

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
August 7, 2014**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 13-0159-UST
 Order Date: May 19, 2014
 Respondent: **Mark Spivey**
 Facility: Freedom Stop 1
 Location: 1175 Highway 11
 Chesnee, SC 29323

 Mailing Address: 322 Gardenview Drive
 Inman, SC 29349

 County: Spartanburg
 Previous Orders*: 11-0114-UST (\$850.00)
 Permit/ID Number: 08656
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
 Supp. 2013) 44-2-60(A), and the South Carolina Underground Storage
 Tank Control Regulation 61-92.280.31(b)(1), R. 61-92.280.31(c), R.61-
 92.280.34(c), R.61-92.280.35(c), R.61-92.280.35(e), R. 61-92.280.40(a),
 R.61-92.280.41(b)(2), R.61-92.280.43(e), and R. 61-92.280.45(b)(1)
 (2012).

Summary: Mark Spivey (Respondent) owns and operates underground storage tanks (USTs) in Spartanburg County, South Carolina. On September 12, 2012, and September 19, 2013, the facility was inspected and a Notice of Alleged Violation (NOAV) was issued. The Respondent violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failed to pay to the Department annual tank registration fees for fiscal year 2014; failed to have the corrosion protection system tested every three years; failed to inspect the impressed current every 60 days; failed to provide records to the Department upon request; failed to have a trained class A/B operator; failed to validate monthly requirements, including verification of monthly required testing, have been performed; failed to provide an adequate release detection method; failed to conduct line tightness testing at least every three years for a suction system; failed to conduct proper release detection using vapor monitoring; and, failed to maintain records for one year.

Action: The Respondent is required to: submit corrosion protection system test results; submit an impressed current reading for the current month;

Mailing Address: 2521 Hunters Trail
Myrtle Beach, SC 29588
County: Horry
Previous Orders: 12-0555-UST (\$7,025.00)
Permit/ID Number: 10475
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2013) and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.23(j), R. 61-92.280.40(a), and R. 61-92.280.50
(2012).

Summary: Sanjay and Ulka Patel (Respondents) own and operate underground storage tanks (USTs) in Horry County, South Carolina. On September 10, 2013, and May 16, 2014, inspections were conducted and a Notice of Alleged Violation (NOAV) was issued. The Respondents violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failed to maintain USTs in accordance with Delivery Prohibition by delivery or acceptance of product into a tagged UST; failed to provide an adequate release detection method; and, failed to report a suspected release.

Action: The Respondents are required to: submit tank tightness test results for the regular unleaded UST #1 and regular unleaded UST #2; and, pay a civil penalty in the amount of twelve thousand, seven hundred dollars (**\$12,700.00**).

4) Order Type and Number: Administrative Order 13-0388-UST
Order Date: May 29, 2014
Respondent: **Walter Stanley**
Facility: Stanleys Amoco
Location: 3557 Maybank Hwy
Johns Island, SC
Mailing Address: Same
County: Charleston
Previous Orders: 10-0112-UST (\$1,050.00)
Permit/ID Number: 11334
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-
60(A) (Rev. 2002), and the South Carolina Underground Storage Tank
Control Regulation 61-92.280.70(c) (Supp. 2013).

Summary: Walter Stanley (Respondent) owns underground storage tanks (USTs), located in Johns Island, South Carolina. On August 22, 2013, an inspection was conducted and a Notice of Alleged Violation (NOAV) was issued. The Respondent violated the SUPERB Act and the South Carolina Underground

Storage Tank Control Regulations as follows: failed to pay annual UST registration fees and failed to permanently close a UST system that has been temporarily closed for more than twelve months.

Action: The Respondent is required to: submit a completed Tank/Sludge Disposal Form; upon the Department's approval of the Tank/Sludge Disposal Form, permanently close the USTs by removing the USTs from the ground or by filling with an inert foam; after the USTs are permanently closed, submit a UST Closure and Assessment Report; pay annual UST registration fees in the amount of three thousand, six hundred thirty dollars (\$3,630.00); and, pay a civil penalty in the amount of sixteen thousand, four hundred dollars (**\$16,400.00**).

5) Order Type and Number: Administrative Order 14-0009-UST
Order Date: May 19, 2014
Respondent: **Timothy Leaird**
Facility: Leaird's Service Center
Location: 120 E McGregor St.
Pageland, SC 29728
Mailing Address: Same
County: Chesterfield
Previous Orders: None
Permit/ID Number: 11848
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-60(A) (2012); and, the South Carolina Underground Storage Tank Control Regulation R.61-92.280.93(a); and, R.61-92.280.110(c) (2012).

Summary: Timothy Leaird (Respondent) owns underground storage tanks (USTs) in Chesterfield County, South Carolina. On October 16, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a file review, and on November 15, 2013, a separate NOAV was issued as a result of a file review. The Respondent violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failed to demonstrate financial responsibility; failed to submit updated financial responsibility documentation upon expiration of the previous mechanism; and, failed to pay annual underground storage tank registration fees to the Department.

Action: The Respondent is required to: submit a completed Certificate of Financial Responsibility and proof of financial responsibility mechanism; pay annual tank registration fees and associated late fees for fiscal year 2014, in the amount of one thousand eighty-nine dollars (\$1,089.00); and, pay a civil penalty in the amount of two thousand, six hundred fifty dollars (**\$2,650.00**).

6) Order Type and Number: Administrative Order 14-0054-UST

Order Date: May 12, 2014
Respondent: **Thomas Blake**
Facility: Blakes Texaco Station
Location: 8423 Savannah Highway
Norway, SC
Mailing Address: P.O. Box 32
Norway, SC 29113
County: Orangeburg
Previous Orders: AO 13-0365-UST (\$3,450.00)
Permit/ID Number: 06966
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 61-92.280.93(a) and R.61-92.280.110(c) (Supp. 2012).

Summary: Thomas Blake (Respondent) owns underground storage tanks (USTs), located in Norway, South Carolina. On February 21, 2014, a Notice of Alleged Violation was issued. The Respondent violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failed to demonstrate financial responsibility for an underground storage tank system.

Action: The Respondent is required to: submit a completed Certificate of Financial Responsibility and proof of mechanism; and, pay a civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**).

7) Order Type and Number: Administrative Order 14-0073-UST
Order Date: June 10, 2014
Respondent: **James L. Pasley d.b.a. Pasley and Sons Variety Store**
Facility: Pasley and Sons Variety Store
Location: 2967 Highway 41/51
Hemingway, SC
Mailing Addresses: P.O. Box 1840
Hemingway, SC 29554
County: Williamsburg
Previous Orders: None
Permit/ID Number: 14949
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-60(A) (2002 and Supp. 2013), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c), R.61-92.280.35(c), R.61-92.280.35(f), R.61-92.280.44(a), R.61-92.280.93(a), and R.61-92.280.110(c) (Supp. 2012).

Summary: James L. Pasley, Jr. d.b.a. Pasley and Sons Variety Store (Respondent) owns and operates underground storage tanks, located in Hemingway, South Carolina. The Respondent violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failed to submit annual tank registration fees for fiscal year 2012; failed to demonstrate financial responsibility for an UST system; failed to train a Class A/B Operator; failed to provide financial responsibility documentation upon request; and, failure to provide records to the Department upon request.

Action: The Respondent is required to: submit a Tank/Sludge Disposal Form; upon the Department's approval of the Tank/Sludge Disposal Form, permanently close the USTs by removing the USTs from the ground or by filling with an inert foam; after the USTs are permanently closed, submit a UST Closure and Assessment Report; submit a completed Certificate of Financial Responsibility and proof of mechanism; pay annual UST registration fees and associated late fees in the amount of \$1,815.00; and, pay a civil penalty in the amount of twenty thousand, two hundred dollars (**\$20,200.00**).

8) Order Type and Number: Consent Order 13-0415-UST
Order Date: June 9, 2014
Respondent: **Donald Deas**
Facility: Dixie Food Mart
Location: 3586 Pageland Highway
Lancaster, SC 29720
Mailing Address: 529 Langley Road
Lancaster, SC 29270
County: Lancaster
Previous Orders: None
Permit/ID Number: 10636
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(e), R.61-92.280.31(b)(1), and R.61-92.280.40(a),

Summary: Donald Deas (Respondent) owns underground storage tanks (USTs), located in Lancaster, South Carolina. On October 18, 2013, a routine inspection was conducted and a Notice of Alleged Violation (NOAV) was issued. The Respondent violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failed to install tank system in accordance with accepted codes and in accordance with manufacturer's instruction; failed to provide adequate release detection method; failed to conduct proper release detection using an automatic tank gauge; failed to validate monthly requirements have been performed; failed to maintain records at least 1 year; failed to have corrosion protection system tested within six months of installation

and at least every three years thereafter; and, failed to provide records to the Department upon request.

Action: The Respondent is required to: submit twelve months of automatic tank gauge records or tank tightness test results for all USTs; submit corrosion protection system test results for all USTs; submit proof of shear valve repair on the regular unleaded dispenser; and, pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**).

Hazardous Waste Enforcement

- 9) Order Type and Number: Consent Order 14-07-HW
Order Date: June 2, 2014
Respondent: **Johnson Controls Battery Group, Inc.**
Facility: Johnson Controls Battery Group, Inc.
Location: 1800 Papermill Rd.
Florence, SC 29506
Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: SCR 000 771 451
Violations Cited: South Carolina Hazardous Waste Management Act §44-56-130(2); South Carolina Hazardous Waste Management Regulation 61-79.262.34(a)(1)(i)/265.173(a); R.61-79.262.90; Permit Condition I.E.1; R.61-79.262.11; and, R.61-79.264.31.

Summary: Johnson Controls Battery Group, Inc. (Respondent) operates a battery recycling facility. On August 13, 2013, and August 26, 2013, the Department performed compliance inspections of the Respondent's facility. The Respondent violated the South Carolina Hazardous Waste Management Regulations as follows: failed to ensure that a container holding hazardous waste is always closed during storage, except as necessary to add or remove waste; failed to clean up any hazardous waste discharge that occurs during generation or processing; failed to comply with the approved permit application and all Conditions of the Permit; failed to accurately determine if a solid waste is a hazardous waste; and, failed to minimize the possibility of any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to the environment.

Action: The Respondent is required to: ensure compliance with its Hazardous Waste Permit as well as the South Carolina Hazardous Waste Management Act and Regulations; ensure containers of hazardous waste are managed, inspected, and stored in accordance with the regulations; ensure any discharge of hazardous waste is cleaned up properly; ensure that an accurate

hazardous waste determination is made on all solid wastes; ensure the facility is maintained and operated to minimize the possibility of a release of hazardous waste to the environment; and, pay a civil penalty in the amount of seven thousand, seven hundred dollars (**\$7,700.00**).

Solid Waste Enforcement

- 10) Order Type and Number: Consent Order 14-11-SW
Order Date: April 3, 2014
Respondent: **Dennis Hicks Individually and d.b.a. Rutland Chipping Facility**
Facility: Rutland Chipping Facility
Location: 3667 Creek Road
Timmonsville, SC 29161
Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: 212790-3001
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: Dennis Hicks, Individually and d.b.a. Rutland Chipping Facility (Respondent) owns and operates a composting facility. On July 5, 2013, and November 5, 2013, the Respondent was notified 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 as follows: failed 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 to the Department and pay a civil penalty in the amount of five dollars (**\$500.00**).

- 11) Order Type and Number: Consent Order 14-12-SW
Order Date: April 3, 2014
Respondent: **Town of Hemingway**
Facility: Town of Hemingway
Location: 3667 Creek Road
Timmonsville, SC 29161
Mailing Address: Same
County: Williamsburg
Previous Orders: None

Permit/ID Number: 451003-3001
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: Town of Hemingway (Respondent) owns and operates a composting facility. On July 5, 2013, and November 5, 2013, the Respondent was notified 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 as follows: failed to submit the annual report to the Department for FY 2013 by October 15, 2013.

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

12) Order Type and Number: Consent Order 14-13-SW
Order Date: April 3, 2014
Respondent: **LCR Construction, Inc.**
Facility: LCR Construction
Location: 1503 Paris Ave.
Port Royal, SC 29935
Mailing Address: P.O. Box 400
Port Royal, SC 29935
County: Beaufort
Previous Orders: None
Permit/ID Number: 072731-3001
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: LCR Construction, Inc. (Respondent) owns and operates a composting facility. On July 5, 2013, and November 5, 2013, the Respondent was notified 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 as follows: failed to submit the annual report to the Department for FY 2013 by October 15, 2013.

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

13) Order Type and Number: Consent Order 14-14-SW

Order Date: April 3, 2014
Respondent: **SB Turf, Inc.**
Facility: SB Turf
Location: 4403 McCracken Road,
Galivants Ferry, SC 29544
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 262781-3001
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: SB Turf, Inc. (Respondent) owns and operates a composting facility. On July 5, 2013, and November 5, 2013, the Respondent was notified 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 as follows: failed to submit the annual report to the Department for FY 2013 by October 15, 2013.

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

14) Order Type and Number: Consent Order 14-19-SW
Order Date: June 24, 2014
Respondent: **Safety Kleen Systems, Inc.**
Facility: Safety Kleen
Location: 130-A Frontage Road
Lexington, SC 29073
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 322792-5201
Violations Cited: The South Carolina Solid Waste
Policy and Management Act of 1991; Solid Waste Management: Waste
Tire Regulation 25A S.C. Code Ann. Reg. 61-107.3

Summary: Safety Kleen Systems, Inc. (Respondent) owns and operates a waste tire collection facility. On February 5, 2013, the Respondent was notified the annual report for waste tire collection facility activity for calendar year 2012 was due by March 1, 2013. On February 15, 2014, the Respondent was notified the annual report for waste tire collection facility activity for calendar year 2013 was due by March 1, 2014. The Respondent

has violated the South Carolina Solid Waste Policy and Management Act and the Solid Waste Management: Waste Tire Regulation as follows: failed to submit the annual report for waste tire collection facility activity for calendar years 2012 and 2013.

Action: The Respondent has agreed to: submit the annual report for the Facility for calendar years 2012 and 2013 and pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

15)	<u>Order Type and Number:</u>	Consent Order 14-075-DW
	<u>Order Date:</u>	June 2, 2014
	<u>Respondent:</u>	Zeal, LLC
	<u>Facility:</u>	Econo Lodge
	<u>Location:</u>	401 Hospitality Lane Myrtle Beach, SC 29579
	<u>Mailing Address:</u>	220 Whitty Drive Myrtle Beach, SC 29579
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-R24-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Zeal, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 11, 2013, and July 31, 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 gate did not self close and latch; the pool water was cloudy; the chlorine and pH levels were not within the acceptable range of water quality standards; the main drain grate was not in place; the emergency telephone was not operational; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and the bound and numbered log book was 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 eight hundred dollars (**\$800.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

16)	<u>Order Type and Number:</u>	Consent Order 14-076-DW
	<u>Order Date:</u>	June 2, 2014

Respondent: **Heritage Village Horizontal Property Regime, Inc.**
Facility: Heritage Village
Location: 250 Heritage Circle
Mt. Pleasant, SC 29464
Mailing Address: 2409 Mall Drive, Suite A
North Charleston, SC 29406
County: Charleston
Previous Orders: None
Permit/ID Number: 10-150-2
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: Heritage Village Horizontal Property Regime, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a kiddie pool. On June 17, 2013, the kiddie pool was inspected and a violation was issued for failure to properly operate and maintain; and on July 23, 2013, the kiddie pool was inspected and a violation was issued for failure to properly operate and maintain and for re-opening prior to receiving Department approval. 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 emergency telephone was not operating properly; the pump room was not accessible; and, the kiddie pool was operating prior to receiving Department approval.

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 twenty dollars (**\$1,020.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

17) Order Type and Number: Consent Order 14-077-DW
Order Date: June 2, 2014
Respondent: **The Reserve at Walkers Woods Homeowners' Association, Inc.**
Facility: Reserve at Walkers Woods
Location: 604 Tuckahoe Road
Myrtle Beach, SC 29579
Mailing Address: 822 Indianola Court
Myrtle Beach, SC 29579
County: Horry
Previous Orders: None
Permit/ID Number: 26-1728B
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: The Reserve at Walkers Woods Homeowners' Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 9, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain; and, on August 5, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain and for re-opening prior to receiving Department approval. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; the emergency telephone was not operating properly; only one "Shallow Water – No Diving Allowed" sign was posted; the gate did not self close and latch; the chlorine level was not within the acceptable range of water quality standards; and the pool was operating prior to receiving Department approval.

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 twenty dollars (**\$1,020.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

18) <u>Order Type and Number:</u>	Consent Order 14-078-DW
<u>Order Date:</u>	June 11, 2014
<u>Respondent:</u>	Driftwood Hotel Properties, LLC
<u>Facility:</u>	Driftwood Hotel
<u>Location:</u>	1600 North Ocean Boulevard Myrtle Beach, SC 29577
<u>Mailing Address:</u>	6000 North Ocean Boulevard Myrtle Beach, SC 29577
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-472-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Driftwood Hotel Properties, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 23, 2013, and October 11, 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 missing; a ladder was not tight and secure; a light in the pool wall was out of its niche; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool operator of record (POR) information was not posted; the log book was not maintained on a daily basis and was not maintained a minimum of three times per week by the POR; the disinfection equipment was not operating properly; and, the pool was operating without a Vac-Alert certification.

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, corrected the deficiencies, and the penalty has been paid.

19) Order Type and Number: Consent Order 14-079-DW
Order Date: June 11, 2014
Respondent: **Barbara Gauthier, Individually and d.b.a. Mahoney's Pub & Grill**
Facility: Mahoney's Pub & Grill
Location: 2856 Todd Quarter Road
Waterloo, SC 29384
Mailing Address: Same
County: Laurens
Previous Orders: None
Permit/ID Number: 3070852
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Barbara Gauthier, Individually and d.b.a. Mahoney's Pub & Grill (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On March 28, 2014, and April 29, 2014, violations were issued as a result of a review of monitoring records. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL violations and 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.

20) Order Type and Number: Consent Order 14-080-DW
Order Date: June 11, 2014
Respondent: **Park West Amenity Association, Inc.**
Facility: Park West Amenity Center
Location: 3101 Park West Boulevard
Mt. Pleasant, SC 29466
Mailing Address: 3301 Slaterbeck Street, Suite 201
Mt. Pleasant, SC 29466
County: Charleston
Previous Orders: None

Permit/ID Number: 10-576-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Park West Amenity Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a kiddie pool. On June 21, 2013, and July 24, 2013, the kiddie 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 cyanuric acid level was above the water quality standards acceptable limit; there were chlorine sticks in the skimmer baskets; the disinfection equipment 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 eight hundred dollars (**\$800.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

21) Order Type and Number: Consent Order 14-081-DW
Order Date: June 24, 2014
Respondent: **Coastal Dunes Homeowners Association, Inc.**
Facility: Coastal Dunes
Location: 941 South Ocean Boulevard
North Myrtle Beach, SC 29582
Mailing Address: 1125 48th Avenue North
Myrtle Beach, SC 29577
County: Horry
Previous Orders: None
Permit/ID Number: 26-900-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: Coastal Dunes Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 9, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain; and, on August 16, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain and for re-opening prior to receiving Department approval. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was not in place; a ladder was not tight and secure; the chlorine level was not within the acceptable range of water quality standards; an emergency telephone was not available; the pool rules sign was not completely filled out; only one "No Lifeguard On Duty – Swim At Your Own Risk" sign was posted; the pool

operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; and, the pool was operating prior to receiving Department approval.

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 twenty dollars (**\$1,020.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

22)	<u>Order Type and Number:</u>	Consent Order 14-083-DW
	<u>Order Date:</u>	June 26, 2014
	<u>Respondent:</u>	Capreit Paces Run Limited Partnership
	<u>Facility:</u>	Paces Run Apartments
	<u>Location:</u>	100 Paces Run Court Columbia, SC 29923
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Richland
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	40-260-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Capreit Paces Run Limited Partnership (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 28, 2014, 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 was not tight and secure; the bathroom did not have soap; the water was cloudy; the chlorine level was not within the acceptable range of water quality standards; the life ring rope was not the approved length; the pool rules sign was not legible; only one “Shallow Water – No Diving Allowed” sign was posted; and, the pool operator of record information was not posted. All deficiencies were corrected and the pool was allowed to re-open.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

23)	<u>Order Type and Number:</u>	Consent Order 14-084-DW
	<u>Order Date:</u>	June 27, 2014
	<u>Respondent:</u>	Stadium Suites Investors, LLC
	<u>Facility:</u>	Stadium Suites
	<u>Location:</u>	112 Silo Court Columbia, SC 29201
	<u>Mailing Address:</u>	5605 Glenn Ridge Drive, Suite 1010

<u>County:</u>	Atlanta, GA 30342
<u>Previous Orders:</u>	Richland
<u>Permit/ID Number:</u>	None
<u>Violations Cited:</u>	40-1030B
	S.C. Code Ann. Regs. 61-51(J)

Summary: Stadium Suites Investors, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 22, 2014, 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: depth marker tiles were missing; the grout at the entry point was damaged; the grate over the backwash pit was missing; ladders were not tight and secure and were missing bumpers; a gate did not self close and latch; the men's restroom was not operating; the drinking water fountain was not operating; the foot rinse shower was not operating; the chlorine level was not within the acceptable range of water quality standards; the main drain grates were not visible; the life ring and shepherd's crook were not visible; both of the "Shallow Water – No Diving Allowed" signs were not visible; both of the "No Lifeguard On Duty – Swim At Your Own Risk" signs were not visible; the pool operator of record information was not posted; and, there was no disinfection equipment. All deficiencies were corrected and the pool was allowed to re-open.

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).

24) <u>Order Type and Number:</u>	Consent Order 14-085-DW
<u>Order Date:</u>	June 27, 2014
<u>Respondent:</u>	Shalimar Homeowners Association, Inc.
<u>Facility:</u>	Shalimar
<u>Location:</u>	2908 North Ocean Boulevard North Myrtle Beach, SC 29582
<u>Mailing Address:</u>	555 Quail Court Longs, SC 29568
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-C60-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Shalimar Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 22, 2014, 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 ladder was not tight and secure and was missing bumpers; the gates did not self latch; there were exposed electrical wires in the southwest corner of the perimeter fencing; the overflow cover was missing; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the life ring was deteriorated; the bolts on the shepherd's crook were loose; the emergency telephone was not operational; and the bound and numbered log book was not maintained on a daily basis. On May 27, 2014, a follow-up inspection was conducted and it was determined that all of the deficiencies had been addressed.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred dollars (**\$400.00**). The civil penalty has been paid.

Water Pollution Enforcement

25) <u>Order Type and Number:</u>	Consent Order 14-022-W
<u>Order Date:</u>	June 26, 2014
<u>Respondent:</u>	Sun Chemical Corporation
<u>Facility:</u>	Bushy Park WWTP
<u>Location:</u>	1506 Bushy Park Road Goose Creek, SC 29445
<u>Mailing Address:</u>	1506 Bushy Park Road, Bldg. B9-2 Goose Creek, SC 29445
<u>County:</u>	Berkeley
<u>Previous Orders:</u>	09-056-W (\$3,600.00)
<u>Permit/ID Number:</u>	SC0003441
<u>Violations Cited:</u>	S.C Code Ann § 48-1-110(d) (Supp. 2013) and 3 S.C. Code Ann. Regs. 61-9.122.41(a) (2011).

Summary: Sun Chemical Corporation (Respondent) owns and is responsible for the proper operation and maintenance of its Bushy Park Wastewater Treatment Plant (WWTP). On February 20, 2014, 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 Enterococci bacteria as contained in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: complete the construction of all necessary upgrades to meet NPDES permit limits; obtain an approval to operate all upgrades from the Department's Low Country Environmental Quality Control office; and, pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**).

26) Order Type and Number: Consent Order 14-023-W
Order Date: June 24, 2014
Respondent: **Harbor Gate Co-Owners' Assoc.**
Facility: Harbor Gate Condominiums WWTF
Location: 207 N Main St.
Anderson SC 29622
Mailing Address: 10 Harbor Gate
Anderson, SC 29625
County: Anderson
Previous Orders: None
Permit/ID Number: SC0021849
Violations Cited: S.C. Code Ann. 48-1-110(d) (Supp. 2013) and 3 S.C. Code Ann. Regs. 61-9.122(a)(1) (2011)

Summary: Harbor Gate Co-Owners' Association (Respondent) is responsible for the proper operation and maintenance of the Harbor Gate Condominiums Wastewater Treatment Facility. The Respondent reported exceeding the effluent discharge limits for fecal coliform (FC) during the period of June 1, 2013 through July 31, 2013. Department staff met with the Respondent on April 2, 2014, and the Respondent presented a corrective action plan (CAP) to address the violations and prevent future occurrences. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with effluent discharge limits for FC as specified in its National Pollutant Discharge Elimination System Permit.

Action: The Respondent is required to: provide monthly updates of the status of implementation of the CAP; submit a construction permit application for construction of a new liquid chlorine feed system; complete construction of the new liquid chlorine feed system; obtain Department approval and final permit to operate the new liquid chlorine feed system; pay a civil penalty in the amount of five hundred fifty dollars (**\$550.00**); and, pay a stipulated penalty in the amount of three thousand six hundred dollars (\$3,600.00) should the Respondent fail to meet any requirement of the Order.

27) Order Type and Number: Consent Order 14-024-W
Order Date: June 24, 2014
Respondent: **City of Barnwell**
Facility: City of Barnwell WWTF
Location: 399 Seay St.
Barnwell, SC 29812
Mailing Address: P.O. Box 776
Barnwell, SC 29812
County: Barnwell
Previous Orders: None

Permit/ID Number: SC0047872
Violations Cited: S.C. Code Ann. 48-1-110(d) (Supp. 2013) and 3 S.C. Code Ann. Regs. 61-9.122(a)(1) (2011)

Summary: The City of Barnwell (Respondent) owns and responsible for the proper operation and maintenance of the City of Barnwell Wastewater Treatment Facility (WWTF) in Barnwell County. The Respondent reported exceeding the effluent discharge limits for fecal coliform (FC) during the period of June 1, 2013 through January 31, 2014. On March 26, 2014, a Notice of Alleged Violation (NOAV) was issued. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with effluent discharge limits for FC as specified in its National Pollutant Discharge Elimination System Permit.

Action: The Respondent is required to: complete repairs and upgrades to the WWTF, including completion of the tuning of the new automated chlorination system; and, pay a civil penalty in the amount of seven hundred dollars (**\$700.00**).

28) Order Type and Number: Consent Order 14-025-W
Order Date: June 25, 2014
Respondent: **South Tyger Properties, LLC**
Facility: Sapphire Point Subdivision
Location: 726 September Chase
Wellford, SC 29385
Mailing Address: 607 E. Victor Hill Rd
Duncan, SC 29334
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCR10R923
Violations Cited: S.C. Code Ann. 48-1-90(A)(1) and
48-1-110(d) (Supp. 2013) and 3 S.C. Code Ann. Regs. 61-9.122(a)(1)
(2011)

Summary: South Tyger Properties, LLC (Respondent) is responsible for land-disturbing activities at the Sapphire Point Subdivision (Site) located in Spartanburg County, South Carolina. Inspections were conducted on July 5, 2013, August 9, 2013, and October 29, 2013, all rating the site unsatisfactory. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: erosion and sediment controls identified in the Storm Water Pollution Prevention Plan (SWPPP) were not installed, maintained and operated as designed; Best Management Practices (BMPs) were not being utilized to keep sediment out of waters of the state; graded area exceeded permitted areas of disturbance defined in the SWPPP; trash and debris were not being properly managed and disposed of; copies of the Construction General Permit and United States Army Corp Engineers approvals were not on site; rain

data for the preceding two (2) weeks had not been recorded; and, no inspection reports were on site as required.

Action: The Respondent is required to: submit a report, completed and stamped by a S. C. Registered Professional Engineer, certifying that all storm water and sediment control devices are installed and functioning properly as specified in the Site's approved erosion and sediment control plan; monitor and maintain all BMPs, including, but not limited to, silt fencing and sedimentation basins in accordance with the approved SWPPP, until completion of development of the Site, as necessary to prevent further discharge of sediment from the Site; and, pay a civil penalty in the amount of twenty-six thousand, four hundred dollars (**\$26,400.00**) in three equal installments.

BUREAU OF AIR QUALITY

29) <u>Order Type and Number:</u>	Consent Order 14-012-A
<u>Order Date:</u>	June 5, 2014
<u>Respondent:</u>	David Crawford
<u>Facility:</u>	Residential Property
<u>Location:</u>	6900 US Highway 278 Barnwell, SC 29812
<u>Mailing Address:</u>	Same
<u>County:</u>	Barnwell
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	5 S.C. Code Ann. Regs 61-62.2, Section I – Exceptions

Summary: Mr. David Crawford (Respondent) owns and resides on property located at 6900 US Highway 278 in Barnwell, South Carolina. On January 21, 2014, the Department conducted an investigation at the Respondent's property and issued a Notice of Alleged Violation (NOAV) on February 10, 2014. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned materials prohibited by the Regulation.

Action: The Respondent is required to: cease open burning, except as in accordance with the Regulations; and, pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**).

30) <u>Order Type and Number:</u>	Consent Order 14-014-A
<u>Order Date:</u>	June 5, 2014
<u>Respondent:</u>	Mr. Freddie McConnell, Individually and d.b.a. Carolina Trucking and Demolition Service, Inc.

Facility: First Church of Our Lord Jesus
Christ
Location: 2439 Read St.
Columbia, SC 29204
Mailing Address: P.O. Box
Columbia, SC 29230
County: Richland
Previous Orders: None
Permit/ID Number: CO-00177
Violations Cited: U.S. EPA 40 CFR 61.150 and 7 S.C.
Code Ann. Regs. 61-86.1, Sections V, VII, VIII, and X

Summary: Mr. Freddie McConnell, Individually and d.b.a. Carolina Trucking & Demolition Service, Inc. (Respondent) is a Department-licensed asbestos abatement contractor. On April 23, 2012, the Department conducted an inspection at the Site and issued a Notice of Alleged Violation (NOAV) on September 4, 2013. The Respondent violated U.S. EPA and South Carolina Standards of Performance for Asbestos Projects as follows: failed to ensure that the required work practice and air monitoring requirements were adhered to while engaged in a major asbestos project and failed to ensure asbestos was properly stored and disposed.

Action: The Respondent is required to: henceforth comply with all applicable requirements of state and federal asbestos regulations; ensure that all applicable work practice, cleanup, disposal, and air sampling procedures are followed and performed in accordance with the regulations during future asbestos projects; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**) payable in four bimonthly payments.

31) Order Type and Number: Consent Order 14-015-A
Order Date: June 11, 2014
Respondent: **ITU AbsorbTech, Inc.**
Facility: ITU AbsorbTech, Inc.
Location: 2509 River Rd.
Piedmont, SC 29673
Mailing Address: 2700 S. 160th St.
New Berlin, WI 53151
County: Anderson
Previous Orders: None
Permit/ID Number: 0200-0230
Violations Cited: U.S. EPA Regulations at: 40 CFR
70.5; 40 CFR 52.21; 40 CFR 60.8; and 40 CFR 60.624, and 5 S.C. Code
Ann. Regs. 61-62.70.5, 61-62.5, 61-62.60, and 61-62.1.

Summary: ITU AbsorbTech, Inc. d.b.a. AbsorbTech, LLC (Respondent) operates an industrial laundry facility located at 2509 River Road, Piedmont, South Carolina. On September 13, 2013, the Department issued Synthetic Minor Construction Permit 0200-0230-CA (Synthetic Minor Permit) to the Respondent for existing sources of air contaminants. On November 7, 2013, the Department issued a Notice of Alleged Violation (NOAV) as a result of information contained in its construction permit application. The Respondent violated U.S. EPA Regulations at 40 CFR and South Carolina Air Pollution Control Regulations as follows: failed to submit notifications and obtain Department-issued permits prior to installing and operating sources of air contaminants; failed to submit an application for a Part 70 (Title V) operating permit within 12 months of becoming subject to the regulations or accept limits to avoid the requirements of Title V; failed to obtain a "Prevention of Significant Deterioration" (PSD) permit or accept limits to avoid the requirements of PSD prior to installing and operating solvent recovery dryers in 2003 and 2005; and, failed to conduct an initial source test on the solvent recovery dryers.

Action: The Respondent is required to: henceforth apply for and obtain Department-issued permits prior to constructing, altering, or adding to any source of air contaminants; submit to the Department a written request for transfer of ownership of Synthetic Minor Permit; submit to the Department an official hard copy of a revised emissions report; submit to the Department a written request for an operating permit to cover the existing sources authorized by the Synthetic Minor Permit; conduct a Department-approved initial source test on the solvent recovery dryers; pay to the Department applicable permit fees for fiscal years 2015, 2014, and 2013; and pay a civil penalty in the amount of forty-five thousand dollars (**\$45,000.00**).

32) Order Type and Number: Consent Order 14-016-A
Order Date: June 11, 2014
Respondent: **Palmetto Paving Corp. of Conway**
Facility: Palmetto Paving Corp. of Conway
Location: 1430 Sumter Highway
Bishopville, SC 29528
Mailing Address: P.O. Box 346
Conway, SC 29528
County: Lee
Previous Orders: None
Permit/ID Number: 9900-0478
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.5,
Standard No. 4, Section XII and 5 S.C. Code Ann. Regs. 61-62.1, Section
II, Permit Requirements.

Summary: Palmetto Paving Corporation of Conway (Respondent) manufactures hot-mix asphalt at its facility located at 6184 Godwin Paradise Lane

in Conway, South Carolina. The Department renewed the Respondent's General Conditional Major Operating Permit 9900-0478, effective July 15, 2013. On January 23, 2014, the Department issued a Notice of Alleged Violation (NOAV) as a result of monitoring reports submitted by the Respondent. The Respondent violated U.S. EPA Regulations at 40 CFR, South Carolina Air Pollution Control Regulations, and its Permit as follows: failed to perform a periodic test for particulate matter emissions every two years

Action: The Respondent is required to: perform the next scheduled periodic source test no later than December 31, 2015; perform future periodic emissions tests every two years in accordance with the regulations and its Permit; and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

33) Order Type and Number: Consent Order 14-019-A
Order Date: June 25, 2014
Respondent: **International Paper Company**
Facility: International Paper Company
Location: 700 South Kaminski Street
Georgetown, SC 29440
Mailing Address: Same
County: Georgetown
Previous Orders: 10-037-A (\$115,000.00); 11-054-A (\$77,000.00)
Permit/ID Number: 1140-0002
Violations Cited: U.S. EPA 40 CFR 63.862(a), 5 S.C. Code Ann. Regs. 61-62.1, Section II, Permit Requirements, and 5 S.C. Code Ann. Regs. 61-62.63, Subpart MM

Summary: International Paper Company (Respondent) owns and operates an integrated Kraft pulp, bleached fine paper, and market pulp facility located in Georgetown, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-1140-0002 to the Respondent, effective January 1, 2002. On July 24, 2013, the Respondent conducted a Department-approved source test and a Notice of Alleged Violation (NOAV) was issued on March 18, 2014. The Respondent violated U.S. EPA Regulations at 40 CFR, South Carolina Air Pollution Control Regulations and its Permit in that it failed to limit particulate matter (PM) emissions from the No. 1 Recovery Boiler.

Action: The Respondent is required to: ensure compliance with the PM emission limit from the No. 1 Recovery Boiler, in accordance with the requirements of Subpart MM and its Title V Permit; and, pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**).

South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures of potentially hazardous food items.

Action: The Respondent is required to: establish operational monitoring procedures for checking potentially hazardous foods temperatures every four hours; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

36) Order Type and Number: Consent Order #2014-206-06-004
Order Date: June 11, 2014
Respondent: **Shawn Roth**
Facility: Surf Diner
Location: 11 South Ocean Boulevard
Surfside Beach, SC 29575-3633
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-12115
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Shawn Roth (Respondent) operates Surf Diner located in Surfside Beach, South Carolina. On August 27, 2013, and January 16, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper temperatures on all foods; complete a food protection manager certification program; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

37) Order Type and Number: Consent Order #2014-206-06-003
Order Date: June 11, 2014
Respondent: **Richard Corbett**
Facility: K & W Cafeteria #39
Location: 1255 Tadlock Drive
Murrells Inlet, SC 29576
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-07132

Violations Cited:
II, Section B.1

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

Summary: Richard Corbett (Respondent) operates K&W Cafeteria #39 located in Murrells Inlet, South Carolina. On March 14, 2013, and December 30, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

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

38) Order Type and Number: Consent Order #2013-206-03-031
Order Date: June 5, 2014
Respondent: **Yun Qin Ou**
Facility: New China
Location: 4891 Old York Road, Suite 101
Rock Hill, SC 29732
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-02651
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: Yun Qin Ou (Respondent) operates New China located in Rock Hill, South Carolina. On December 3, 2013, June 7, 2013, and October 1, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: complete a food protection manager certification program; cook all poultry products thoroughly without any interruption in the cooking process; reheat all previously cooked products according to regulation; maintain daily temperature logs for all holding temperatures; maintain proper temperatures on all foods; and, pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

39) Order Type and Number: Consent Order #2014-206-03-007
Order Date: June 5, 2014
Respondent: **Xiu Fen Lin**
Facility: Ocean Palace

Location: 414 Tom Hall Street
Fort Mill, SC 29715
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-01921
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Xiu Fen Lin (Respondent) operates Ocean Palace located in Fort Mill, South Carolina. On October 2, 2013, and February 4, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: follow proper procedures for cooling products; maintain daily temperature logs for all holding temperatures on the buffet; maintain proper temperatures on all foods; complete a food protection manager certification program; pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**); and, pay a stipulated penalty in the amount two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

40) Order Type and Number: Consent Order #2013-206-05-004
Order Date: June 11, 2014
Respondent: **Bob Cleary**
Facility: Ryan's Family Steakhouse
Location: 2580 North Road
Orangeburg, SC 29115
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit Number: 38-206-01448
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Bob Cleary (Respondent) operates Ryan's Family Steakhouse located in Orangeburg, South Carolina. On July 3, 2013, and December 3, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failure to maintain proper holding temperatures.

Action: The Respondent is required to: maintain all hot and cold holding units; maintain daily temperature logs for all holding temperatures; maintain

proper temperatures on all foods; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

- 41) Order Type and Number: Consent Order #2014-206-02-007
Order Date: May 29, 2014
Respondent: **David Walker**
Facility: Bantam Chef
Location: 418 South Alabama Avenue
Chesnee, SC 29323
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit Number: 42-206-00410
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: David Walker (Respondent) operates Bantam Chef located in Chesnee, South Carolina. On July 24, 2013, and December 20, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

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

- 42) Order Type and Number: Consent Order #2014-206-03-006
Order Date: June 11, 2014
Respondent: **Kristo Shuxho**
Facility: Ouzo's
Location: 4124 Celanese Road, Suite 156
Rock Hill, SC 29732
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-02793
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: David Walker (Respondent) operates Ouzo's located in Rock Hill, South Carolina. On March 20, 2013, and January 24, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail

Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: follow proper procedures for cooling potentially hazardous food; maintain daily temperature logs for all holding temperatures at a minimum of twice daily; maintain proper temperatures on all foods; complete a food protection manager certification program; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

43) Order Type and Number: Consent Order #2014-206-04-002
Order Date: June 11, 2014
Respondent: **Gus Deligiannidis**
Facility: Gus' House of Pizza
Location: 101 South Hampton Street
Kershaw, SC 29067
Mailing Address: Same
County: Kershaw
Previous Orders: None
Permit Number: 29-206-00655
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Gus Deligiannidis (Respondent) operates Gus' House of Pizza located in Kershaw, South Carolina. On June 10, 2013, and October 16, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain all coolers; maintain proper temperatures on all foods; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

44) Order Type and Number: Consent Order #2014-206-02-004
Order Date: June 11, 2014
Respondent: **Lynn Walker**
Facility: Red Rooster
Location: 242 Battleground Road
Cowpens, SC 29330
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit Number: 42-206-04660

Violations Cited:
II, Section B.1

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

Summary: Lynn Walker (Respondent) operates Red Rooster located in Cowpens, South Carolina. On July 19, 2013, and November 21, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

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

45) Order Type and Number: Consent Order #2014-206-02-002
Order Date: June 11, 2014
Respondent: **Cai Yun Jiang**
Facility: Uncle Poons
Location: 140 Fernwood Drive
Spartanburg, SC 29330
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit Number: 42-206-03350
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: Cai Yun Jiang (Respondent) operates Uncle Poons located in Spartanburg, South Carolina. On October 29, 2013, and February 4, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper temperature on egg wash while preparing egg rolls; maintain proper temperatures of shrimp during processing; allow cooked chicken to cool properly prior to storage; maintain daily temperature logs for all holding temperatures at a minimum of three times daily; maintain proper temperatures on all foods; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

46) Order Type and Number: Consent Order #2013-206-04-003
Order Date: June 11, 2014
Respondent: **Wan Yun Lin**
Facility: Jin Jin

Location: 715 East McGregor Street
Pageland, SC 29728
Mailing Address: Same
County: Chesterfield
Previous Orders: None
Permit Number: 13-206-01147
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter VI, Section E.1.b; and, S.C. Code Ann. Regs. 61-25, Chapter VI, Section G.1

Summary: Wan Yun Lin (Respondent) operates Jin Jin located in Pageland, South Carolina. On May 31, 2013, and July 26, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to have lavatories accessible to employees at all times and failed to control the presence of flies on food.

Action: The Respondent is required to: make lavatories accessible to employees at all times; control the presence of rodents, flies, cockroaches, and other insects on premises; and, pay a civil penalty in the amount of one thousand seven hundred fifty dollars (**\$1,750.00**).

47) Order Type and Number: Consent Order #2014-206-06-009
Order Date: June 5, 2014
Respondent: **Eddie Kwong**
Facility: E Noodles
Location: 110 Highway 17 South
N. Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-10217
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter VII, Section H.2.

Summary: Eddie Kwong (Respondent) operates E Noodles located in N. Myrtle Beach, South Carolina. On October 11, 2013, and February 4, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to properly label poisonous or toxic materials.

Action: The Respondent is required to: establish operational monitoring procedures for labeling containers of poisonous or toxic materials and maintain daily log sheets of verification; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

48) Order Type and Number: Consent Order #2014-206-03-004
Order Date: June 11, 2014
Respondent: **Rishi Vijay**
Facility: Country Mart
Location: 16683 Highway 21 North
Great Falls, SC 29055
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 20-206-01546
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter VI, Section C.2.b

Summary: Rishi Vijay (Respondent) operates Country Mart located in Great Falls, South Carolina. On May 8, 2013, and January 15, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain back-siphonage protection.

Action: The Respondent is required to: operate and maintain the facility in accordance with the regulations and pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

49) Order Type and Number: Consent Order #2013-206-04-007
Order Date: June 02, 2014
Respondent: **Harper Shull**
Facility: Grand Central Restaurant
Location: 401 South Congress Street
Winnsboro, SC 29180
Mailing Address: Same
County: Fairfield
Previous Orders: None
Permit Number: 20-206-01155
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter Regs. 61-25, Chapter II., Section B.1.; S.C. Code Ann. Regs.61-25, Chapter VI., Section G.1.

Summary: Harper Shull (Respondent) operates Grand Central Restaurant located in Winnsboro, South Carolina. On August 13, 2013, and November 04, 2013, the Department conducted routine inspections. On August 21, 2013, the Department conducted a follow-up inspection. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures of potentially hazardous foods and failed to control rodents and insects in the facility.

Action: The Respondent is required to: maintain proper holding temperatures of all potentially hazardous foods; maintain daily temperature logs for all potentially hazardous foods; and, pay a civil penalty of one thousand, eight hundred seventy-five dollars (**\$1,875.00**).

50) Order Type and Number: Consent Order #2014-206-03-001
Order Date: June 25, 2014
Respondent: **Dimitrios Partsinevelos**
Facility: Fort Mill Family Restaurant
Location: 1358 Highway 160 East
Fort Mill, SC 29715
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 40-206-03114
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Dimitrios Partsinevelos (Respondent) operates Fort Mill Family Restaurant located in Fort Mill, South Carolina. On August 28 2013, and January 21, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper temperatures on all foods; complete a food protection manager certification program; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

51) Order Type and Number: Consent Order #2014-206-06-008
Order Date: June 5, 2014
Respondent: **Coleman Huggins**
Facility: Roundman's
Location: 13470 Highway 19
Nichols, SC 29581
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-10913
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Coleman Huggins (Respondent) operates Roundman's located in Nichols, South Carolina. On August 19, 2013, and December 11, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper temperatures on all foods; maintain daily temperature logs for all holding temperatures three times daily; and, pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

DIVISION OF OCEAN AND COASTAL RESOURCE MANAGEMENT

52) Order Type and Number: Consent Order 14B-003P
Order Date: June 4, 2014
Respondent: **Pittman Family Investments, LLC
& Sea Island Tree Care, Inc.**
Location: 710 Red Drum Road
Fripp Island, SC 29920
Mailing Address: P.O. Box 1507
Greenville, SC 29602
16 Nighthawk Lane
Beaufort, SC 29907
County: Beaufort
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); and S.C. Code Ann. §48-39-310

Summary: Pittman Family Investments, LLC (Respondent) is the owner of certain property located seaward of the setback line in the beach/dune system critical area. Sea Island Tree Care, Inc. (Respondent), as the contractor taking responsibility for the work, is responsible for the unauthorized activity at the Site. An inspection at the site was conducted on November 14, 2013 and a Notice of Violation and Admission Letter was issued on March 7, 2014. The Respondents have violated the Coastal Zone Management Act and Critical Area Permitting Regulations by removing dune vegetation located seaward of the setback line and in the beach/dune system critical area regulated by the Department.

Action: The Respondents are required to: pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**). Each Respondent is responsible for paying one thousand dollars (\$1,000.00) of the assessed civil penalty.

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