

SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 April 9, 2009

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period February 1, 2009 – February 28, 2009.
- III. **FACTS:** For the period February 1, 2009 through February 28, 2009 EQC issued thirty-two (32) Consent Orders with total assessed civil penalties in the amount of \$95,643.75.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
UST Program	0	\$ 0	5	\$ 2,200.00
Solid Waste	0	0	2	1,450.00
Hazardous Waste	0	0	3	22,403.75
SUBTOTAL	0	0	10	\$ 26,053.75
Water				
Drinking Water	0	\$ 0	10	\$ 13,440.00
Water Pollution	0	\$ 0	4	19,150.00
SUBTOTAL	0	\$ 0	14	\$ 32,590.00
Air Quality				
SUBTOTAL	0	\$ 0	8	\$ 37,000.00
TOTAL	0	\$ 0	32	\$ 95,643.75

ANALYSIS: During the reporting period, Hazardous Waste Enforcement entered into a Consent Order with Comfab, Inc. (Respondent), a metal fabricating facility located in Spartanburg, South Carolina. The Respondent has allowed onsite hazardous waste to accumulate for longer than 90 days without applying for a permit for storage or having interim status; failed to mark each container clearly with an accumulation start date; and, failed to keep a container of hazardous waste closed during storage. In order to comply, the Respondent will store all hazardous waste containers for no longer than 90 days without the

proper permit and managed properly. A civil penalty in the amount of eight thousand six hundred ten dollars (\$8,610.00) was assessed.

Air Quality Enforcement entered into a Consent Order with T. B. Asphalt (Respondent), owner and operator of an asphalt plant located in Aiken, South Carolina. The Respondent failed to submit notification of the start date of construction on the plant; failed to submit notification as to the initial start-up of the plant; failed to conduct initial and biennial source tests for particulate matter emissions; and, failed to submit quarterly reports of asphalt production. Other violations include failure to maintain 12 month rolling sums, daily visual inspections, daily pressure drop readings, weekly operation and maintenance checks, and a log of baghouse maintenance. In three source tests approved by the Department, the Respondent also failed to demonstrate compliance with particulate matter emissions limits. The Respondent will comply with all recording keeping and operation and maintenance violations; conduct a Department approved re-test on the asphalt dryer to demonstrate compliance with the particulate matter emissions limits. A civil penalty in the amount of twenty thousand dollars (\$20,000.00) was assessed.

Submitted by:

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Deputy Commissioner
Environmental Quality Control