

SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
January 7, 2021

       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 November 1, 2020, through November 30, 2020.
3. **FACTS:** For the reporting period of November 1, 2020, through November 30, 2020, the Office of Environmental Affairs issued twenty-eight (28) Consent Orders with total assessed civil penalties in the amount of thirty thousand, six hundred thirty dollars (\$30,630.00). Seven (7) Administrative Orders with total assessed civil penalties in the amount of three hundred eighty-two thousand, two hundred thirty-six dollars (\$382,236.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
<b>Land and Waste Management</b>				
UST Program	3	\$16,750.00	1	\$1,450.00
Aboveground Tanks	0	0	0	0
Solid Waste	0	0	1	\$500.00
Hazardous Waste	1	\$353,486.00	0	0
Infectious Waste	0	0	0	0
Mining	0	0	1	0
<b>SUBTOTAL</b>	<b>4</b>	<b>\$370,236.00</b>	<b>3</b>	<b>\$1,950.00</b>
<b>Water</b>				
Recreational Water	0	0	14	\$12,800.00
Drinking Water	0	0	1	\$680.00
Water Pollution	1	\$12,000.00	4	\$10,400.00
Dam Safety	0	0	0	0
<b>SUBTOTAL</b>	<b>1</b>	<b>\$12,000.00</b>	<b>19</b>	<b>\$23,880.00</b>
<b>Air Quality</b>				
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Environmental Health Services</b>				
Food Safety	0	0	6	\$4,800.00
Onsite Wastewater	2	0	0	0
<b>SUBTOTAL</b>	<b>2</b>	<b>0</b>	<b>6</b>	<b>\$4,800.00</b>
<b>OCRM</b>				
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>7</b>	<b>\$382,236.00</b>	<b>28</b>	<b>\$30,630.00</b>

Submitted by:

*Myra C. Reece*

Myra C. Reece  
Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
January 7, 2021**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Underground Storage Tank Enforcement**

- 1)     Order Type and Number:                     Administrative Order 19-0208-UST  
       Order Date:                                 November 20, 2020  
       Individual/Entity:                         **Hafida E. Osborn**  
       Facility:                                     Johnson's Old Rail Road Express  
       Location:                                     4580 Highway 501 West  
                                                           Conway, SC 29526  
  
       Mailing Address:                             Same  
       County:                                         Horry  
       Previous Orders:                             18-0272-UST (\$120.00)  
       Permit/ID Number:                         19028  
       Violations Cited:                         The State Underground Petroleum  
                                                           Environmental Response Bank Act of 1988, S.C. Code Ann. § 44-2-10 et seq.  
                                                           (2018) (SUPERB Act); 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. 2019).

Summary: Hafida E. Osborn (Individual/Entity) is the owner of underground storage tanks located in Horry County, South Carolina. The Department issued a Notice of Alleged Violation on May 7, 2019. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for an UST system and failed to provide 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 provide evidence of financial assurance by January 8, 2021. The Department has assessed a total civil penalty in the amount of three thousand, eight hundred fifty dollars (\$3,850.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, eight hundred fifty dollars (**\$3,850.00**) by January 8, 2021.

Updates: No updates.

2) Order Type and Number: Administrative Order 20-0064-UST  
Order Date: November 20, 2020  
Individual/Entity: **Joe Kelly**  
Facility: Joe Kelly's Trophy Shop  
Location: Highway 72  
Mountville, SC 29370  
Mailing Address: 4445 Highway 39  
Mountville, SC 29370  
County: Laurens  
Previous Orders: None  
Permit/ID Number: 10292  
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. 61-92.280.65(a) and (b). (2012 and Supp. 2019).

Summary: Joe Kelly (Individual/Entity) is responsible for a petroleum release from an underground storage tank (UST) previously removed from the property located in Laurens County, South Carolina. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation as follows: failed to conduct a groundwater sampling event to investigate a petroleum release as soon as practicable or in accordance with a schedule established by the Department.

Action: The Individual/Entity is required to submit the groundwater sampling report to the Department by March 1, 2021. The Department assessed a civil penalty in the amount of nine thousand, nine hundred dollars (\$9,900). The Individual/Entity shall pay the civil penalty in the amount of nine thousand, nine hundred dollars (**\$9,900.00**) by March 1, 2021.

Updates: No updates.

3) Order Type and Number: Administrative Order 20-0079-UST  
Order Date: November 20, 2020  
Individual/Entity: **Mohammad Basem**  
Facility: B&M of South Carolina, LLC  
Location: 4650 Board Street Ext.  
Sumter, SC 29154  
Mailing Address: 4756 Broad Street  
Sumter, SC 29150  
County: Sumter  
Previous Orders: None  
Permit/ID Number: 09825  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988, S.C. Code Ann. § 44-2-10 et seq.

(2018) (SUPERB Act); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.34(c) and 280.40(a) (2012 and Supp. 2019).

Summary: Mohammad Basem (Individual/Entity) is the owner of underground storage tanks located in Sumter County, South Carolina. The Department conducted an inspection on March 9, 2020. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide records to the Department upon request and failed to provide an adequate release detection method for an Underground Storage Tank (UST) system.

Action: The Individual/Entity is required to submit the most current, passing automatic tank gauge record for the 8,000-gallon regular UST as proof that a valid release detection method is in place. The Department has assessed a total civil penalty in the amount of three thousand dollars (\$3,000.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) by January 8, 2021.

Updates: No updates.

4) Order Type and Number: Consent Order 19-0500-UST  
Order Date: November 3, 2020  
Individual/Entity: **Kareem Harding**  
Facility: Yahuah People Unite  
Location: 650 Center Street  
Chester, SC 29706  
Mailing Address: 656 Center Road  
Chester, SC 29706  
County: Chester  
Previous Orders: 19-0412-UST (\$3,200.00, stipulated)  
Permit/ID Number: 18376  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-60(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.93(a) and 280.110(c) (2012 & Supp 2019).

Summary: Kareem Harding (Individual/Entity) owns and operates underground storage tanks in Chester County, South Carolina. The Department issued a Notice of Alleged Violation on October 17, 2019. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for underground storage tank systems 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 December 18, 2020.

The Department has assessed a total civil penalty in the amount of one thousand, four hundred fifty dollars (\$1,450.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, four hundred fifty dollars (**\$1,450.00**) by December 18, 2020.

Updates: No updates.

### **Solid Waste Enforcement**

- 5) Order Type and Number: Consent Order 20-23-SW  
Order Date: November 23, 2020  
Individual/Entity: **Kenan Aydin**  
Facility: Lot 35 Catawba Crest Lane  
Location: 269 Catawba Crest Lane  
Clover, SC 29710  
Mailing Address: 6211 Whitewater Drive  
Charlotte, NC, 28214  
County: York  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: Solid Waste Policy and Management Act of 1991, S.C. Code Ann. 44-96-440 *et seq.* (Rev. 2018 & Supp. 2019); Solid Waste Management: Solid Waste Landfills and Structural Fill R.61-107.19, Part I.A.8., Part I.B.20., Part I.B.53., and Part II.B.1. (2018)

Summary: Kenan Aydin (Individual/Entity) owns a property in York County, South Carolina. The Department conducted a complaint investigation on April 10, 2020, and June 5, 2020. The Individual/Entity has violated the Solid Waste Policy and Management Act and the Solid Waste Management: Solid Waste Landfills and Structural fill Regulation as follows: failed to obtain a permit to engage in a structural fill activity from the Department.

Action: The Individual/Entity is required to: apply a two (2) foot thick final earth cover to the fill area with at least 1%, but not greater than 4% surface slope, grated to promote positive drainage; remove and properly dispose of any remaining concrete that was not being pushed in the ditch; use appropriate best management practices to control stormwater runoff; seed the finished surface of the filled area with native grasses or other suitable ground cover to establish and maintain into the second growing season a 75% or greater permanent vegetative cover with no substantial bare spots by March 24, 2021; and record a notation in the record of ownership of the property with the appropriate Register of Deeds or another instrument normally examined during a title search, that will notify any potential purchaser of the property that the land has been filled by January 2, 2021. The Department has assessed a total civil penalty in the amount of one thousand, one hundred dollars (\$1,100.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**) by January 7, 2021 and pay a suspended penalty in the amount of five thousand, four hundred dollars (\$5,400.00) should any requirement in the

Order not be met.

Update: No updates.

### **Hazardous Waste Enforcement**

- 6) Order Type and Number: Administrative Order 19-21-HW  
Order Date: November 5, 2020  
Individual/Entity: **Carolina Plating Works, Inc.**  
Facility: Carolina Plating Works, Inc.  
Location: 1101 West Blue Ridge Drive  
Greenville, SC 29609  
Mailing Address: Same  
County: Greenville  
Previous Orders: None  
Permit/ID Number: SCR 003 351 996  
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2019), the South Carolina Hazardous Waste Management Regulations, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp 2019), and the Hazardous Waste Post-Closure Care Permit Conditions.

Summary: Carolina Plating Works, Inc. (Individual/Entity), holds a Hazardous Waste Post-Closure Care Permit for a closed surface impoundment and for the identification and corrective action of solid waste management units at the Site. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act, the South Carolina Hazardous Waste Management Regulations, and the Hazardous Waste Post-Closure Care Permit Conditions, as follows: failed to conduct groundwater monitoring and submit results on a semi-annual basis; failed to provide a detailed annual report describing the effectiveness of the corrective action program; failed to update post-closure cost estimates; failed to fully fund existing financial assurance; failed to update financial assurance for inflation or operational changes; and failed to make a hazardous waste determination on the recovered groundwater.

Action: The Individual/Entity is required to: comply with all requirements of the Regulation, the Permit, and the Order; submit a Class 3 permit modification by December 5, 2020; and at least ninety (90) days before the sale of the property, notify the Department of the pending sale and provide new owner information. The Department has assessed a total civil penalty in the amount of three hundred fifty-three thousand, four hundred eighty-six dollars (\$353,486.00). The Individual/Entity shall pay a civil penalty in the amount of three hundred fifty-three thousand, four hundred eighty-six dollars (**\$353,486.00**).

Update: A Request for Review was filed on December 4, 2020.

## Mining Enforcement

- 7)     Order Type and Number:                     Consent Order 20-09-MSWM  
       Order Date:                                 November 12, 2020  
       Individual/Entity:                         **Buddy Clawson Construction, Inc.**  
       Facility:                                     Clawson Mine  
       Location:                                    East of Highway 165 (Brattonsville Road)  
                                                          approximately 0.75 miles southeast of the  
                                                          junction of Highways 322 (McConnells  
                                                          Highway) and 165 (Brattonsville Road).  
                                                          TMS # 4100000010  
  
       Mailing Address:                         425 Brattonsville Road  
                                                          McConnells, SC 29726  
  
       County:                                     York  
       Previous Orders:                         19-08-MSWM (\$2,000.00)  
       Permit/ID Number:                     GP1-001965  
       Violations Cited:                     The South Carolina Mining Act, S.C. code  
                                                          Ann. § 48-20-10 et seq. (2008 & Supp. 2018); South Carolina Mining Regulation  
                                                          (2012) R.89-280; and the Permit GP1-001965 Section IV., Part B.2 and Section  
                                                          IV., Part B.8.

Summary: Buddy Clawson Construction, Inc. (Individual/Entity) owns and operates Clawson Mine in York County, South Carolina. The Department conducted an inspection on August 10, 2017. The Individual/Entity has violated the South Carolina Mining Act, the South Carolina Mining Regulations, and the Permit, as follows: failed to limit mining operation disturbance to five (5) acres and failed to maintain a pit slope not steeper than 3:1 (horizontal: vertical).

Action: The Individual/Entity is required to: immediately cease and desist all mining activities outside of the original GP1 Permit footprint; notify the Department of York County Zoning Board approval of the proposed mining activity and complete the Individual Mining Permit application by May 12, 2021 or begin grading, stabilizing and seeding all of the mined area outside of the original GP1 Permit footprint with reclamation to be completed according to the South Carolina Mining Regulations by November 12, 2022. The Individual Mining Permit application on file with the Department will be automatically withdrawn from submission, with said withdrawal acknowledged in writing by the Department, unless the York County Zoning Board grants approval for the proposed mining activity and a completed Individual Mining Permit application is on file with the Department by May 12, 2021.

Updates: No updates.

## BUREAU OF WATER

### Recreational Waters Enforcement

- 8) Order Type and Number: Consent Order 20-122-RW  
Order Date: November 2, 2020  
Individual/Entity: **The Breakers Horizontal Property Regime**  
Facility: The Breakers  
Location: 1074 North Forest Beach Drive  
Hilton Head, SC 29928  
Mailing Address: Same  
County: Beaufort  
Previous Orders: None  
Permit/ID Number: 07-126-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Breakers Horizontal Property Regime (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Beaufort County, South Carolina. The Department conducted inspections on July 22, 2020, and September 4, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline floats were cracked; the deck was cracked with sharp edges; the chlorine level was not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit.

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**).

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

- 9) Order Type and Number: Consent Order 20-123-RW  
Order Date: November 2, 2020  
Individual/Entity: **Canlen Walk Limited Partnership**  
Facility: Grove at Oakbrook  
Location: 325 Midland Parkway  
Summerville, SC 29485  
Mailing Address: Same  
County: Dorchester  
Previous Orders: None



Permit/ID Number: 18-1001B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Canlen Walk Limited Partnership (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dorchester County, South Carolina. The Department conducted inspections on July 13, 2020, and August 7, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the deck depth marker tiles were broken; a ladder was missing bumpers; the bathrooms were not accessible; there was no drinking water fountain; the pool equipment room was not locked; the chlorine level was not within the acceptable range of water quality standards; the emergency notification device was not operational; the facility address posted at the emergency notification device was not permanent or weather resistant; the “No Lifeguard On Duty – Swim At Your Own Risk” signs posted did not have the correct wording; 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 six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

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

10) Order Type and Number: Consent Order 20-124-RW  
Order Date: November 2, 2020  
Individual/Entity: **The Mark at Dorchester, LP**  
Facility: Arbor Village Apartments  
Location: 10825 Dorchester Road  
Summerville, SC 29485  
Mailing Address: Same  
County: Dorchester  
Previous Orders: 19-098-RW (\$680.00)  
Permit/ID Number: 18-1054B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Mark at Dorchester, LP (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dorchester County, South Carolina. The Department conducted inspections on June 5, 2020, and July 22, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; the pool furniture was not at least four feet from the edge of the pool; the deck was uneven with sharp edges; there was debris in the skimmer baskets; chemicals were hand-fed into the pool while the pool was open to the public; the chlorine and pH levels were not within the acceptable range of water quality standards; the main drain grates were

not visible due to cloudy water; the life ring was not in its designated location; the current pool operator of record information was not posted to the public; the facility could not produce current valid documentation of pool operator certification; the bound and numbered log book was not maintained on a daily basis; and, there were chlorine sticks in the skimmer baskets.

Action: The Individual/Entity has corrected all violations. 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 paid the civil penalty. This Order has been closed.

11) <u>Order Type and Number:</u>	Consent Order 20-125-RW
<u>Order Date:</u>	November 4, 2020
<u>Individual/Entity:</u>	<b>Shelly Woods Homeowners' Association, Inc.</b>
<u>Facility:</u>	Shelly Woods
<u>Location:</u>	1015 Shelly Woods Drive Fort Mill, SC 29708
<u>Mailing Address:</u>	P.O. Box 11906 Charlotte, NC 28220
<u>County:</u>	Lancaster
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	29-1022C
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Shelly Woods Homeowners' Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Lancaster County, South Carolina. The Department conducted inspections on June 18, 2020, and July 16, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the bathrooms were not accessible; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; and, the water level was too high.

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**).

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

12)	<u>Order Type and Number:</u>	Consent Order 20-126-RW
	<u>Order Date:</u>	November 2, 2020
	<u>Individual/Entity:</u>	<b>Hudson Capital Investments, LLC</b>
	<u>Facility:</u>	Forest Pointe
	<u>Location:</u>	504 Forest Pointe Walterboro, SC 29488
	<u>Mailing Address:</u>	1221 Main Street, Suite 1100 Columbia, SC 29201
	<u>County:</u>	Colleton
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	15-1003B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Hudson Capital Investments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Colleton County, South Carolina. The Department conducted inspections on June 29, 2020, and July 31, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing non-slip treads; skimmers were missing weirs; the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign did not have all of the required rules; there were no “Shallow Water – No Diving Allowed” signs posted; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and, there were chlorine pucks in the skimmer baskets.

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**).

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

13)	<u>Order Type and Number:</u>	Consent Order 20-127-RW
	<u>Order Date:</u>	November 4, 2020
	<u>Individual/Entity:</u>	<b>North Charleston Hotel Group, LLC</b>
	<u>Facility:</u>	Comfort Suites
	<u>Location:</u>	2450 Prospect Drive North Charleston, SC 29406
	<u>Mailing Address:</u>	3479 Lawrenceville-Suwanee Road Suwanee, GA 30024
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	10-1285B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: North Charleston Hotel Group, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 5, 2020, and July 13, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; a skimmer was missing a weir; the chlorine and pH levels were not within the acceptable range of water quality standards; the life ring rope was tangled and not in operable use; 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 six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

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

14) <u>Order Type and Number:</u>	Consent Order 20-128-RW
<u>Order Date:</u>	November 6, 2020
<u>Individual/Entity:</u>	<b>BRG Cedar Grove, LLC</b>
<u>Facility:</u>	Cedar Grove Apartments
<u>Location:</u>	8708 Evangeline Drive North Charleston, SC 29420
<u>Mailing Address:</u>	104 Hume Avenue Alexandria, VA 22301
<u>County:</u>	Charleston
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	10-1029B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: BRG Cedar Grove, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 12, 2020, and July 28, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the foot rinse shower was not operating properly; the pool equipment room was not locked; the fill spout was not stainless steel or equivalent; the chlorine level was not within the acceptable range of water quality standards; the life ring was not United States Coast Guard approved; the emergency notification device was not operational; the pool rules sign was not completely filled out; the current pool operator of record information was not posted to the public; the bound and numbered log book was not available for review; and, a skimmer was missing a weir.

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**).

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

15) Order Type and Number: Consent Order 20-129-RW  
Order Date: November 10, 2020  
Individual/Entity: **GCA Passage, LLC**  
Facility: The Passage  
Location: 100 Underwood Lane  
Summerville, SC 29486  
Mailing Address: Same  
County: Berkeley  
Previous Orders: None  
Permit/ID Number: 08-1085B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: GCA Passage, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Berkeley County, South Carolina. The Department conducted inspections on July 1, 2020, and August 5, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the equipment room was not locked; the pH level was not within the acceptable range of water quality standards; the life ring did not have a permanently attached rope; the pool rules sign was not properly filled out; the emergency notification device was not operating; the current pool operator of record information was not posted to the public; 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 six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

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

16) Order Type and Number: Consent Order 20-130-RW  
Order Date: November 10, 2020  
Individual/Entity: **Sweetgrass at Bees Ferry JV, LLC**  
Facility: Harper Place Apartments  
Location: 3202 Coastal Grass Way

Mailing Address: Charleston, SC 29414  
710 Peachtree Street NE, Suite 100  
Atlanta, GA 30308  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 10-1376B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Sweetgrass at Bees Ferry JV, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 3, 2020, and July 8, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the bathrooms did not have paper towels or a hand dryer; there was no drinking water fountain; the trash cans were full of trash and were attracting insects; the pool equipment room was not accessible; the gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the facility address was not posted at the emergency notification device; there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; the “Shallow Water – No Diving Allowed” signs posted were obstructed; and, the bound and numbered log book was not available for review.

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**).

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

17) Order Type and Number: Consent Order 20-131-RW  
Order Date: November 12, 2020  
Individual/Entity: **The Ocean Point Property Owners’ Association, Inc.**  
Facility: Ocean Point  
Location: Ocean Point Drive  
Isle of Palms, SC 29451  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 10-412-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Ocean Point Property Owners’ Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 17,

2020, and July 20, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; the deck was uneven with sharp edges; the skimmer lids were cracked; the drinking water fountain was not accessible on the first inspection, and was not operating properly on the second inspection; the fill spout was not co-located with a ladder or diving board; the gate did not self-close and latch; and, the life ring rope deteriorated.

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**).

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

18) <u>Order Type and Number:</u>	Consent Order 20-132-RW
<u>Order Date:</u>	November 12, 2020
<u>Individual/Entity:</u>	<b>Ocean Crest Inn and Suites, LLC</b>
<u>Facility:</u>	Ocean Crest Inn and Suites
<u>Location:</u>	601 South Ocean Boulevard Myrtle Beach, SC 29577
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	19-286-RW (\$1,360.00)
<u>Permit/ID Number:</u>	26-263-1 & 26-299-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: Ocean Crest Inn and Suites, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of an indoor pool and an outdoor pool located in Horry County, South Carolina. The Department conducted inspections of the indoor pool on July 22, 2020, and August 12, 2020, and violations were issued for failure to properly operate and maintain. The Department conducted inspections of the outdoor pool on June 19, 2020, June 22, 2020, and August 12, 2020, and violations were issued for failure to properly operate and maintain; and on June 22, 2020, a violation was issued for re-opening prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers at both pools; the chlorine level was not within the acceptable range of water quality standards at both pools; the pH level was not within the acceptable range of water quality standards at the indoor pool; the lifeline floats were not properly spaced at the indoor pool; there was a hose on the deck of the indoor pool that presented a trip hazard; there were pipes above the indoor pool that were leaking; there was a hole in the pool wall at the outdoor pool; a skimmer was missing a weir at the outdoor pool; the drinking water fountain was not operating properly at the outdoor pool; a gate did not self-close and latch

at the outdoor pool; the life ring was deteriorated at the outdoor pool; the emergency notification device was not operational at the outdoor pool; there was no pool rules sign at the outdoor pool; the bound and numbered log book for the outdoor pool was not maintained on a daily basis; the current pool operator of record information was not posted to the public at the outdoor pool; and, the outdoor 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 four thousand, four hundred dollars (\$4,400.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, four hundred dollars (**\$4,400.00**) in installments. Payments are due February 15, 2021, March 15, 2021, and April 15, 2021.

Update: No updates.

19) <u>Order Type and Number:</u>	Consent Order 20-133-RW
<u>Order Date:</u>	November 16, 2020
<u>Individual/Entity:</u>	<b>South Hampton Ventures, LLC</b>
<u>Facility:</u>	Courtyard by Marriott
<u>Location:</u>	1251 Woodland Avenue Mount Pleasant, SC 29404
<u>Mailing Address:</u>	17 Lockwood Drive, Suite 400 Charleston, SC 29401
<u>County:</u>	Charleston
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	10-1146B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: South Hampton Ventures, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on May 28, 2020, and June 29, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the foot rinse shower was not operating properly; the chlorine level was not within the acceptable range of water quality standards; and, the bound and numbered logbook 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 six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

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



20)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u>  <u>Facility:</u> <u>Location:</u>  <u>Mailing Address:</u>  <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u> <u>Violations Cited:</u>	Consent Order 20-134-RW November 16, 2020 <b>173 Meeting Street Inn Limited Partnership</b> Meeting Street Inn 173 Meeting Street Charleston, SC 29401 8 Cumberland Street Charleston, SC 29401 Charleston 19-080-RW (\$680.00) 10-209-1 S.C. Code Ann. Regs. 61-51(J)
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Summary: 173 Meeting Street Inn Limited Partnership (Individual/Entity) owns and is responsible for the proper operation and maintenance of a spa located in Charleston County, South Carolina. The Department conducted inspections on June 17, 2020, and July 27, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the spa temperature was too high; there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; there was no foot rinse shower; there was no drinking water fountain; and, there was no spa rules sign.

Action: The Individual/Entity is required to: by November 30, 2020, submit to the Department a standard operating procedure to ensure that the spa is properly operated and maintained, and maintains compliance with Regulation 61-51. 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 **stipulated penalty** in the amount of one thousand, six hundred dollars (**\$1,600.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has submitted a standard operating procedure to follow to ensure compliance. This Order has been closed.

21)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u>  <u>Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u>	Consent Order 20-135-RW November 23, 2020 <b>The Grove at Ebenezer, LLC</b> The Grove 1037 Grove Boulevard Florence, SC 29501 Same Florence None 21-1035B
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Violations Cited:

S.C. Code Ann. Regs. 61-51(J)

Summary: The Grove at Ebenezer, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Florence County, South Carolina. The Department conducted inspections on June 5, 2020, June 10, 2020, June 19, 2020, July 7, 2020, July 22, 2020, and August 6, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: there was debris in the skimmer baskets; the water level was too low; there was no drinking water fountain; there was no foot rinse shower; the chlorine and pH levels were not within the acceptable range of water quality standards; the emergency notification device was not operational; there were no “Shallow Water – No Diving Allowed” signs posted; there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; the current pool operator of record information was not posted to the public; and, the bound and numbered log book was not maintained on a daily basis and was not maintained a minimum of at least three times per week by a pool operator of record.

Action: The Individual/Entity is required to: by December 13, 2020, submit to the Department a standard operating procedure to ensure that the pool is properly operated and maintained, and maintains compliance with Regulation 61-51. The Department has assessed a total civil penalty in the amount of two thousand, forty dollars (\$2,040.00). The Individual/Entity shall pay a **stipulated** penalty in the amount of two thousand, forty dollars (**\$2,040.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has submitted a standard operating procedure to follow to ensure compliance. This Order has been closed.

**Drinking Water Enforcement**

22) <u>Order Type and Number:</u>	Consent Order 20-028-DW
<u>Order Date:</u>	November 12, 2020
<u>Individual/Entity:</u>	<b>Daniel Baxley Farms, LLC</b>
<u>Facility:</u>	Baxley & Baxley Farms
<u>Location:</u>	1524 Minturn Road Minturn, SC 29573
<u>Mailing Address:</u>	Same
<u>County:</u>	Dillon
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	17IR023
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-113.H.2

Summary: Daniel Baxley Farms, LLC (Individual/Entity) owns and is responsible for obtaining the proper permit for a groundwater withdrawal system located in Dillon County, South Carolina. On August 14, 2020, a violation was issued as a result of Department review of groundwater withdrawal permitting records. The Individual/Entity

has violated the Groundwater Use and Reporting Regulation as follows: failed to submit a completed application to the Department to renew its groundwater withdrawal permit at least ninety (90) days prior to the expiration date.

Action: The Individual/Entity has submitted a completed application and renewed its groundwater withdrawal permit. 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 December 12, 2020.

Update: No updates.

### **Water Pollution Enforcement**

23) Order Type and Number: Administrative Order 20-041-W  
Order Date: November 3, 2020  
Individual/Entity: **Franklin W. Howey, Jr. Individually and d.b.a. Howey Family Farms, LLC and Chesterfield County Farms, LLC**  
Facility: Howey Family Farms, LLC and Chesterfield County Farms, LLC  
Location: Off Hornsboro Road in Chesterfield County, South Carolina  
Mailing Address: 912 Fletcher Broome Road  
Monroe, NC 28110  
County: Chesterfield  
Previous Orders: 18-027-W (\$3,750.00)  
Permit/ID Number: None  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-90(a) (2008 & Supp. 2019), S.C. Standards for the Permitting of Agricultural Animal Facilities, S.C. Code Ann Regs. 61-43 Part 400.60(C)(20) and Part 400.60(D)(3).

Summary: Franklin W. Howey, Jr. Individually and d.b.a. Howey Family Farms, LLC and Chesterfield County Farms, LLC (Individual/Entity) was issued a Notice of Alleged Violation on February 6, 2020, for improperly stockpiled and applied animal manure and animal by-products to certain properties in Chesterfield County, South Carolina. The Individual/Entity has violated the Pollution Control Act and S.C. Standards for the Permitting of Agricultural Animal Facilities as follows: stockpiled uncovered manure, not on a concrete or other approved pad, for more than three days; and land applied manure within fifty feet of a ditch leading directly to waters of the State.

Action: The Individual/Entity is required to: immediately ensure that any stockpiled manure is properly covered or properly land applied; immediately register with the South Carolina Secretary of State if continuing to conduct business as incorporated

entity; by December 3, 2020, submit notification of manure being covered or land applied and an application for a land application permit if continuing to perform manure handling activities. The Department has assessed a total civil penalty in the amount of twelve thousand dollars (\$12,000.00). The Individual/Entity shall pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**) by December 3, 2020.

Update: No updates.

24) Order Type and Number: Consent Order 20-042-W  
Order Date: November 5, 2020  
Individual/Entity: **Belton-Honea Path Water Authority**  
Facility: Belton-Honea Path Water Treatment Plant  
Location: 525 Filter Plant Road  
Honea Path, SC 29654  
Mailing Address: Same  
County: Anderson  
Previous Orders: None  
Permit/ID Number: SCG646063  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.21(d) (2011), and NPDES Permit SCG646063

Summary: Belton-Honea Path Water Authority (Individual/Entity) owns and is responsible for the proper operation and maintenance of a water treatment plant (WTP) in Anderson County, South Carolina. On August 19, 2020, a Notice of Violation was issued as a result of its failure to reapply for permit coverage within one hundred eighty (180) days prior to the existing NPDES permit's expiration date. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to submit an application for renewal of the NPDES Permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to continue operating the WTP in accordance with the most recent NPDES permit until a new permit becomes effective. 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**).

Updates: The Individual/Entity submitted an administratively complete application for renewal of their NPDES permit and has paid the penalty.

25) Order Type and Number: Consent Order 20-043-W  
Order Date: November 5, 2020  
Individual/Entity: **Town of Batesburg-Leesville**  
Facility: Town of Batesburg-Leesville WWTF  
Location: 100 Commissioner Street  
Lexington, SC 29006  
Mailing Address: P.O. Box 2329  
Calhoun Falls, SC 29070  
County: Lexington  
Previous Orders: 20-004-W (\$5,000.00)  
Permit/ID Number: NPDES Permit SC0024465  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2016), Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.41(a) and (e) (2011), and Part III. A of NPDES Permit SC0024465

Summary: Town of Batesburg-Leesville (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Lexington County, South Carolina. The Individual/Entity reported violations of the permitted discharge limits for chronic effluent toxicity (CTOX) as reported on discharge monitoring reports submitted to the Department for the quarterly monitoring periods ending August 30, 2019, and February 29, 2020; failed to properly operate and maintain its facility as determined by a collection system inspection performed by the Department on March 5, 2020. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits of its National Pollutant Discharge Elimination System permit for CTOX, and properly operate and maintain in good working order all facilities and systems of treatment and control.

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 December 5, 2020; 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 four thousand, two hundred dollars (\$4,200.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, two hundred dollars (**\$4,200.00**).

Updates: The Individual/Entity has paid the civil penalty.

26) Order Type and Number: Consent Order 20-044-W  
Order Date: November 12, 2020  
Individual/Entity: **Pioneer Rural Water District**  
Facility: Lake Hartwell WTP  
Location: 1142 Highway 59  
Fair Play, SC 29643

Mailing Address: Same  
County: Oconee County  
Previous Orders: None  
Permit/ID Number: SCG646068  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.21(d) (2011), and NPDES Permit SCG646068

Summary: Pioneer Rural Water District (Individual/Entity) owns and is responsible for the proper operation and maintenance of a water treatment plant (WTP) in Oconee County, South Carolina. On August 11, 2020, a Notice of Violation was issued as a result of its failure to reapply for permit coverage within one hundred eighty (180) days prior to the existing NPDES permit's expiration date. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to submit an application for renewal of the NPDES Permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to continue operating the WTP in accordance with the most recent NPDES permit until a new permit becomes effective. 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**).

Updates: The Individual/Entity has paid the penalty.

27) Order Type and Number: Consent Order 20-045-W  
Order Date: November 17, 2020  
Individual/Entity: **Isle of Palms Water & Sewer Commission**  
Facility: Isle of Palms WWTF  
Location: 1300 Palm Boulevard  
Isle of Palms, SC 29451  
Mailing Address: P.O. Box 528  
Isle of Palms, SC 29451  
County: Charleston  
Previous Orders: None  
Permit/ID Number: NPDES Permit SC0043583  
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1- 110 (d) (2008 & Supp. 2019); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) and (d) (2011).

Summary: Isle of Palms Water & Sewer Commission (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Hampton County, South Carolina. On February 3, 2020, a Notice of Violation was issued as a result of violations of the permitted discharge limits for total copper (copper) 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 copper.

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 December 17, 2020; 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 four thousand, two hundred dollars (\$4,200.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, two hundred dollars (**\$4,200.00**) by December 17, 2020.

Updates: No updates.

## **BUREAU OF ENVIRONMENTAL HEALTH SERVICES**

### **Food Safety Enforcement**

28) <u>Order Type and Number:</u>	Consent Order 2020-206-06-019
<u>Order Date:</u>	November 2, 2020
<u>Individual/Entity:</u>	<b>Little Caesars Georgetown</b>
<u>Facility:</u>	Little Caesars Georgetown
<u>Location:</u>	1177 North Fraser Street Georgetown, SC 29440
<u>Mailing Address:</u>	P.O. Box 39 Elizabethtown, NC 28337
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	2019-206-06-129 (\$800.00)
<u>Permit Number:</u>	22-206-06366
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Little Caesars Georgetown (Individual/Entity) is a restaurant located in Georgetown County, South Carolina. The Department conducted an inspection on February 20, 2020. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure written procedures were in place and made available to the Department when the facility uses time as a public health control.

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 corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of one thousand dollars





County: Charleston  
Previous Orders: None  
Permit Number: 10-206-04309  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Wal-Mart #1359 (Individual/Entity) operates a deli/bakery located in Charleston County, South Carolina. The Department conducted inspections on September 11, 2019, February 11, 2020, February 21, 2020, and March 2, 2020. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that after cleaning and sanitizing, equipment and utensils were properly air-dried before contact with food (and may not be cloth dried) and failed to provide an irreversible registering temperature indicator for measuring the utensil surface temperature in hot water mechanical warewashing operations.

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 corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**) by December 3, 2020.

Update: No updates.

31) Order Type and Number: Consent Order 2020-206-04-023  
Order Date: November 6, 2020  
Individual/Entity: **Hooks BBQ**  
Facility: Hooks BBQ  
Location: 3566 Highway 9  
Cheraw, SC 29520  
Mailing Address: Same  
County: Chesterfield  
Previous Orders: None  
Permit Number: 13-206-01495  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Hooks BBQ (Individual/Entity) is a restaurant located in Chesterfield County, South Carolina. The Department conducted inspections on February 15, 2018, February 14, 2019, and February 13, 2020. 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.

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 corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of four hundred dollars

(\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**) by December 6, 2020.

Update: On December 18, 2020, the Department initiated a payment plan offer to the Individual/Entity per their request.

32)	<u>Order Type and Number:</u>	Consent Order 2020-206-04-027
	<u>Order Date:</u>	November 6, 2020
	<u>Individual/Entity:</u>	<b>Lynn's Café</b>
	<u>Facility:</u>	Lynn's Café
	<u>Location:</u>	101 West McGregor Street Pageland, SC 29728
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Chesterfield
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	13-206-01408
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Lynn's Café (Individual/Entity) is a restaurant located in Chesterfield County, South Carolina. The Department conducted inspections on February 21, 2018, April 19, 2018, March 18, 2019, and January 22, 2020. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for safety foods and 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.

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 corrected all violations prior to the issuance of the Order. 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**) by December 6, 2020.

Update: On December 18, 2020, the Department initiated a payment plan offer to the Individual/Entity per their request.

33)	<u>Order Type and Number:</u>	Consent Order 2020-206-010
	<u>Order Date:</u>	November 16, 2020
	<u>Individual/Entity:</u>	<b>Domino's Pizza</b>
	<u>Facility:</u>	Domino's Pizza
	<u>Location:</u>	4420 Highway 24 Anderson, SC 29621
	<u>Mailing Address:</u>	Same

County: Anderson  
Previous Orders: 2018-206-01-024 (\$200.00);  
2019-206-01-027 (\$500.00)  
Permit Number: 04-206-03307  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Domino's Pizza (Individual/Entity) is a restaurant located in Anderson County, South Carolina. The Department conducted an inspection on March 9, 2020. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure written procedures were in place and made available to the Department when the facility uses time as a public health control.

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 corrected all violations prior to the issuance of the Order. 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 complied with all requirements of the Order and paid the civil penalty. This Order has been closed.

### **On Site Wastewater Enforcement**

34) Order Type and Number: Administrative Order 20-109-OSWW  
Order Date: November 5, 2020  
Individual/Entity: **Johnny Strobles**  
Facility: Johnny Strobles  
Location: 1145 Valentine Lane  
Greer, SC 29651  
Mailing Address: 719 Sunnyglen Court  
Greer, SC 29651  
County: Spartanburg  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Johnny Strobles (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted an investigation on September 9, 2020, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

35) Order Type and Number: Administrative Order 20-112-OSWW  
Order Date: November 17, 2020  
Individual/Entity: **Retire 2, LLC and Alvaro and Brenda Laureano**  
Facility: Retire 2, LLC and Alvaro and Brenda Laureano  
Location: 8211 North Highway 11  
Tamassee, SC 29686  
Mailing Address: 203 High Point Court  
Seneca, SC 29672  
208 Ashley Road  
Clemson, SC 29631  
County: Oconee  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Retire 2, LLC and Alvaro and Brenda Laureano (Individual/Entity) own property located in Oconee County, South Carolina. The Department conducted an investigation on August 18, 2020, 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 business 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: Upon further evaluation by a Department licensed OSWW contractor, the system needed increased maintenance frequency instead of a one-time repair. The Department licensed OSWW contractor has provided a specific schedule that has been agreed upon between the Individual/Entity and the OSWW contractor.

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