

SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 March 11, 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 January 1, 2021, through January 31, 2021.
3. **FACTS:** For the reporting period of January 1, 2021, through January 31, 2021, the Office of Environmental Affairs issued twenty-four (24) Consent Orders with total assessed civil penalties in the amount of eighty thousand, two hundred ninety-seven dollars (\$80,297.00). Also, thirteen (13) Administrative Orders with total assessed civil penalties in the amount of forty-three thousand, four hundred dollars (\$43,400.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	2	\$41,900.00	6	\$11,257.00
Aboveground Tanks	0	0	0	0
Solid Waste	0	0	0	0
Hazardous Waste	0	0	3	\$18,860.00
Infectious Waste	0	0	0	0
Mining	0	0	0	0
SUBTOTAL	2	\$41,900.00	9	\$30,117.00
Water				
Recreational Water	1	\$1,000.00	4	0
Drinking Water	0	0	3	0
Water Pollution	0	0	6	\$33,880.00
Dam Safety	0	0	0	0
SUBTOTAL	1	\$1,000.00	13	\$33,880.00
Air Quality				
SUBTOTAL	0	0	1	\$15,000.00
Environmental Health Services				
Food Safety	0	0	1	\$1,300.00
Onsite Wastewater	10	\$500.00	0	0
SUBTOTAL	10	\$500.00	1	\$1,300.00
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	13	\$43,400.00	24	\$80,297.00

Submitted by:

Myra C. Reece
 Myra C. Reece
 Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
March 11, 2021**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 19-0407-UST
 Order Date: January 21, 2021
 Individual/Entity: **Robert Oggenfuss**
 Facility: Today's Smokin Retailer
 Location: 114 North Street
 Clinton, SC
 Mailing Address: Same
 County: Laurens
 Previous Orders: None
 Permit/ID Number: 12942
 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 S.C. Code Ann. § 44-2-60(A) (2018), and South Carolina
 Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-
 92.280.40(a); 280.70(a); 280.93(a); and, 280.110(c) (2012 and Supp. 2019).

Summary: Robert Oggenfuss (Individual/Entity) owns underground storage tanks (USTs) located in Laurens County, South Carolina. The Department issued Notices of Alleged Violations on May 21, 2019, and January 21, 2020. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation as follows: failed to submit evidence that the tanks contain less than one (1) inch of residue; failed to conduct tank tightness, line tightness, and line leak detector tests and begin conducting release detection for the tanks, or permanently close the tanks; failed to complete a Certificate of Financial Responsibility form and submit evidence of financial assurance; and, failed to pay annual tank registration fees for fiscal years 2013-2021.

Action: The Individual/Entity is required to: submit evidence the tanks contain less than one (1) inch of residue or conduct tank tightness, line tightness, and line leak detector tests, and begin release detection, or; submit a completed Tank Sludge Disposal form for permanent tank closure and a closure report after permanent closure of the tanks; submit a completed Certificate of Financial Responsibility form and evidence of financial assurance; and pay annual tank registration fees and associated late fees for fiscal years 2013-2021 in the amount of sixteen thousand, five hundred fifty-two dollars (\$16,552.00), by March 15, 2021. The Department has assessed a civil penalty in the amount of thirteen thousand, one hundred fifty dollars (\$13,150.00). The Individual/Entity shall pay a civil penalty in the amount of thirteen thousand, one hundred fifty dollars (**\$13,150.00**) by March 15, 2021.

Updates: The Individual/Entity did not file for a RFR.

- 2) Order Type and Number: Administrative Order 20-0061-UST
Order Date: January 26, 2021
Individual/Entity: **S and S Foods, LLC**
Facility: Power Trac 7
Location: 448 Ann Street
Pickens, SC 29671
Mailing Address: 1526 Brown Road
Anderson, SC 29621
County: Pickens
Previous Orders: None
Permit/ID Number: 11104
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), 280.31(c), 280.70(a), 280.70(c), 280.93(a), 280.10(c) (2012 & Supp 2019).

Summary: S and S Foods, LLC (Individual/Entity) owns and operates underground storage tanks in Pickens County, South Carolina. The Department issued a Notice of Alleged Violation on February 12, 2020. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to pay to the Department annual underground storage tank registration fees; failed to operate and maintain corrosion protection equipment continuously; failed to inspect an impressed current system every sixty (60) days; failed to continue operation and maintenance of corrosion protection on a temporarily closed UST system; failed to properly abandon a temporarily closed 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 either passing metal integrity, tank tightness, and corrosion protection system test results for all USTs or a completed Tank and Sludge Disposal Form and within sixty (60) days of the Department's approval of the Tank and Sludge Disposal Form, permanently close the USTs and submit an UST Closure and Assessment Report; submit a completed Certificate of Financial Responsibility Form and submit evidence of financial assurance; and pay outstanding annual tank registration fees and associated late fees for fiscal years 2018, 2019, and 2020 in the amount of nine thousand, seventy-five dollars (\$9,075.00) by March 12, 2021. The Department has assessed a civil penalty in the amount of twenty-eight thousand, seven hundred fifty dollars (\$28,750.00). The Individual/Entity shall pay a civil penalty in the amount of twenty-eight thousand, seven hundred fifty dollars (**\$28,750.00**) by March 12, 2021.

Updates: The Individual/Entity did not file for a RFR.

- 3) Order Type and Number: Consent Order 19-0097-UST
Order Date: January 26, 2021
Individual/Entity: **HMS Ventures, LLC**

Facility: Richburg IGA Gas
Location: 3191 Lancaster Highway
Richburg, SC 29729
Mailing Address: 3104 Commerce Drive
Richburg, SC 29729
County: Chester
Previous Orders: None
Permit/ID Number: 18870
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, 280.30(a), 280.34(c), 280.40(a), 280.40(b)(1)(i)(B), 280.44(a), and 280.52 (2012 and Supp. 2019).

Summary: HMS Ventures, LLC (Individual/Entity) is the owner of underground storage tanks (USTs) located in Chester County, South Carolina. The Department conducted an inspection on March 1, 2019. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to ensure that releases due to spilling or overfilling do not occur; failed to provide records to the Department upon request; failed to provide an adequate release detection method; failed to conduct annual tightness test or have monthly monitoring of pressurized piping; failed to conduct annual test of automatic line leak detectors and/or sump sensors; and failed to investigate and confirm a suspected release within a reasonable time.

Action: The Individual/Entity is required to: submit line tightness test results for all underground storage tanks (USTs) at the facility; conduct a site check from the area underneath the 12,000-gallon regular UST spill bucket and submit the results to the Department by March 13, 2021. The Department has assessed a total civil penalty in the amount of three thousand, one hundred seven dollars (\$3,107.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, one hundred seven dollars (**\$3,107.00**) by March 13, 2021.

Updates: None.

4) Order Type and Number: Consent Order 20-0051-UST
Order Date: January 26, 2021
Individual/Entity: **Ternion, LLC**
Facility: Reynolds Avenue Property
Location: 1801 Reynolds Avenue
Charleston, SC 29405
Mailing Address: 4930 Rivers Avenue
North Charleston, SC 29406
County: Charleston
Previous Orders: None
Permit/ID Number: 19895
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, 280.65, 280.93(a), 280.110(a)(1), 280.110(c), 280.111(a), and 280.113 (2012 & Supp 2019).

Summary: Ternion, LLC (Individual/Entity) owns and operates underground storage tanks in Charleston County, South Carolina. The Department issued a Notice of Alleged Violation on January 21, 2020. 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 a release in accordance with a schedule established by the Department; failed to demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operations of petroleum USTs; failed to submit evidence of financial assurance to the Department within thirty (30) days after the owner or operator identifies a release from an UST required to be reported; failed to submit evidence of financial assurance to the Department upon request; failed to maintain evidence of all financial assurance mechanism used to demonstrate financial responsibility; and failed to maintain financial assurance until the tank has been permanently closed or undergoes a change-in-service or, if corrective action is required, after corrective action has been completed, and the tank has been permanently closed undergoes a change-in-service.

Action: The Individual/Entity is required to: submit both a completed Certificate of Financial Responsibility form and evidence of financial assurance; submit a Site Specific Work Plan for a Tier I Assessment Report; and within sixty (60) days of the approval of the SSWP, submit the assessment report. The Department has assessed a total civil penalty in the amount of twelve thousand, four hundred fifty dollars (\$12,450.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, four hundred fifty dollars (**\$2,450.00**) and pay a suspended penalty in the amount of ten thousand dollars (\$10,000.00) should any requirement of the Order not be met by March 12, 2021.

Updates: None.

[SR1][MB2]

5) Order Type and Number: Consent Order 20-0178-UST
Order Date: January 26, 2021
Individual/Entity: **Kirtikaben Patel**
Facility: Diya 2006 Inc.
Location: 100 East O'Neal Street
Gaffney, SC 29340
Mailing Address: Same
County: Cherokee
Previous Orders: None
Permit/ID Number: 01983
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. 2019).

Summary: Kirtikaben Patel (Individual/Entity) owns underground storage tanks (USTs) located in Cherokee County, South Carolina. The Department conducted an inspection on August 25, 2020. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation, as follows: failed to

maintain an overfill prevention device on the 10,000-gallon premium gasoline tank.

Action: The Individual/Entity corrected the violation 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**).

Updates: A passing overfill prevention equipment test was submitted to the Department on December 2, 2020. The civil penalty was paid in full on January 4, 2021.

6) Order Type and Number: Consent Order 20-0187-UST
Order Date: January 26, 2021
Individual/Entity: **Quick Pantry of Orangeburg, LLC**
Facility: Quick Pantry 16
Location: 232 Calhoun Avenue
Greenwood, SC 29649
Mailing Address: 2182 Magnolia Street
Orangeburg, SC 29115
County: Greenwood
Previous Orders: None
Permit/ID Number: 10483
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, 280.40(a)(2), and 280.43(d) (2012 and Supp. 2019).

Summary: Quick Pantry of Orangeburg, LLC (Individual/Entity) is the owner of underground storage tanks (USTs) located in Greenwood County, South Carolina. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly install, calibrate, operate, and maintain release detection equipment and failed to conduct automatic tank gauging properly.

Action: The Individual/Entity is required to: submit proof that the line leak detector for the plus underground storage tank has been repaired and/or replaced; conduct a line leak detector operability test, and submit the results to the Department by March 13, 2021. The Department has assessed a total civil penalty in the amount of three thousand, eight hundred dollars (\$3,800.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, eight hundred dollars (**\$3,800.00**) by March 13, 2021.

Updates: None.

7) Order Type and Number: Consent Order 20-0196-UST
Order Date: January 26, 2021
Individual/Entity: **ECapital SC Land I, LLC**
Facility: Golf Club of SC at Crickentree
Location: 1084 Langford Road

Mailing Address: Blythewood, SC 29016
225 Seven Farms Drive Suite 207
Charleston, SC 29492

County: Richland

Previous Orders: None

Permit/ID Number: 15050

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, 280.31(a), 280.70(a), 280.70(c), 280.93(a), and 280.110(c) (2012 & Supp 2019).

Summary: ECapital SC Land I, LLC (Individual/Entity) owns and operates underground storage tanks in Richland County, South Carolina. The Department conducted an inspection on August 9, 2019 and issued a Notice of Alleged Violation on May 8, 2020, to the new owner of record. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to pay to the Department annual underground storage tank registration fees; failed to operate and maintain corrosion protection equipment continuously; failed to continue operation and maintenance of corrosion protection on a temporarily closed UST system; failed to properly abandon a temporarily closed UST 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 both a completed Certificate of Financial Responsibility form and evidence of financial assurance; pay outstanding annual tank registration fees and associated late fees for fiscal years 2019, 2020, and 2021 in the amount of two thousand, six hundred sixty-two dollars (\$2,662.00); submit a completed Tank and Sludge Disposal Form and within sixty (60) days of the Department's approval of the Tank and Sludge Disposal Form, permanently close the USTs; and submit a UST Closure and Assessment Report to the Department by March 12, 2021. The Department has assessed a total civil penalty in the amount of six thousand, six hundred fifty dollars (\$6,650.00). The Individual/Entity shall pay a **suspended penalty** in the amount of six thousand, six hundred fifty dollars (**\$6,650.00**) should any requirement of the Order not be met by March 12, 2021.

Updates: None.

8) Order Type and Number: Consent Order 20-0252-UST

Order Date: January 26, 2021

Individual/Entity: **Richland-Lexington Airport District**

Facility: Rental Car Maintenance Facility 2

Location: 880 Ermine Road
West Columbia, SC 29170

Mailing Address: 3260 Airport Boulevard Suite 1
West Columbia, SC 29170

County: Lexington

Previous Orders: None

Permit/ID Number: 18951

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, 280.31(a), 280.35(a)(1), 280.35(a)(2), 280.40(a), 280.40(a)(2), 280.40(a)(3), 280.44(a), and 280.45(b)(1) (2012 & Supp 2019).

Summary: Richland-Lexington Airport District (Individual/Entity) owns and operates underground storage tanks in Lexington County, South Carolina. The Department conducted an inspection and issued a Notice of Alleged Violation on September 18, 2020. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain and operate a corrosion protection system; failed to complete spill bucket containment test every three (3) years; failed to inspect overfill prevention at least once every three (3) years; failed to provide an adequate release detection method; failed to properly maintain release detection; failed to complete the required release detection operability testing; failed to conduct an annual test of automatic line leak detectors; and failed to maintain records for at least one (1) year.

Action: The Individual/Entity is required to: conduct a hydrostatic test on the spill bucket for the UST and submit the results to the Department; if the hydrostatic test fails, conduct a site check, repair or replace the spill bucket, and conduct a follow-up hydrostatic test; submit release detection operability test results for the UST; submit overfill operability test results for the UST; submit line leak detector function check test results. The Department has assessed a total civil penalty in the amount of two thousand, four hundred thirty dollars (\$2,430.00). The Individual/Entity shall pay a civil penalty in the amount of nine hundred dollars (**\$900.00**) and pay a suspended penalty in the amount of one thousand, five hundred thirty dollars (\$1,530.00) should any requirement of the Order not be met by March 12, 2021.

Updates: The release detection operability test results, line leak detector function check results, overfill operability test results, and hydrostatic test results have been received. The civil penalty was paid February 16, 2021.

Hazardous Waste Enforcement

9) <u>Order Type and Number:</u>	Consent Order 20-15-HW
<u>Order Date:</u>	January 6, 2021
<u>Individual/Entity:</u>	Riggins Garment Care
<u>Facility:</u>	Riggins Garment Care
<u>Location:</u>	1903 North Main Street Anderson, SC 29625
<u>Mailing Address:</u>	Same
<u>County:</u>	Anderson
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SCD 981 760 226
<u>Violations Cited:</u>	The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 <u>et seq.</u> (2019), and the South

Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2019).

Summary: Riggins Garment Care (Individual/Entity) is a full-service dry cleaning and laundering facility located Anderson County, South Carolina. The Department conducted an inspection on September 21, 2020. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations, as follows: failed to receive an extension from the Department granting hazardous waste to remain onsite for longer than one hundred eighty (180) days; failed to mark or label its containers with the words “Hazardous Waste,” an accumulation start date, and an indication of the hazards of the contents; failed to attempt to make arrangements with local emergency responders; failed to ensure employees who handle hazardous waste were familiar with proper waste handling and emergency procedures; and failed to retain onsite copies of all notices and certifications for hazardous waste subject to offsite treatment, storage, or disposal.

Action: The Individual/Entity is required to: submit hazardous waste training documentation for employees who handle hazardous waste by February 8, 2021. The Department assessed a total civil penalty in the amount of three thousand, three hundred sixty dollars (\$3,360.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand three hundred sixty dollars (**\$3,360.00**).

Updates: The civil penalty was paid in full on December 16, 2020.

10) Order Type and Number: Consent Order 20-16-HW
Order Date: January 6, 2021
Individual/Entity: **Bommer Industries, Inc. – Gaffney**
Facility: Bommer Industries, Inc. – Gaffney
Location: 584 Peachoid Road
Gaffney, SC 29341
Mailing Address: P.O. Box 187
Landrum, SC 29356
County: Cherokee
Previous Orders: None
Permit/ID Number: SCD 980 843 486
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2019), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2019).

Summary: Bommer Industries, Inc. (Individual/Entity) is a manufacturer of custom-built hinges with a finishing and electroplating operation located in Cherokee County, South Carolina. The Department conducted an inspection on July 30, 2020. The Individual/Entity violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations, as follows: failed to determine if a solid waste was a hazardous waste; failed to file a revised or new Notification Form with the Department whenever a new hazardous waste was produced and the company contact changed; failed to mark or label its containers with the words “Hazardous Waste” and an indication of the hazards of the contents; failed to have a hazardous waste training plan for

the facility that was director by a person trained in hazardous waste; failed to receive an extension from the Department granting hazardous waste to remain onsite for longer than ninety (90) days; failed to clean up a hazardous waste spill that occurred during processing; failed to submit Quarterly Reports in accordance with the required instructions; failed to have a contingency plan that included the content as described in the Regulations; failed to include the locations of the water supply and the identification of the on-site notification systems in the quick reference guide; and failed to maintain universal waste lamps in a manner to prevent a release and to keep such containers closed.

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 twelve thousand dollars (\$12,000.00). The Individual/Entity shall pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**).

Updates: The civil penalty was paid in full on January 4, 2021.

11) Order Type and Number: Consent Order 20-17-HW
Order Date: January 12, 2021
Individual/Entity: **Motor City Racks**
Facility: Motor City Racks
Location: 597 Ford Road
Gaffney, SC 29340
Mailing Address: Same
County: Cherokee
Previous Orders: None
Permit/ID Number: SCR 000 785 618
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: Motor City Racks (Individual/Entity) is a manufacturer of custom racking systems located Cherokee County, South Carolina. The Department conducted an inspection on June 25, 2020. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations, as follows: failed to meet the conditions for exemption ; failed to accurately determine if the waste was hazardous; failed to maintain records supporting its hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste; failed to maintain records for at least three (3) years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal; failed to file a revised or new Notification form whenever the information previously provided became outdated or inaccurate; failed to clean up any hazardous waste discharge that occurred during generation or processing or storage and take such other action as may be required or approved by Federal, State, or local officials so that the hazardous waste discharge no longer presents a hazard to human health or the environment; and failed to maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

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 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**).

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

BUREAU OF WATER

Recreational Waters Enforcement

12) Order Type and Number: Administrative Order 20-140-RW
Order Date: December 17, 2020
Individual/Entity: **MP Owner 1, LLC**
Facility: Sage at 1240
Location: 1240 Winnowing Way
Mount Pleasant, SC 29466
Mailing Address: 92 River Road
Summit, NJ 07901
County: Charleston
Previous Orders: None
Permit/ID Number: 10-1200B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: MP Owner 1, 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 July 21, 2020, and August 10, 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 cyanuric acid level was above the water quality standards acceptable limit; only one “Shallow Water – No Diving Allowed” sign was posted; only one “No Lifeguard On Duty - Swim At Your Own Risk” sign was posted; there was debris in the skimmer baskets; and the chlorine level was not within the acceptable range of water quality standards.

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

13) Order Type and Number: Consent Order 21-001-RW
Order Date: January 11, 2021
Individual/Entity: **Quality Investment, Inc.**
Facility: Ramada Limited

Location: 70 Contractors Way
Ridgeway, SC 29130
Mailing Address: Same
County: Fairfield
Previous Orders: None
Permit/ID Number: 20-014-1
Violations Cited: S.C. Code Ann. Regs. 61-51.J.22

Summary: Quality Investment, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Fairfield County, South Carolina. The Department issued a Notice of Enforcement Conference on November 30, 2020, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: correct all deficiencies and any upgrades required to bring the pool into compliance with Regulation 61-51 and contact the Department to schedule an inspection to verify the completed work by April 11, 2021. The Individual/Entity will be required to properly fill in or remove the pool by May 11, 2021, if the requirement to bring the pool into compliance with the Regulation is not met by the specified date. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Updates: On January 7, 2021, the Department conducted a technical assistance inspection of the pool with the Individual/Entity to provide an inspection checklist of the deficiencies and required upgrades.

14) Order Type and Number: Consent Order 21-002-RW
Order Date: January 11, 2021
Individual/Entity: **S.N. Company, LLC**
Facility: Palmetto Inn
Location: 3311 Meadors Road
Florence, SC 29501
Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: 21-036-1 & 21-036-2
Violations Cited: S.C. Code Ann. Regs. 61-51.J.22

Summary: S.N. Company, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool located in Florence County, South Carolina. The Department issued a Notice of Enforcement Conference on November 20, 2020, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool and kiddie pool, which have been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: submit to the Department for review and approval, a plan detailing the procedure and materials to be used to properly fill in or remove the pool and kiddie pool by January 26, 2021; and, within sixty days of the Department's approval of the plan, complete the procedure in accordance with the plan and contact the Department to schedule an inspection to verify the completed work. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of eight hundred dollars (**\$800.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity has submitted a plan to properly fill in the pool and kiddie pool and the plan has been approved.

15) Order Type and Number: Consent Order 21-003-RW
Order Date: January 11, 2021
Individual/Entity: **Ronald Barry Grice, Individually and d.b.a. Marlboro Country Club**
Facility: Marlboro Country Club
Location: 404 Country Club Drive
Bennettsville, SC 29512
Mailing Address: 205 Oakwood Drive
Mount Holly, NC 28120
County: Marlboro
Previous Orders: None
Permit/ID Number: 34-001-2
Violations Cited: S.C. Code Ann. Regs. 61-51.J.22

Summary: Ronald Barry Grice, Individually and d.b.a. Marlboro Country Club (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Marlboro County, South Carolina. The Department issued a Notice of Enforcement Conference on December 4, 2020, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the kiddie pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: submit to the Department for review and approval, a plan detailing the procedure and materials to be used to properly fill in or remove the kiddie pool by January 26, 2021; and, within sixty days of the Department's approval of the plan, complete the procedure in accordance with the plan and contact the Department to schedule an inspection to verify the completed work. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity has submitted a plan to properly fill the kiddie pool and the plan has been approved.

16) Order Type and Number: Consent Order 21-004-RW
Order Date: January 19, 2021

<u>Individual/Entity:</u>	Austin Woods 2017, LLC
<u>Facility:</u>	Austin Woods Apartments
<u>Location:</u>	7648 Sumter Highway Columbia, SC 29209
<u>Mailing Address:</u>	Same
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-083-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51.J.22

Summary: Austin Woods 2017, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department issued a Notice of Enforcement Conference on November 23, 2020, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: correct all deficiencies and any upgrades required to bring the pool into compliance with Regulation 61-51 and contact the Department to schedule an inspection to verify the completed work by July 19, 2021. The Individual/Entity will be required to properly fill in or remove the pool by August 19, 2021, if the requirement to bring the pool into compliance with the Regulation is not met by the specified date. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Updates: On December 9, 2020, the Department conducted a technical assistance inspection of the pool with the Individual/Entity to provide an inspection checklist of the deficiencies and required upgrades.

Drinking Water Enforcement

17) <u>Order Type and Number:</u>	Consent Order 21-001-DW
<u>Order Date:</u>	January 19, 2021
<u>Individual/Entity:</u>	Whitesides General Store, LLC
<u>Facility:</u>	Whitesides General Store
<u>Location:</u>	1041 East Main Street Smyrna, SC 29743
<u>Mailing Address:</u>	1011 Main Street Smyrna, SC 29743
<u>County:</u>	York
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	4679029
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.17.K(1)

Summary: Whitesides General Store, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS)

located in York County, South Carolina. On December 7, 2020, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level for E. coli.

Action: The Individual/Entity is required to: submit an investigative report and a corrective action plan to address the causes of the total coliform present results at the PWS by February 19, 2021. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity submitted an investigative report and a corrective action plan. The corrective action plan has been completed.

18) <u>Order Type and Number:</u>	Consent Order 21-002-DW
<u>Order Date:</u>	January 26, 2021
<u>Individual/Entity:</u>	KC Holdings Group, LLC
<u>Facility:</u>	A&L Mobile Home Park #9 & A&L Mobile Home Park #10
<u>Location:</u>	805 Quail Road Johnsonville, SC 29555
<u>Mailing Address:</u>	25 Chapel Creek Road Pawley's Island, SC 29585
<u>County:</u>	Florence
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2160126 & 2160133
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B

Summary: KC Holdings Group, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of two public water systems (PWSs) located in Florence County, South Carolina. The Department conducted an inspection of PWS No. 2160126 on October 5, 2020, and it was rated unsatisfactory for failure to properly operate and maintain, and failure to provide an up-to-date emergency preparedness plan. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: a complete procedures manual with written programs and logs was not provided for Department review; an up-to-date emergency preparedness plan was not provided for Department review; the well serving PWS No. 2160133 was offline, and the PWSs were connected; the well houses were dirty; and, the well house doors did not have locks.

Action: The Individual/Entity is required to: correct the deficiencies and submit to the Department for review and approval a complete procedures manual and emergency preparedness plan by February 26, 2021. The Department has assessed a total civil penalty in the amount of twelve thousand dollars (\$12,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of twelve thousand dollars (**\$12,000.00**) should any requirement of the Order not be met.

Updates: None.

19)	<u>Order Type and Number:</u>	Consent Order 21-003-DW
	<u>Order Date:</u>	January 26, 2021
	<u>Individual/Entity:</u>	Wildwater, LTD
	<u>Facility:</u>	Wildwater Chattooga
	<u>Location:</u>	1251 Academy Road S-37-14 Long Creek, SC 29658
	<u>Mailing Address:</u>	P.O. Box 309 Long Creek, SC 29658
	<u>County:</u>	Oconee
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	3774004
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.17.K(1)

Summary: Wildwater, LTD (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Oconee County, South Carolina. On November 9, 2020, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level for E. coli.

Action: The Individual/Entity is required to: submit an investigative report and a corrective action plan to address the causes of the total coliform present results at the PWS by February 26, 2021. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity submitted an investigative report and a corrective action plan. The corrective action plan has been completed.

Water Pollution Enforcement

20)	<u>Order Type and Number:</u>	Consent Order 20-052-W
	<u>Order Date:</u>	January 6, 2021
	<u>Individual/Entity:</u>	City of Walhalla Sewer Collection System
	<u>Facility:</u>	City of Walhalla Sewer Collection System
	<u>Location:</u>	206 North Church Street Walhalla, SC 29691
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Oconee
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	SSS000064

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) and Water Pollution Control Permits Regulation S.C. Code Ann. Regs. 61-9.610.3(a) and 61-9.610(c)

Summary: City of Walhalla Sewer Collection System (Individual/Entity) owns and is responsible for a satellite sewer collection system located in Oconee County, South Carolina. On July 20, 2020, the Department issued a Notice of Alleged Violation as result of an unsatisfactory inspection of the collection system. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation, as follows: failed to properly manage, operate and maintain at all times all parts of its sewer systems and failed to take all reasonable steps to prevent, stop and mitigate the impact of releases of wastewater to the environment.

Action: The Individual/Entity is required to submit a Compliance Attainment Plan (Plan) by March 8, 2021, outlining actions necessary to resolve deficiencies of its collection system and must include: submit a Preliminary Engineering Report (PER) regarding improvements to the collection system by May 6, 2021; development and implementation of a written Operation and Maintenance plan by July 5, 2021; and, submit construction permit applications for certain pump station upgrades within one hundred twenty (120) days from Department approval of the PER. All construction activities must be completed within one hundred eighty (180) days from issuance of applicable Construction Permits issued by the Department. The Department has assessed a total civil penalty in the amount of one thousand, four hundred dollars (\$1,400.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, four hundred dollars (**\$1,400.00**) by February 5, 2021.

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

21) Order Type and Number: Consent Order 20-053-W
Order Date: January 6, 2021
Individual/Entity: **Town of Greeleyville**
Facility: Town of Greeleyville WWTF
Location: West of the Town of Greeleyville and south of Society Street Extension
Mailing Address: P.O. Box 212
Greeleyville, SC 29056
County: Williamsburg
Previous Orders: None
Permit/ID Number: ND0077968
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits, S.C. Code Ann. Regs. 61-9.505.41(a)

Summary: Town of Greeleyville (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Williamsburg County, South Carolina. On February 24, 2020, a Notice of Violation was issued as a result of E. coli violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits 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 February 6, 2021; demonstrate a six (6) monitoring event compliance confirmation period subsequent to 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, nine hundred dollars (\$4,900.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, nine hundred dollars (**\$4,900.00**) by February 28, 2021.

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

22) Order Type and Number: Consent Order 20-054-W
Order Date: January 6, 2021
Individual/Entity: **Sun Chemical Corporation**
Facility: Bushy Park WWTF
Location: 1506 Bushy Creek Park Road
Goose Creek, SC 29445
Mailing Address: Same
County: Berkeley
Previous Orders: 17-059-W (\$2,520.00)
Permit/ID Number: SC0003441
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) and Water Pollution Control Permits Regulation S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Sun Chemical Corporation (Individual/Entity) owns and is responsible for a wastewater treatment facility (WWTF) located in Berkeley County, South Carolina. On August 3, 2020, a Notice of Violation was issued as a result of biochemical oxygen demand (BOD) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation as follows: failed to comply with the permitted effluent limitations for BOD.

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 February 6, 2021; demonstrate a six (6) event compliance confirmation period subsequent to 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 five thousand, six hundred dollars (\$5,600.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, six hundred dollars (**\$5,600.00**) by February 5, 2021.

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

23) Order Type and Number: Consent Order 21-001-W
Order Date: January 21, 2021

<u>Individual/Entity:</u>	Wellford Glen LLC
<u>Facility:</u>	Wellford Estates Trailer Park
<u>Location:</u>	Fort Prince Boulevard Spartanburg, SC
<u>Mailing Address:</u>	P.O. Box 427 Arcadia, SC 29320
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SC0030571
<u>Violations Cited:</u>	Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), and Water Pollution Control Permits Regulation, S.C. Code Ann. Regs. 61-9.122.41(a) (2011), and NPDES Permit SC0030571

Summary: Wellford Glen, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Spartanburg County, South Carolina. On March 9, 2020, a Notice of Violation was issued as a result of E. coli violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits for E.coli.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by February 6, 2021; demonstrate a six (6) event compliance confirmation period subsequent to 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 two thousand three hundred eighty dollars (\$2,380.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand three hundred eighty dollars (**\$2,380.00**) by February 21, 2021.

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

24)	<u>Order Type and Number:</u>	Consent Order 21-002-W
	<u>Order Date:</u>	January 21, 2021
	<u>Individual/Entity:</u>	Titan Peach Packaging Farm
	<u>Facility:</u>	Titan Peach Packaging Farm
	<u>Location:</u>	5 RW Dubose Road Ridge Spring, SC 29129
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Edgefield
	<u>Previous Orders:</u>	19-027-W (\$4,200.00)
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	Pollution Control Act, S.C Code Ann § 48-1-90 (A) (1) (2008 & Supp. 2019) and South Carolina Standards for Permitting of Agricultural Animal Facilities (2007).

Summary: Titan Peach Packaging Farm (Individual/Entity) owns and is responsible for a peach packaging facility in Edgefield County, South Carolina. On July 6, 2020, a Notice of Deficiency was issued as a result of deficiencies observed during an operation

and maintenance inspection at the facility. The Individual/Entity has violated the Pollution Control Act as follows: discharged wastewater into the environment, including waters of the state, in a manner other than in compliance with a permit issued by the Department. The Individual/Entity has also violated the South Carolina Standards for Agricultural Animal Facilities as follows: failed to maintain its lagoon to withstand a twenty-five (25) year twenty-four (24) hour rain event and applied wastewater onto a saturated spray field.

Action: The Individual/Entity is required to: complete construction of the spray field expansion by March 30, 2021; and, install water level measuring devices in its lagoons by February 15, 2021. The Department has assessed a total civil penalty in the amount of nine thousand, six hundred dollars (\$9,600.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand six hundred dollars (**\$9,600.00**) by February 21, 2021.

Updates: The Individual/Entity notified the Department of the installation of water level measuring devices and has paid the assessed civil penalty.

25) Order Type and Number: Consent Order 21-003-W
Order Date: January 26, 2021
Individual/Entity: **Cane Lime & Supply, LLC**
Facility: Cane Lime & Supply, LLC Composting Facility
Location: 1416 North Williamsburg County Highway
Williamsburg, SC
Mailing Address: P.O. Box 2472
Lexington, SC 29071
County: Williamsburg
Previous Orders: 20-006-W (\$12,000.00)
Permit/ID Number: ND0087556
Violations Cited: Pollution Control Act, S.C Code Ann §§ 48-1-110 (d) and 48-1-130 (2008 & Supp. 2019); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.505.41 (a) and (l) (4) (2011).

Summary: Cane Lime & Supply, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a composting facility (Facility) in Williamsburg County, South Carolina. On February 7, 2020, the Individual/Entity and the Department entered into Consent Order 20-006-W as a result of the Individual/Entity's failure to submit annual reports as required by its State Land Application Permit. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permit Regulation as follows: failed to submit full payment of the civil penalty assessed by Consent Order 20-006-W and failed to submit annual reports as required by its Permit.

Action: The Individual/Entity has submitted the required annual report. The Department has assessed a total civil penalty in the amount of ten thousand dollars (\$10,000.00). The Individual/Entity shall pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**) by November 15, 2021.

Updates: The Individual/Entity submitted an installment payment toward the assessed civil penalty.

BUREAU OF AIR QUALITY

- 26) Order Type and Number: Consent Order 21-001-A
Order Date: January 26, 2021
Individual/Entity: **Jasper Pellets, LLC**
Facility: Jasper Pellets
Location: 523 Nimmer Turf Road
Ridgeland, SC 29936
Mailing Address: 4232 Tillman Bluff Road
Valdosta, GA 31602
County: Jasper
Previous Orders: None
Permit/ID Number: 1360-0050
Violations Cited: US EPA Regulations at 40 CFR
52.21(a)(2)(iii) and S.C. Code Ann. Regs. 61-62.5, Standard No. 7, Prevention of
Significant Deterioration, Section (a)(2)(iii), and S.C. Code Ann. Regs. 61-62.1,
Sections II.A.1.a, II.A.3, II.E.2.a, and II.E.2.b

Summary: Jasper Pellets, LLC (Individual/Entity) processes wood shavings and sawdust into wood pellets at its facility in Jasper County, South Carolina. The Individual/Entity has violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulation, as follows: failed to obtain a construction permit from the Department prior to beginning construction of new equipment and failed to submit written notification to the Department of the date construction was commenced for the new equipment.

Action: The Individual/Entity is required to: henceforth obtain a construction permit from the Department prior to constructing, altering, or adding to a source of air contaminants and submit written notification to the Department of the date construction is commenced for new equipment. The Department has 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 February 26, 2021.

Updates: The Department issued Synthetic Minor Construction Permit 1360-0050-CC to Jasper Pellets.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

- 27) Order Type and Number: Consent Order 2020-20-02-023
Order Date: January 4, 2021
Individual/Entity: **Sciortino's Trattoria**

Facility: Sciortino's Trattoria
Location: 3734 Pelham Road
Greenville, SC 29615
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: 23-206-09995
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Sciortino's Trattoria (Individual/Entity) is a restaurant located in Greenville County, South Carolina. The Department conducted inspections on June 18, 2019, February 26, 2020, March 4, 2020, and March 5, 2020. 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 properly cool cooked time/temperature control for safety foods.

Action: The Individual/Entity is required to: operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The 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 three hundred dollars (\$1,300.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand three hundred dollars (**\$1,300.00**).

Updates: The Individual/Entity has entered into a payment plan with the Department.

On Site Wastewater Enforcement

28) Order Type and Number: Administrative Order 20-102-OSWW
Order Date: January 6, 2021
Individual/Entity: **LGB Construction/Adam Brown**
Facility: LGB Construction/Adam Brown
Location: Highway 76 W
Grey Court, SC 29645
Mailing Address: 161 Argyle Lane
Laurens, SC 29360
County: Laurens
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: LGB Construction and Adam Brown (Individual/Entity) previously held a Department issued license to repair and construct OSWW systems. The Department conducted an investigation on January 10, 2020, when it was determined no Approval to Operate Contractor Self-Install form was submitted for Permit #2017100020 (installed September 20, 2019). On February 26, 2020, the Department determined that the Individual/Entity's license expired in October of 2018. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to

maintain a valid license to engage in the business of constructing and repairing onsite sewage treatment and disposal systems.

Action: The Individual/Entity is required to cease and desist installing or repairing the OSWW systems until a valid license is obtained from the Department. 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 February 5, 2021.

Updates: On February 23, 2021, the Department mailed and e-mailed a payment demand letter to the Individual/Entity.

29)	<u>Order Type and Number:</u>	Administrative Order 20-122-OSWW
	<u>Order Date:</u>	January 6, 2021
	<u>Individual/Entity:</u>	William Matthew Turner
	<u>Facility:</u>	William Matthew Turner
	<u>Location:</u>	410 Chauga Road Westminster, SC 29693
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Oconee
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	None
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: William Matthew Turner (Individual/Entity) owns property located in Oconee County, South Carolina. The Department conducted an investigation on November 5, 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.

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

30)	<u>Order Type and Number:</u>	Administrative Order 20-125-OSWW
	<u>Order Date:</u>	January 6, 2021
	<u>Individual/Entity:</u>	Jan Goode and Donnie Ree Goode, II
	<u>Facility:</u>	Jan Goode and Donnie Ree Goode, II
	<u>Location:</u>	5230 Clifton Glendale Road Clifton, SC 29307

Mailing Address: P.O. Box 353
Drayton, SC 29333
County: Spartanburg
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Jan Goode and Donnie Ree Goode, II (Individual/Entity) own property located in Spartanburg County, South Carolina. The Department conducted an investigation on December 1, 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.

Updates: The Individual/Entity has not complied with the Order and it has been referred to the Office of General Counsel for further enforcement.

31) Order Type and Number: Administrative Order 20-127-OSWW
Order Date: January 11, 2021
Individual/Entity: **Frank Kitchings**
Facility: Frank Kitchings
Location: 104 Burnt Oak Lane
Leesville, SC 29070
Mailing Address: Same as Location
County: Lexington
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Frank Kitchings (Individual/Entity) owns property located in Lexington County, South Carolina. The Department conducted an investigation on December 4, 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.

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

32) Order Type and Number: Administrative Order 20-128-OSWW
Order Date: January 21, 2021
Individual/Entity: **Rajesh Desor**
Facility: Rajesh Desor
Location: 463 Kay Drive
Easley, SC 29640
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Rajesh Desor (Individual/Entity) owns property located in Pickens County, South Carolina. The Department conducted an investigation on November 18, 2020, and November 19, 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.

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

33) Order Type and Number: Administrative Order 20-130-OSWW
Order Date: January 21, 2021
Individual/Entity: **Heirs of Richard Gadson**
Facility: Heirs of Richard Gadson
Location: 1236 May River Road
Bluffton, SC 29910
Mailing Address: P.O. Box 3912
Bluffton, SC 28810
County: Beaufort

Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Heirs of Richard Gadson (Individual/Entity) owns property located in Beaufort County, South Carolina. The Department conducted an investigation on November 23, 2020 and observed evidence of recent 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.

Updates: The Department is actively working with the public sewer provider and the Town of Bluffton to have the property connected to public sewer, as a corrective action.

34) Order Type and Number: Administrative Order 20-131-OSWW
Order Date: January 21, 2021
Individual/Entity: **Karen Ellison**
Facility: Karen Ellison
Location: 1803 Agnew Road
Starr, SC 29684
Mailing Address: P.O. Box 292
Williamston, SC 29697
County: Anderson
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Karen Ellison (Individual/Entity) owns property located in Anderson County, South Carolina. The Department conducted an investigation on November 17, 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.

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

35) Order Type and Number: Administrative Order 20-132-OSWW
Order Date: January 21, 2021
Individual/Entity: **Kenneth Broughton, Alfred Broughton, Sam Wright, and other Heirs of Sharlow Broughton**
Facility: Kenneth Broughton, Alfred Broughton, Sam Wright, and other Heirs of Sharlow Broughton
Location: 13892 Old Number Six Highway
Eutawville, SC 20948
Mailing Address: P.O. Box 136
Vance, SC 29163
County: Orangeburg
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Kenneth Broughton, Alfred Broughton, Sam Wright, and other Heirs of Sharlow Broughton (Individual/Entity) owns property located in Orangeburg County, South Carolina. The Department conducted an investigation on November 19, 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.

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

36) Order Type and Number: Administrative Order 21-001-OSWW
Order Date: January 21, 2021
Individual/Entity: **Timothy Way**
Facility: Timothy Way
Location: 303 E. Belvue Road

<u>Mailing Address:</u>	Taylors, SC 29687
<u>County:</u>	Greenville
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Timothy Way (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on December 11, 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.

Updates: The Department has been contacted by the Individual/Entity who stated the sewer service line to the house had been installed, although a utility company had to make adjustments before the final connection and inspection could be made to the public sewer line.

37) <u>Order Type and Number:</u>	Administrative Order 20-129-OSWW
<u>Order Date:</u>	January 25, 2021
<u>Individual/Entity:</u>	Greenleaf Investment Partners L049A, LLC
<u>Facility:</u>	Greenleaf Investment Partners L049A, LLC
<u>Location:</u>	8614 Anchor Street Spartanburg, SC 29303
<u>Mailing Address:</u>	3081 Holcomb Bridge Road Norcross, GA 30071
<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: Greenleaf Investment Partners L049A, LLC (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted an investigation on December 10, 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.

Updates: The attorney for the Individual/Entity has contacted the Department and is in the process of evicting the tenants of the Site.

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