual/Entity) operates a restaurant located in Oconee County, South Carolina. The Department conducted inspections on January 13, 2022, January 20, 2022, May 16, 2022, May 26, 2022, and June 2, 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; 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 one thousand, five hundred dollars (\$1,500.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, five hundred dollars (**\$1,500.00**).

Update: On July 7, 2022, the Individual/Entity entered into a payment plan with the Department. The Individual/Entity is up to date on payments.

47) Order Type and Number: Consent Order 22-97-FOOD
Order Date: July 26, 2022
Individual/Entity: **Huddle House, Inc.**
Facility: Huddle House, Inc.
Location: 5901-B Peachtree Dunwoody NE, Ste 450
Atlanta, GA 30328
Mailing Address: 509-A Bypass 123
Seneca, SC 29678
County: Oconee
Previous Orders: None
Permit Number: 37-206-01341
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Huddle House, Inc. (Individual/Entity) operates a restaurant located in Oconee County, South Carolina. The Department conducted inspections on May 16, 2022, May 26, 2022, June 3, 2022, and June 13, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food 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 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.

48) Order Type and Number: Consent Order 22-71-FOOD
Order Date: July 28, 2022
Individual/Entity: **Country House Cafe**
Facility: Country House Cafe
Location: 2221 Highway 25 North
Travelers Rest, SC 29690
Mailing Address: Same
County: Greenville
Previous Orders: N/A
Permit Number: 23-206-12256
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Country House Cafe (Individual/Entity) operates a restaurant located in Greenville County, South Carolina. The Department conducted inspections on March 17, 2022, March 25, 2022, April 1, 2022, and April 20, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: obscured, covered, defaced, relocated, or removed the grade decal that was posted by the Department and failed to ensure that time/temperature control for safety food 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 one thousand, three hundred dollars (\$1,300.00). The Individual/Entity shall pay a civil penalty in the amount one thousand, three hundred dollars (**\$1,300.00**).

Update: If payment is not received by September 1, 2022, a payment demand letter will be issued.

49) Order Type and Number: Consent Order 22-92-FOOD
Order Date: July 28, 2022
Individual/Entity: **Ruby Tuesday #4467**
Facility: Ruby Tuesday #4467
Location: 1480 Sniders Highway
Walterboro, SC 29488
Mailing Address: P. O. Box 781199
Wichita, KS 67278
County: Colleton

Previous Orders: None
Permit Number: 15-206-00449
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Ruby Tuesday #4467 (Individual/Entity) operates a restaurant located in Colleton County, South Carolina. The Department conducted inspections on July 15, 2021, July 21, 2021, December 30, 2021, and June 15, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food 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 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.

50) Order Type and Number: Consent Order 22-102-FOOD
Order Date: July 28, 2022
Individual/Entity: **El Poblano**
Facility: El Poblano
Location: 2824 Main Street
Newberry, SC 29108
Mailing Address: 2371 Dutch Fork Road
Chapin, SC 29036
County: Newberry
Previous Orders: None
Permit Number: 36-206-01279
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: El Poblano (Individual/Entity) operates a restaurant located in Newberry County, South Carolina. The Department conducted inspections on June 6, 2022, June 16, 2022, and June 23, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food 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.

51) Order Type and Number: Consent Order 22-110-FOOD

<u>Order Date:</u>	July 28, 2022
<u>Individual/Entity:</u>	Yousef's Kitchen
<u>Facility:</u>	Yousef's Kitchen
<u>Location:</u>	1109 E. Main Street Westminster, SC 29693
<u>Mailing Address:</u>	Same
<u>County:</u>	Oconee
<u>Previous Orders:</u>	22-68-FOOD (\$800.00)
<u>Permit Number:</u>	37-206-00212
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Yousef's Kitchen (Individual/Entity) operates a restaurant located in Oconee County, South Carolina. The Department conducted inspections on January 24, 2022, April 27, 2022, June 21, 2022, and June 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 food 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 properly cool cooked time/temperature control for safety foods; failed to use effective methods to cool cooked time/temperature control for safety foods; 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 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.

Onsite Wastewater Enforcement

52) <u>Order Type and Number:</u>	Administrative Order 22-006-OSWW
<u>Order Date:</u>	June 16, 2022
<u>Individual/Entity:</u>	Chris Valentine, Individually and DBA Valentine's House Doctor, LLC
<u>Facility:</u>	Chris Valentine, Individually and DBA Valentine's House Doctor, LLC
<u>Location:</u>	855 Samworth Loop Georgetown, SC 29440
<u>Mailing Address:</u>	1757 Colonial Street Georgetown, SC 29440
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Chris Valentine, Individually and DBA Valentine's House Doctor, LLC (Individual/Entity) installed an OSWW system at a property located in Georgetown County, South Carolina. The Department conducted an investigation in November of 2021 and determined that the Individual/Entity was not licensed to construct OSWW systems.

The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: engaged in the business of constructing or repairing OSWW systems without first applying, receiving, and subsequently maintaining a Department issued license.

Action: The Individual/Entity is required to cease and desist installing or repairing OSWW systems until applying for and receiving a Department issued license to install OSWW systems. 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 entered into a payment plan with the last payment due August 6, 2022. If payment is not received by September 5, 2022, a payment demand letter will be issued.

53)	<u>Order Type and Number:</u>	Administrative Order 22-029-OSWW
	<u>Order Date:</u>	June 16, 2022
	<u>Individual/Entity:</u>	Elizabeth Evatt
	<u>Facility:</u>	Elizabeth Evatt
	<u>Location:</u>	280 Oak Street Boiling Springs, SC 29316
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Spartanburg
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	None
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Elizabeth Evatt (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted an investigation on April 13, 2022, and observed a camper occupied for more than two hours per day without a means of domestic wastewater treatment and disposal. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that any building, unit, or dwelling occupied for more than two hours per day is connected to 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 for the camper within five (5) days; or immediately vacate the camper to eliminate the unpermitted/unapproved discharge of domestic wastewater. 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.

54)	<u>Order Type and Number:</u>	Administrative Order 22-038-OSWW
	<u>Order Date:</u>	July 13, 2022
	<u>Individual/Entity:</u>	Nancy Lawson
	<u>Facility:</u>	Nancy Lawson
	<u>Location:</u>	815 Webber Lake Road Union, SC 29379

Mailing Address: Same
County: Union
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Nancy Lawson (Individual/Entity) owns property located in Union County, South Carolina. The Department conducted an investigation on February 22, 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: Regional staff have been asked to revisit the site. If the Department observes the continued discharge of domestic wastewater during the next visit to the Site, a legal demand letter will be issued.

55) Order Type and Number: Administrative Order 22-039-OSWW
Order Date: July 13, 2022
Individual/Entity: **Marilyn Hamrick Rogers**
Facility: Marilyn Hamrick Rogers
Location: 5221 Highway 11
Inman, SC 29349
Mailing Address: P.O. Box 57
Inman, SC 29349
County: Spartanburg
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Marilyn Hamrick Rogers (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted an investigation on May 19, 2022, and observed a building occupied for more than two hours per day without a means of domestic wastewater treatment and disposal. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that any building, unit, or dwelling occupied for more than two hours per day is connected to 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 for the building within five (5) days; or immediately vacate the building to eliminate the unpermitted/unapproved discharge of domestic wastewater. 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: A demand letter is being issued August 29, 2022 and hand delivered by Spartanburg County Sheriff's Office.

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