

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
June 12, 2014**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 13-0349-UST
 Order Date: April 3, 2014
 Respondent: **Matthew Smothers**
 Facility: Foxes Corner 3; Foxes Corner 2
 Location: 912 South Fifth Street, Hartsville,
 SC 29550;
 1547 Lakeview Boulevard,
 Hartsville, SC 29550

 Mailing Address: P.O. Box 928, Hartsville, SC 29551
 County: Florence
 Previous Orders*: None
 Permit/ID Number: 12306; 13942
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
 Supp. 2012), and the South Carolina Underground Storage Tank Control
 Regulation 61-92.280.31(a), R. 61-92.280.31(c), R. 61-92.280.41(b)(1)(ii),
 R. 61-92.280.45(b)(1), and R. 61-92.280.44(a) (2012).

Summary: Matthew Smothers (Respondent) owns and operates underground storage tanks (USTs) in Florence County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to maintain and operate the corrosion protection system continuously; failure to inspect the impressed current every 60 days; failure to conduct annual tightness testing on pressurized lines or have monthly monitoring; failure to maintain records for one year; and, failure to conduct a test on automatic leak detectors and/or sump sensors.

Action: The Respondent is required to: submit corrosion protection system test results for Foxes Corner 3; submit an impressed current reading for the current month for Foxes Corner 3; submit line tightness test results for all USTs for Foxes Corner 3; and, pay a civil penalty in the amount of five thousand, four hundred dollars (**\$5,400.00**).

- 2) Order Type and Number: Consent Order 13-0160-UST

Order Date: April 28, 2014
Respondent: **Cliff's Food Stores, Inc.**
Facility: Cliff's Food Store 3 Westside
Location: 300 West Broadway Street,
Johnsonville, SC 29555
Mailing Address: 589 Cooktown Road, Lake City, SC
29560
County: Florence
Previous Orders: None
Permit/ID Number: 12343
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2012), and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.34(c), R. 61-92.280.35(e), R. 61-92.280.35(f), R.
61-92.280.35(g), R. 61-92.280.35(h)(2), R. 61-92.280.40(a), R. 61-
92.280.43(d), and R. 61-92.280.45(b)(1) (Supp. 2012).

Summary: Cliff's Food Stores, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Florence County, South Carolina; NOAV was issued on March 25, 2013, for violations of the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request; failure to validate monthly requirements have been performed; failure to physically visit each facility quarterly; failure to train class C operators; failure to designate class C operators in writing; failure to provide an adequate release detection method; failure to conduct release detection using an automatic tank gauge; and, failure to maintain sampling, testing, or monthly monitoring records for one year.

Action: The Respondent is required to: submit passing tank tightness test results for the premium UST; submit a current list of trained class C operators; complete class A/B operator retraining; and, pay a civil penalty in the amount of one thousand, two hundred thirty dollars (**\$1,230.00**).

3) Order Type and Number: Consent Order 13-0265-UST
Order Date: April 10, 2014
Respondent: **Prestige Commercial Properties**
Facility: American Mart LLC
Location: 1645 Red Bank Road, Goose Creek,
SC 29445
Mailing Address: 1244 Red Bank Road, Goose Creek,
SC 29445
County: Berkeley
Previous Orders: None
Permit/ID Number: 01212

Violations Cited: SUPERB Act Section 44-2-60(A)
(Supp. 2013).

Summary: Prestige Commercial Properties (Respondent) owns and operates underground storage tanks (USTs) in Berkeley County, South Carolina. On August 1, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a file review. The Respondent violated the SUPERB Act as follows: failure to pay to the Department annual underground storage tank registration fees.

Action: The Respondent is required to: pay annual underground storage tank registration fees; pay associated late fees; and pay a civil penalty in the amount of one hundred dollars (**\$100.00**).

4) Order Type and Number: Consent Order 13-0372-UST
Order Date: April 28, 2014
Respondent: **Carnell Rivers**
Facility: Scotia Stop and Shop LLC
Location: 3859 Columbia Highway
Scotia, SC 29939
Mailing Address: P.O. Box 293
Hampton, SC 29924
County: Hampton
Previous Orders: None
Permit/ID Number: 10943
Violations Cited: The South Carolina Underground Storage Tank Control Regulation 61-92.280.93(a); and, 61-92.280.110(c) (2012).

Summary: Carnell Rivers owns and operates underground storage tanks (USTs) in Hampton County, South Carolina. On September 16, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a file review. The Respondent violated the South Carolina Underground Storage Tank Control Regulation as follows: failure to demonstrate financial responsibility upon expiration of the previous mechanism and failure to submit updated financial responsibility documentation upon expiration of the previous mechanism.

Action: The Respondent is required to: submit a completed Certificate of Financial Responsibility; submit proof of financial responsibility mechanism; and, pay a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**).

5) Order Type and Number: Consent Order 13-0390-UST
Order Date: April 28, 2014
Respondent: **Cliffs Food Store, Inc.**
Facility: Cliffs Food Store 6

Location: 326 West Hampton Highway
Olanta, SC 29114
Mailing Address: 589 Cooktown Road
Lake City, SC 29560
County: Florence
Previous Orders: None
Permit/ID Number: 15180
Violations Cited: The South Carolina Underground
Storage Tank Control Regulation 61-92.280.34(c); 61-92.280.40(a); 61-
92.280.41(b)(1)(ii); 61-92.280.43(d); 61-92.280.44(a); and, 61-
92.280.45(b)(1) (2012).

Summary: Cliffs Food Store, Inc. owns and operates underground storage tanks (USTs) in Florence County, South Carolina. On September 11, 2013, a Notice of Alleged Violation was issued as a result of a routine compliance inspection. The Respondent violated the South Carolina Underground Storage Tank Control Regulation as follows: failure to provide records to the Department upon request; failure to provide an adequate release detection method for a UST system; failure to conduct an annual line tightness test on a pressurized line or have monthly monitoring; failure to conduct proper release detection using an automatic tank gauge; failure to conduct an annual test of automatic line leak detectors and/or sump sensors; and, failure to maintain sampling, testing, or monitoring records for at least one year.

Action: The Respondent is required to: submit tank tightness tests for all USTs; submit line tightness tests for all USTs; submit line leak detector function checks for all USTs; and, pay a civil penalty in the amount of one thousand, three hundred ninety-five dollars (**\$1,395.00**).

6) Order Type and Number: Consent Order 14-0008-UST
Order Date: April 10, 2014
Respondent: **Stop N Go**
Facility: Stop N Go
Location: 3200 Highway 24 South,
Anderson, SC 29624
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: 13032
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2012), and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.20(c)(1)(ii) (Supp. 2012).

Summary: Stop N Go (Respondent) owns and operates underground storage tanks (USTs) in Anderson County, South Carolina. On December 18, 2013, a compliance inspection was conducted and a violation was issued. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to equip an underground storage tank system with overfill protection.

Action: The Respondent is required to: pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The violation was corrected prior to the issuance of the Order.

Hazardous Waste Enforcement

7) Order Type and Number: Consent Order 14-04-HW
Order Date: April 3, 2014
Respondent: **IRIX Manufacturing, Inc.**
Facility: IRIX Manufacturing, Inc.
Location: 309 Delaware Street
Greenville, SC 29605
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: SCR 000 004 168
Violations Cited: South Carolina Hazardous Waste
Management Act §44-56-130(2); South Carolina Hazardous Waste
Management Regulation 61-79.262.34(a)(2); R.61-
79.262.34(a)(1)(i)/265.173(a); R.61-79.262.34(c)(1)(i)/265.173(a); R.61-
79.262.34(c)(1)(ii); R.61-79.262.34(a)(1)(i)/265.174; R.61-
79.262.34(a)(1)(i)/265.175(a); and, R.61-79.262.13(d).

Summary: IRIX Manufacturing, Inc. (Respondent) is a contract and research manufacturing organization supporting the pharmaceutical industry with clinical and commercial products. On April 23, 2013, and April 24, 2013, the Department performed a compliance inspection of the Respondent's facility. The Respondent violated the South Carolina Hazardous Waste Management Regulations as follows: failure to ensure that the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container; failure to ensure that a container holding hazardous waste, either in storage or in a satellite accumulation area, be closed during storage, except as necessary to add or remove waste; failure to mark containers either with the words "Hazardous Waste" or with other words that identify the contents of the container; failure to inspect areas where containers are stored, at least weekly, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors; failure to ensure that

container storage areas have a containment system; and, failure to file a revised or new Notification form whenever the information previously provided became outdated or inaccurate.

Action: The Respondent is required to: ensure that containers of hazardous waste are managed, inspected, and stored in accordance with the regulations; ensure that a revised or new Notification is submitted to the Department whenever information becomes outdated; and, pay a civil penalty in the amount of eight thousand, one hundred nineteen dollars (**\$8,119.00**).

- 8) Order Type and Number: Consent Order 14-05-HW
Order Date: April 28, 2014
Respondent: **BMW Manufacturing Co., Inc.**
Facility: BMW Manufacturing Co., Inc.
Location: 1400 Highway 101 South
Greer, SC 29651
- Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: SC0 000 110 288
Violations Cited: South Carolina Hazardous Waste Management Act §44-56-130(2); South Carolina Hazardous Waste Management Regulation 61-79.262.11; R.61-79.262.34(a); and, R.61-79.262.34(c)(1)(i)/265.173(a).

Summary: BMW Manufacturing Co., Inc. (Respondent) manufactures automobiles. On August 29, 2013, and September 3, 2013, the Department performed a compliance inspection of the Respondent's facility. The Respondent violated the South Carolina Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination; failure to accumulate hazardous waste onsite for less than 90 days; and, failure to ensure that a container holding hazardous waste in a satellite accumulation area be closed during storage, except as necessary to add or remove waste.

Action: The Respondent is required to: ensure that an accurate hazardous waste determination is made on all solid wastes in accordance with the regulations; ensure that containers of hazardous waste are managed and stored in compliance with the regulations; and, pay a civil penalty in the amount of two thousand, five hundred fifty dollars (**\$2,550.00**).

Facility: C. Owens & Son, Inc.
Location: 4949 Dick Pond Road,
Myrtle Beach, SC 29588
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 262635-3001
Violations Cited: The South Carolina Solid Waste
Policy and Management Act of 1991; Solid Waste Management: Yard
Trash and Land-Clearing Debris; and Compost Regulation 25A S.C. Code
Ann. Reg. 61-107.4

Summary: C. Owens & Son, Inc. (Respondent) owns and operates a composting facility. On July 5, 2013, and November 5, 2013, the Department notified the Respondent that the annual report for composting/wood chipping facility activity for fiscal year (FY) 2013 was due by October 15, 2013 and had not been received. The Respondent violated the Solid Waste Management: Yard Trash and Land-Clearing Debris; and Compost Regulation for failure to submit the annual report to the Department for FY 2013 by October 15, 2013.

Action: The Respondent is required to: submit the annual report for FY 2013 and pay a civil penalty in the amount of five dollars (**\$500.00**).

BUREAU OF WATER

Drinking Water Enforcement

11) Order Type and Number: Consent Order 14-028-DW
Order Date: April 3, 2014
Respondent: **Woodruff Roebuck Water District**
Facility: Woodruff Roebuck Water District
Location: 9890 U.S. 221
Woodruff, SC 29388
Mailing Address: P.O. Box 182
Woodruff, SC 29388
County: Spartanburg
Previous Orders: None
Permit/ID Number: 4220007
Violations Cited: S.C. Code Ann. Regs. 61-58.5.P(2)

Summary: Woodruff Roebuck Water District (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On November 26, 2013, and February 7, 2014, violations were issued as a result of monitoring records received by the Department. The Respondent has

violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total trihalomethanes (TTHM).

Action: The Respondent is required to: submit an investigative report to determine the causes of the TTHM MCL violations; submit a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

12) <u>Order Type and Number:</u>	Consent Order 14-029-DW
<u>Order Date:</u>	April 3, 2014
<u>Respondent:</u>	Rad Operator, LLC
<u>Facility:</u>	Radisson Hotel Charleston Airport
<u>Location:</u>	5991 Rivers Avenue North Charleston, SC 29418
<u>Mailing Address:</u>	29 North Wacker Drive Chicago, IL 60606
<u>County:</u>	Charleston
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	10-094-1 and 10-333-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Rad Operator, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a spa. On February 24, 2014, the pool and spa were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder and handrail were not tight and secure; the spa wall and floor were not clean; the skimmers were not operating properly in that the water level was too low; the drain in the pump room was not working properly and there were exposed electrical wires; the chlorine and pH levels were not within the acceptable range of water quality standards; the main drain grates were not visible; the spa temperature was not being monitored; the pool rules sign was not completely filled out; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; the disinfection equipment was not operating properly; and, the recirculation and filtration system pump had a wire that was not in conduit and a pipe that was leaking.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

- 13) Order Type and Number: Consent Order 14-030-DW
Order Date: April 3, 2014
Respondent: **College Square Hospitality, Inc.**
Facility: Spartanburg Motor Lodge
Location: 800 Charisma Lane
Spartanburg, SC 29303
Mailing Address: 11 Carriage Drive
Lexington, MA 02420
County: Spartanburg
Previous Orders: None
Permit/ID Number: 42-024-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: College Square Hospitality, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On October 29, 2013, Department staff conducted an inspection of the pool and observed that the pool was closed to the public and was not being operated and maintained. Following the inspection, Department staff determined that the pool has been permanently closed. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Respondent is required to: submit to the Department for approval a change order request form detailing the procedure to fill in or remove the pool; complete the work in accordance with the approved change order request form; contact Department staff to verify that the work has been completed; and, pay a **stipulated penalty** in the amount of eight hundred dollars (**\$800.00**) should the Respondent fail to meet any requirement of the Order.

- 14) Order Type and Number: Consent Order 14-031-DW
Order Date: April 3, 2014
Respondent: **Calhoun Country Club, Inc.**
Facility: Calhoun Country Club
Location: 200 Country Club Road
St. Matthews, SC 29135
Mailing Address: P.O. Box 5521
West Columbia, SC 29171
County: Calhoun
Previous Orders: None
Permit/ID Number: 09-001-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Calhoun Country Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 18, 2013, and August 26, 2013, the pool was inspected and a violation was issued for failure

to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: only one “Shallow Water – No Diving Allowed” sign was posted; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

15) <u>Order Type and Number:</u>	Consent Order 14-032-DW
<u>Order Date:</u>	April 10, 2014
<u>Respondent:</u>	City of Walhalla
<u>Facility:</u>	City of Walhalla
<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>	3710004
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: The City of Walhalla (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On October 9, 2013, and October 10, 2013, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Respondent has violated the State Primary Drinking Water Regulations as follows: the pumps and piping at the raw water pump station and the high service water pump station were showing signs of corrosion and the insulation was deteriorating; one of the pumps at the raw water pump station was spraying cooling water from the check valve; the flocculation units and equipment were showing signs of deterioration; the sedimentation basins had excessive floc carryover; the filters had not been evaluated in a number of years; the bulk storage chemical tanks at the water treatment plant were showing signs of corrosion; the chemical feed rooms were showing signs of disrepair; several backflow prevention devices had not been tested; written inspection and maintenance procedures had not been completed; it could not be determined if all of the valves and hydrants had been exercised and maintained to ensure operability; the flushing program was not available for Department review; there was no documentation of an annual water audit; and, the distribution map and sample siting plan were not updated.

Action: The Respondent is required to: submit a corrective action plan to include proposed steps to correct the deficiencies; submit a business plan to show how the PWS will be operated and maintained as a viable entity; pay a civil

penalty in the amount of three thousand dollars (**\$3,000.00**); and, pay a stipulated penalty in the amount of one thousand dollars (\$1,000.00) should the Respondent fail to meet any requirement of the Order.

- 16) Order Type and Number: Consent Order 14-033-DW
Order Date: April 14, 2014
Respondent: **Ocean Plaza Inn, LLC**
Facility: Ocean Plaza Inn
Location: 1005 South Ocean Blvd.
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-F16-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ocean Plaza Inn, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 23, 2013, and July 22, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

- 17) Order Type and Number: Consent Order 14-034-DW
Order Date: April 28, 2014
Respondent: **Shree Hari Om, Inc.**
Facility: America's Best Value Inn
Location: 125 Motel Drive
St. George, SC 29477
Mailing Address: Same
County: Dorchester
Previous Orders: None
Permit/ID Number: 18-045-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Shree Hari Om, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 24, 2013, and July 30, 2013, the pool was inspected and a violation was issued for failure to properly

operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder and a handrail were not tight and secure; there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; there were no “Shallow Water – No Diving Allowed” signs posted; the chlorine level was not within the acceptable range of water quality standards; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The civil penalty has been paid.

18) <u>Order Type and Number:</u>	Consent Order 14-035-DW
<u>Order Date:</u>	April 28, 2014
<u>Respondent:</u>	Houndslake Seawell Golf Company, LLC
<u>Facility:</u>	Houndslake Country Club
<u>Location:</u>	901 Houndslake Drive Aiken, SC 29803
<u>Mailing Address:</u>	2 Juniper Loop Aiken, SC 29803
<u>County:</u>	Aiken
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	02-038-1 and 02-038-2
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Houndslake Seawell Golf Company, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool. On June 5, 2013, July 5, 2013, and August 26, 2013, the pool and kiddie pool were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not properly spaced; the skimmers were missing weirs and were clogged with debris; the gate did not self close and latch and had an opening greater than four inches; the ladders were not tight and secure and were missing bumpers; the pump house was congested with miscellaneous items; the electrical wiring in the pump house was not in conduit; the diving board was not maintained in a safe condition in that the underside was cracked; the pool deck was not clear of hazards in that a depth marker tile was broken and had sharp edges; the shepherd’s crook was not permanently attached to the pole; the chlorine and pH levels were not within the acceptable range of water quality standards; the emergency telephone was not operating properly; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil

penalty in the amount of four thousand, eighty dollars (**\$4,080.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

19) Order Type and Number: Consent Order 14-036-DW
Order Date: April 28, 2014
Respondent: **Ocean Park Owners Association, Inc.**
Facility: Ocean Park
Location: 1905 South Ocean Blvd.
Myrtle Beach, SC 29577
Mailing Address: 1000 Second Avenue South
Myrtle Beach, SC 29582
County: Horry
Previous Orders: None
Permit/ID Number: 26-A59-2
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ocean Park Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 29, 2013, and July 24, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a drain grate was broken; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; one of the “Shallow Water – No Diving Allowed” signs was missing; and, both of the “No Lifeguard On Duty – Swim At Your Own Risk” signs were missing.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

20) Order Type and Number: Consent Order 14-037-DW
Order Date: April 28, 2014
Respondent: **Island Dunes Homeowners Association, Inc.**
Facility: Island Dunes
Location: 1019 South Ocean Blvd.
North Myrtle Beach, SC 29582
Mailing Address: P.O. Box 649
North Myrtle Beach, SC 29597
County: Horry
Previous Orders: None
Permit/ID Number: 26-H59-1

Violations Cited:

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

Summary: Island Dunes Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 10, 2013, and July 24, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the depth markers and some of the tiles were missing; a handrail was not secure; the pool rules sign was missing a rule; and, the log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

- 21) Order Type and Number: Consent Order 14-038-DW
Order Date: April 28, 2014
Respondent: **Noble Hotels, Inc.**
Facility: Quality Inn
Location: 6014 W. Jim Bilton Boulevard
St. George, SC 29477
Mailing Address: 4443 Carriage Oak Lane
Orange Park, FL 32065
County: Dorchester
Previous Orders: None
Permit/ID Number: 18-025-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Noble Hotels, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 30, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent 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 shepherd's crook was not the approved length; only one "Shallow Water – No Diving Allowed" sign was posted; the pool operator of record information was not posted; and, the log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

- 22) Order Type and Number: Consent Order 14-039-DW

Order Date: April 28, 2014
Respondent: **Goucher Water Company, Inc.**
Facility: Goucher Water Company
Location: 682 Asbury Road
Pacolet, SC 29372
Mailing Address: Same
County: Cherokee
Previous Orders: None
Permit/ID Number: 1120004
Violations Cited: S.C Code Ann. Regs. 61-58.5.P(2)(b)

Summary: Goucher Water Company, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On February 7, 2014, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total trihalomethanes (TTHM).

Action: The Respondent is required to: submit an investigative report to determine the causes of the TTHM MCL violation; submit a corrective action plan to include proposed steps to address the causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

23) Order Type and Number: Consent Order 14-040-DW
Order Date: April 28, 2014
Respondent: **Hobcaw Creek Plantation Property Owners Association, Inc.**
Facility: Hobcaw Creek Plantation
Location: 501 Hobcaw Bluff Drive
Mt. Pleasant, SC 29464
Mailing Address: 2409 Mall Drive, Suite A
North Charleston, SC 29406
County: Charleston
Previous Orders: None
Permit/ID Number: 10-400-1 and 10-399-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Hobcaw Creek Plantation Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool. On July 19, 2013, and August 5, 2013, the pool and kiddie pool were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a lifeline with floats was not in place; the emergency

telephone was not operational; the chlorine and pH levels were not within the acceptable range of water quality standards; and, the pool operator of record information was not posted.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand, three hundred sixty dollars (**\$1,360.00**).

24)	<u>Order Type and Number:</u>	Consent Order 14-041-DW
	<u>Order Date:</u>	April 28, 2014
	<u>Respondent:</u>	Landlubber, LLC
	<u>Facility:</u>	Aquarius IV
	<u>Location:</u>	301 12 th Avenue North Myrtle Beach, SC 29577
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-038-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Landlubber, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 23, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was not in place; a handrail was not tight and secure; the pool deck was not clear of hazards in that the pool furniture was not at least four feet from the edge of the pool; the gates did not self close and latch; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and, the pool operator of record information was not posted.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

25)	<u>Order Type and Number:</u>	Consent Order 14-042-DW
	<u>Order Date:</u>	April 28, 2014
	<u>Respondent:</u>	Smith Family Partners, LLC
	<u>Facility:</u>	Bar Harbor Motor Inn
	<u>Location:</u>	100 North Ocean Boulevard Myrtle Beach, SC 29577
	<u>Mailing Address:</u>	102 South Ocean Boulevard

Myrtle Beach, SC 29577
County: Horry
Previous Orders: None
Permit/ID Number: 26-440-1 and 26-C96-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Smith Family Partners, LLC (Respondent) owns and is responsible for the proper operation and maintenance of two pools. On May 23, 2013, and August 23, 2013, the pools were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; a ladder was not tight and secure; a ladder was missing both bumpers; the gate did not self close and latch; the lifeline with floats was missing; a skimmer was not operating properly in that a basket was not in place; a handrail was missing a bolt cover; the pool operator of record information was not posted; the pool rules sign was not completely filled out; only one "Shallow Water – No Diving Allowed" sign was posted; and only one "No Lifeguard On Duty – Swim At Your Own Risk" sign was posted.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand, six hundred dollars (**\$1,600.00**).

26) Order Type and Number: Consent Order 14-043-DW
Order Date: April 28, 2014
Respondent: **Donna Gravely and Kathy Reaves, Individually and d.b.a. Sea Horn**
Facility: Sea Horn
Location: 2805 South Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-K53-1 and 26-A13-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Donna Gravely and Kathy Reaves, Individually and d.b.a. Sea Horn (Respondent) owns and is responsible for the proper operation and maintenance of two pools. On June 24, 2013, and August 9, 2013, the pools were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; a ladder was not tight and secure; the door to the pool area was propped open; the bathroom did not have toilet paper or hand towels; the chlorine and pH levels were not within the acceptable range of water

quality standards; and, the bound and numbered log book was not available for Department review.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand, six hundred dollars (**\$1,600.00**).

27) Order Type and Number: Consent Order 14-044-DW
Order Date: April 28, 2014
Respondent: **Sand Castle South Homeowners' Association, Inc.**
Facility: Sandcastle South
Location: 2207 South Ocean Boulevard
North Myrtle Beach, SC 29577
Mailing Address: P.O. Box 362
Myrtle Beach, SC 29578
County: Horry
Previous Orders: None
Permit/ID Number: 26-232-1, 26-P03-1, 26-P04-1, 26-P05-1, 26-P06-1, 26-P07-1, 26-P08-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Sand Castle South Homeowners' Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of three pools, a kiddie pool, and three spas. On June 26, 2013, July 26, 2013, and August 15, 2013, the pools, kiddie pool, and spas were inspected and violations were issued. The Respondent has violated the Public Swimming Pools Regulation as follows: tiles were missing from the pool and spa walls; the pool and spa walls were not clean in that there was dirt on the waterline tiles; the spa walls and floors were dirty; the spa decks were not clean; one of the pool decks was not clear of hazards in that the deck was cracked; skimmer lids were broken; the skimmers were not operating properly in that there was debris in the skimmer baskets and the water level was either too high or too low; a gate did not self close and latch; the perimeter fencing was incomplete in that a gate was missing; the drain grates on a pool wall were broken; there was a hole in the ceiling above a pool; a ladder was bent; a pool deck had standing water; the plaster on a pool wall was delaminated and had sharp edges; a shepherd's crook was missing; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool operator of record information was not posted; the pool rules and spa rules signs were not completely filled out; the "Shallow Water – No Diving Allowed" signs were defective in that they did not have the correct wording; the required number of "Shallow Water – No Diving Allowed" and "No Lifeguard On Duty – Swim At Your Own Risk" signs were not posted; the recirculation and filtration systems were not operating properly; the disinfection

equipment was not operating properly; the main drain grates were broken; there was a broken drain grate on a pool floor; a United States Coast Guard approved life ring was missing; and, an emergency telephone was not operating properly.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight thousand, one hundred twenty dollars (**\$8,120.00**).

Water Pollution Enforcement

28) Order Type and Number: Consent Order 14-011-W
Order Date: April 3, 2014
Respondent: **City of Abbeville**
Facility: Abbeville Water Treatment Plant
Location: 310 Vienna Street
Abbeville, SC 29620
Mailing Address: Abbeville Public Utilities
P.O. Box 639
Abbeville, SC 29620
County: Abbeville
Previous Orders: None
Permit/ID Number: SCG646044
Violations Cited: Pollution Control Act, S.C Code Ann
§ 48-1-90(A)(1) (2008 and 2013).

Summary: The City of Abbeville (Respondent) owns and is responsible for the proper operation and maintenance of a drinking water treatment plant. On December 12, 2012, the Respondent sent a letter to the Department detailing the discharge of 6,000-8,000 gallons of Alum Sludge into Blue Hill Creek, and the actions taken in effort to remove the Alum Sludge from the creek. The Respondent has violated the Pollution Control Act as follows: allowed the discharge of Alum Sludge into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address potential sources of unauthorized Alum Sludge discharge; and, pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**).

29) Order Type and Number: Consent Order 14-012-W
Order Date: April 3, 2014
Respondent: **County of Newberry**
Facility: Newberry Public Works Complex

Location: Intersection of Hwy 34 and County Park Road
Mailing Address: 1309 College Street
Newberry, SC 29108
County: Newberry
Previous Orders: None
Permit/ID Number: SCR10P259
Violations Cited: S.C. Code Ann. § 48-1-90(A)(1) (2008 and Supp. 2011), S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1) (Supp. 2008)

Summary: The County of Newberry (Respondent) owns and is responsible for land-disturbing activities at the Newberry Public Works Complex (Site), located in Newberry, South Carolina. On October 9, 2012, November 6, 2012, November 28, 2012, January 22, 2013, February 12, 2013, and August 21, 2013, the Site was inspected and was found to be unsatisfactory for failure to install and maintain the required storm water and sediment controls. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: discharged sediment into the environment, including into waters of the State, in a manner other than in compliance with a permit issued by the Department; and, failed to install and maintain storm water management and erosion and sediment controls per the approved Plans as required by the National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: correct the deficiencies identified in the inspection reports; submit a report, completed by a S.C. Registered Professional Engineer, certifying that all sediment and erosion control devices are installed and functioning properly as specified by the approved sediment and erosion control plans; and, pay a civil penalty in the amount of twenty-nine thousand, six hundred seventy dollars (**\$29,670.00**).

30) Order Type and Number: Consent Order 14-013-W
Order Date: April 3, 2014
Respondent: **Ronnie D. Sellers d.b.a. Sellers Septic Tank Service**
Facility: Sellers Septic Tank Service
Location: 1716 McIver Road
Florence, SC 29501
Mailing Address: Same
County: Darlington
Previous Orders: None
Permit Number: SC License # 16070
Violations Cited: Onsite Wastewater Systems, 4 S.C. Code Ann. Regs. 61-56.102.2 (2011) and 4 S.C. Code Ann. Regs. 61-56.103.2(1) (2011)

Summary: Ronnie D. Sellers (Respondent) d.b.a. Sellers Septic Tank Service installed an unpermitted onsite wastewater (OSWW) system at 1302 N. Cashua Road, in Florence, South Carolina (Site). On May 13, 2013, Department staff visited the site to investigate a complaint that an OSWW system had been installed on the property without a permit, and found the complaint to be valid. The Respondent has violated the Onsite Wastewater Systems Regulation as follows: installed an OSWW system without a permit.

Action: The Respondent is required to: coordinate with the property owner to install a properly constructed and inspected OSWW system at the site pursuant to a permit issued by the Department; remove and/or properly abandon the portions of the OSWW system installed without a permit that cannot be determined by the Department to meet all requirements of the regulations; contact the Department to schedule an inspection once the removal/abandonment of the old system is complete, and, pay a civil penalty in the amount of nine hundred dollars (**\$900.00**).

31) Order Type and Number: Consent Order 14-015-W
Order Date: April 10, 2014
Respondent: **SC Department of Corrections**
Facility: Wateree Correctional WWTF
Location: 8200 State Farm Road
Rembert, SC 29128
Mailing Address: 4322 Broad River Road
Columbia, SC 29210
County: Sumter
Previous Orders: None
Permit/ID Number: SC0045349
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110(d) (2008 and 2013) and Water Pollution Control Permits, 3 S.C. Code Ann. Regs. 61-9.122.41(a) (2011).

Summary: South Carolina Department of Corrections (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) serving the Wateree Correctional Facility in Sumter County. On November 14, 2012, a Notice of Violation (NOV) was issued as a result of monitoring records received by the Department. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits for pH as contained in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: submit a corrective action plan (CAP) and schedule of implementation to address the deficiencies; pay a civil

penalty in the amount of eight thousand four hundred dollars (**\$8,400.00**); and, in the event of failing to meet a permitted pH limitation within a period of one year following the execution date of the Order, the Respondent shall conduct appropriate actions to construct upgrades to the WWTF necessary to ensure compliance with NPDES permit.

32) Order Type and Number: Consent Order 14-016-W
Order Date: April 10, 2014
Respondent: **LCP Mining Company, LLC**
Facility: Legare Creek Plantation Mine
Location: 1850 Clark Road
Edisto Island, SC 29438
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: SC0048488
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110(d) (2008 and 2013), Water Pollution Control Permits, 3 S.C. Code Ann. Regs. 61-9.122.21(d) and 61-9.505.1(f) (2011), Environmental Protection Fees, R.61-30.G(1)(a)(i)7 and National Pollutant Discharge Elimination System Permit Number SC0048488.

Summary: LCP Mining Company, LLC (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment plant (WWTP) serving the Legare Creek Plantation Mine. On November 21, 2013, a Notice of Violation (NOV) was issued as a result of the Respondent failing to submit permit renewal documents as required by the permit or a permit cancellation notice. The Respondent has violated the Pollution Control Act, Water Pollution Control Permits Regulation, and Environmental Protection Fees Regulation as follows: failure to submit a permit renewal application for its National Pollutant Discharge Elimination System (NPDES) permit within 180 days prior to the expiration of the existing permit and failure to submit payment of annual NPDES permit operating fees for a facility with a flow rate of 0-49,999 gallons per day.

Action: The Respondent is required to: continue to operate the WWTP in accordance with the most recently issued NPDES permit until a new permit becomes effective; submit a complete application for renewal of the NPDES permit; pay annual NPDES permit fees and associated late fees for fiscal years 2012, 2013, and 2014; pay a civil penalty in the amount of one thousand, five hundred ninety-one dollars (**\$1,591.00**); and, pay a stipulated penalty in the amount of four thousand dollars (\$4,000.00) should the Respondent fail to meet any requirement of the Order.

33) Order Type and Number: Consent Order 14-017-W
Order Date: April 28, 2014
Respondent: **Beaufort-Jasper Water and Sewer Authority (BJW&SA)**
Facility: Laurel Bay WWTP
Location: 6 Snake Road
Okatie, SC 29909
Mailing Address: Same
County: Beaufort
Previous Orders: None
Permit/ID Number: SC0000825
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008 and Supp. 2013); 3 S.C. Code Ann. Regs. 61-9.122.41(a)(1)(2011).

Summary: Beaufort-Jasper Water and Sewer Authority (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment plant (WWTP) serving the residents and businesses located in its designated service area in Beaufort County, South Carolina. The Respondent reported noncompliance with the effluent discharge limits for Fecal Coliform (FC) for effluent discharged from the Laurel Plant WWTP. A Discharge Monitoring Report for September 2013 reported FC violations. On March 5, 2014, a Notice of Alleged Violation/Notice of Enforcement Conference was issued. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits for Fecal Coliform (FC) as required by its National Pollutant Discharge Elimination System Permit.

Action: The Respondent has agreed to: submit a corrective action plan (CAP) to identify corrective actions taken or planned to remediate the effluent violations reported; and, pay a civil penalty in the amount of two thousand dollars (\$2,000.00).

BUREAU OF AIR QUALITY

34) Order Type and Number: Consent Order 14-010-A
Order Date: April 28, 2014
Respondent: **Target Environmental, LLC**
Facility: Former Coker Manufacturing
Location: 2721 White Horse Road
Greenville, SC
Mailing Address: 414 Live Oak Drive
Mount Pleasant, SC 29464
County: Charleston
Previous Orders: None

Permit/ID Number: N/A
Violations Cited: 7 S.C. Code Ann. Regs. 61-86.1
(Supp. 2013), Standards of Performance for Asbestos Projects

Summary: Target Environmental, LLC (Respondent) is a Department-licensed asbestos abatement contractor (License CO-00264). On January 7, 2013, the Department conducted an inspection at the former Coker Manufacturing facility, located in Greenville, South Carolina and discovered potential asbestos related violations. A Notice of Alleged Violation was issued on November 12, 2013. The Respondent violated South Carolina Standards of Performance for Asbestos Projects as follows: failure to conduct required air clearance monitoring; and failure to perform wet cleaning and vacuuming until no visible residue was observed in the work area.

Action: The Respondent is required to: comply with all applicable requirements of the regulations for future asbestos projects and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

35) Order Type and Number: Consent Order #2013-206-04-008
Order Date: April 04, 2014
Respondent: **Rakesh M. Patel**
Facility: Khushi Food Mart
Location: 895 J.A.Cochran Bypass
Chester, SC 29706
Mailing Address: Same
County: Chesterfield
Previous Orders: None
Permit Number: 12-206-00714
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
VI., Section E.1.b

Summary: Rakesh M. Patel (Respondent) operates Khushi Food Mart located in Chester, South Carolina. On March 08, 2013, and October 17, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: access to the handsink (lavatory) was blocked.

Action: The Respondent is required to: remove items blocking the handsink; keep accessible at all times for hand washing; and, pay a civil penalty in the amount of seven hundred and fifty dollars (**\$750.00**).

36) Order Type and Number: Consent Order #2013-206-06-026
Order Date: April 04, 2014
Respondent: **Yoshinori Sano**
Facility: Mon Cafe Japan
Location: 2734-A Beaver Run Road
Myrtle Beach, SC 29575
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-08103
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II., Section B.1

Summary: Yoshinori Sano (Respondent) owns and operates Mon Cafe Japan located in Myrtle Beach, South Carolina. On April 26, 2013, and November 26, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures for previously cooked chicken.

Action: The Respondent is required to: maintain proper temperatures on cooked chicken; maintain daily temperature logs for all holding temperatures; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

37) Order Type and Number: Consent Order #2013-206-03-034
Order Date: April 04, 2014
Respondent: **Kevin Chen**
Facility: Amber Buffet
Location: 2275 Dave Lyle Blvd.
Rock Hill, SC 295730
Mailing Address: Same
County: York
Previous Orders: #2011-206-03-030 (\$500.00)
Permit Number: 46-206-02731
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II., Section B.1

Summary: Kevin Chen (Respondent) operates Amber Buffet located in Rock Hill, South Carolina. On August 12, 2013, and November 12, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods on the sushi bar and Mongolian grill.

Action: The Respondent is required to: maintain daily temperature logs for all holding temperatures and pay a civil penalty in the amount one thousand, two hundred fifty dollars (**\$1,250.00**).

38) Order Type and Number: Consent Order #2013-206-03-030
Order Date: April 04, 2014
Respondent: **Chouvanthy Eang**
Facility: Lesslie Food Shop
Location: 2700 Lesslie Hwy
Rock Hill, SC 295730
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-01825
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II., Section B.1

Summary: Chouvanthy Eang (Respondent) owns and operates Lesslie Food Shop located in Rock Hill, South Carolina. On August 12, 2013, and November 12, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods on the buffet bar.

Action: The Respondent is required to: maintain daily temperature logs for all holding temperatures; use lids for the chicken on the buffet bar; and, pay a civil penalty in the amount of seven hundred and fifty dollars (**\$750.00**).

39) Order Type and Number: Consent Order #2013-206-03-044
Order Date: April 04, 2014
Respondent: **Toan Van Nguyen**
Facility: T&M Restaurant
Location: 140 Church St.
Chester, SC 295706
Mailing address: Same
County: Chester
Previous Orders: None
Permit Number: 12-206-00564
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II., Section B.1

Summary: Toan Van Nguyen (Respondent) owns and operates T&M Restaurant located in Chester, South Carolina. On June 10, 2013, and November 7, 2013, the Department conducted routine inspections. The Respondent violated

the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods.

Action: The Respondent is required to: maintain proper holding temperatures on all hot and cold foods and pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

40) Order Type and Number: Consent Order #2013-206-03-037
Order Date: April 04, 2014
Respondent: **Sue Sullivan**
Facility: Bantam Chef
Location: 608 South Hampton Street
Kershaw, SC 295067
Mailing Address: Same
County: Kershaw
Previous Orders: None
Permit Number: 29-206-01151
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II., Section B.1

Summary: Sue Sullivan (Respondent) owns and operates Bantam Chef located in Kershaw, South Carolina. On June 17, 2013, and October 16, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods.

Action: The Respondent is required to: maintain daily temperature logs every two hours for the salad bar, every hour for the hot bar, and daily for the coolers, freezers and the novelty bar freezer; repair the compressor on the salad bar; and, pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

41) Order Type and Number: Consent Order #2013-206-03-048
Order Date: April 04, 2014
Respondent: **Shirley Wong Zhang**
Facility: Chinese Kitchen
Location: 419 East Liberty St.
York, SC 29745
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-00143
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II., Section B.1

Summary: Raymond Hilburn (Respondent) owns and operates Chinese Kitchen located in York, South Carolina. On June 25, 2013, and September 30, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: the handsink (lavatory) was blocked.

Action: The Respondent is required to: keep the handsink accessible for hand washing and pay a civil penalty in the amount of **(\$750.00)**.

42) Order Type and Number: Consent Order #2013-206-03-039
Order Date: April 04, 2014
Respondent: **Ken Love**
Facility: Crowder's Creek School
Location: 5515 Charlotte Hwy
Clover, SC 295710
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-208-01540
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II., Section B.1

Summary: Ken Love (Respondent) is responsible for Crowder's Creek School located in Clover, South Carolina. On March 18, 2013, and September 05, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods.

Action: The Respondent is required to: provide food safety training to all staff and pay a civil penalty in the amount of seven hundred and fifty dollars **(\$750.00)**.

43) Order Type and Number: Consent Order #2013-206-03-028
Order Date: April 04, 2014
Respondent: **Ken Love**
Facility: Grigg's Road Elementary School
Location: 100 Griggs Rd
Clover, SC 295710
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-208-00914

Violations Cited:
II., Section B.1

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

Summary: Ken Love (Respondent) is responsible for Grigg's Road Elementary School located in Clover, South Carolina. On February 05, 2013, and August 29, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods.

Action: The Respondent is required to: provide food safety training to all staff and pay a civil penalty of seven hundred and fifty dollars (**\$750.00**).

44) Order Type and Number: Consent Order #2013-206-03-038
Order Date: April 04, 2014
Respondent: **Ken Love**
Facility: Clover High School ATC
Location: 1625 C. Hwy 55 East
Clover, SC 29710
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-208-02906
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II., Section B.1

Summary: Ken Love (Respondent) is responsible for Clover High School ATC located in Clover, South Carolina. On March 27, 2013, and August 30, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods.

Action: The Respondent is required to: provide food safety training to all staff and pay a civil penalty in the amount of seven hundred and fifty dollars (**\$750.00**).

45) Order Type and Number: Consent Order #2013-206-06-030
Order Date: April 04, 2014
Respondent: **Randy True**
Facility: Sticky Fingers
Location: 2461 Coastal Grand Circle
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None

Permit Number: 26-206-12020
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II., Section B.1

Summary: Randy True (Respondent) operates Sticky Fingers located in Myrtle Beach, South Carolina. On July 30, 2013, and November 21, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods.

Action: The Respondent is required to: provide food safety training to all kitchen staff; maintain all daily verification logs for holding temperatures and cooking temperatures; and, pay a civil penalty in the amount of one thousand dollars (**\$1000.00**).

46) Order Type and Number: Consent Order #2013-206-03-040
Order Date: April 11, 2014
Respondent: **Todd Nowacky**
Facility: Earthfare
Location: 725 Cherry Road
Rock Hill, SC 29732
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-02438
Violations Cited: S.C. Code Ann. Regs.61-25 Chapter II., Section B.1

Summary: Todd Nowacky (Respondent) operates Earthfare located in Rock Hill, South Carolina. On October 26, 2012, July 11, 2013, and November 7, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods and foods that were labeled "keep refrigerated" were displayed without temperature control.

Action: The Respondent is required to: maintain daily temperature log sheets and pay a civil penalty of seven hundred and fifty dollars (**\$750.00**).

47) Order Type and Number: Consent Order #2013-206-03-045
Order Date: April 22, 2014
Respondent: **David Hartley**
Facility: Wing King
Location: 426 Highway 9, Bypass East
Lancaster, SC 29720

Mailing address: Same
County: Lancaster
Previous Orders: None
Permit Number: 29-20-01310
Violations Cited: S.C. Code Ann. Regs. 61-25,
Chapter VI, Section G.1.

Summary: David Hartley (Respondent) operates Wing King, located in Lancaster, South Carolina. On July 3, 2013, and November 5, 2013, the Department conducted routine inspections. On July 9, 2013, and November 13, 2013, the Department conducted follow-up inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: the presence of rodents, flies, cockroaches, and other insects on the premises was not effectively controlled.

Action: The Respondent is required to: establish a monthly monitoring program with a certified pest control company; treat the walls and other appropriate areas with a pesticide; move the dumpster to the rear of the property – furthest point from the building; install fly lights in the dining and approved areas in the kitchen; install an air-curtain over the back door; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

48) Order Type and Number: Consent Order #2013-206-03-046
Order Date: April 22, 2014
Respondent: **Hui Li**
Facility: China Shuttle
Location: 2301 Dave Lyle Boulevard, #156
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-01011
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1.

Summary: Hui Li (Respondent) owns and operates China Shuttle located in Rock Hill, South Carolina. On May 17, 2013, and September 30, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods.

Action: The Respondent is required to: develop Standard Operating Procedures for proper cooking, cooling and holding of cooked chicken and pay a penalty of seven hundred fifty dollars (**\$750.00**).

49) Order Type and Number: Consent Order #2013-206-03-047
Order Date: April 23, 2014
Respondent: **Jia C. Ruan**
Facility: Wa Chang
Location: 270 Highway #9 Bypass
Lancaster, SC 29720
Mailing Address: Same
County: Lancaster
Previous Orders: None
Permit Number: 29-206-01036
Violations Cited: S.C. Code Ann. Regs. 61-25,
Chapter II, Section B.1.

Summary: Jia C. Ruan (Respondent) operates Wa Chang located in Lancaster, South Carolina. On May 13, 2013, and August 22, 2013, the Department conducted routine inspection. On May 20, 2013, and August 29, 2013, the Department conducted follow-up inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures on hot and cold foods.

Action: The Respondent is required to: replace two (2) malfunctioning heating elements in the buffet table; establish temperature logs for all hot and cold holding units; and, pay a civil penalty in the amount of seven hundred and fifty dollars (**\$750.00**).

50) Order Type and Number: Consent Order #2013-206-06-012
Order Date: April 23, 2014
Respondent: **Kali Karellas**
Facility: Franks Theatres
Location: 10125 Highway 17 Bypass
Murrells Inlet, SC 29576
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-11823
Violations Cited: S.C. Code of Ann. Regs. 61-25,
Chapter III, Section C.1.

Summary: Kali Karellas (Respondent) operates Franks Theatres located in Murrells Inlet, South Carolina. On August 21, 2013, and October 21, 2013, the Department conducted routine inspection. On August 30, 2013, September 3, 2013, and October 30, 2013, the Department conducted follow-up inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: employees did not thoroughly wash their hands and the exposed portions of their arms with soap and warm water in an approved

handwashing facility before starting work, during work as often as is necessary to keep them clean, or after coughing, sneezing, handling soiled utensils or equipments, smoking, eating, drinking, or using the toilet.

Action: The Respondent is required to: operate and maintain the facility in accordance with all requirements of all applicable regulations and pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

DIVISION OF OCEAN AND COASTAL RESOURCE MANAGEMENT

51) Order Type and Number: Administrative Order 14B-001P
Order Date: March 28, 2014
Respondent: **The 2009 Sun's Family Trust in South Carolina, USA**
Location: 43 Broadview Drive
Ridgeland, SC 29936
Mailing Address: P.O. Box 151
Bluffton, SC 29910
County: Jasper
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. §48-39-130(A) and
23A S.C. Code Ann. Regs. 30-2(B)

Summary: The 2009 Sun's Family Trust in South Carolina, USA (Respondent) is the owner of certain property abutting the tidelands critical area. On October 11, 2013, an inspection was conducted and a Notice of Violation and Admission Letter was issued on January 17, 2014. The Respondent has violated the Coastal Zone Management Act and Critical Area Permitting Regulations as follows: utilizing the tidelands critical area in a manner inconsistent with the policies by storing materials and debris without a permit from the Department.

Action: The Respondent is required to: remove the materials and debris from the tidelands critical area and pay a civil penalty in the amount of two thousand five hundred dollars (**\$2,500.00**).

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