

AMENDED SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 August 13, 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 June 1, 2009 – June 30, 2009.
- III. **FACTS:** For the period June 1, 2009 through June 30, 2009 EQC issued twenty-eight (28) Consent Orders with total assessed civil penalties in the amount of \$117,010.00. One (1) Administrative Order was reported during this period with a total assessed civil penalty in the amount of \$3,500.00.

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	9	\$ 11,485.00
Solid Waste	1	3,500.00	3	9,900.00
Hazardous Waste	0	0	2	5,325.00
Radioactive Waste	0	0	1	1,000.00
SUBTOTAL	1	3,500.00	15	\$ 27,710.00
Water				
*Drinking Water	0	\$ 0	1	\$ 3,150.00
**Water Pollution	0	\$ 0	2	15,350.00
SUBTOTAL	0	\$ 0	3	\$ 18,500.00
Air Quality				
SUBTOTAL	0	\$ 0	10	\$ 70,800.00
TOTAL	1	\$ 3,500.00	28	\$ 117,010.00

*During the reporting period, Drinking Water Enforcement and Water Pollution Enforcement entered into a Joint Consent Order. Drinking Water Enforcement was given credit for the Order.

**During the reporting period, Water Pollution Enforcement and Solid Waste Enforcement entered into a Joint Consent Order. Water Pollution Enforcement was given credit for the Order.

ANALYSIS: During the reporting period, Water Pollution Enforcement and Solid Waste

Enforcement entered into a Joint Consent Order with Greer Commission of Public Works (Respondent) for violations of the Pollution Control Act, Water Pollution Control Permits Regulation, and Solid Waste Management Regulations. The Respondent engaged in the open dumping of waste sludge at the CPW water treatment plant in a manner other than in compliance with a permit issued by the Department, and initiated land disturbing activities at the Site without the appropriate permits or approvals from the Department. The Respondent removed and properly disposed of all the sludge prior to the issuance of the Order and a civil penalty in the amount of thirteen thousand, six hundred fifty dollars (\$13,650.00) was assessed. Of the amount assessed, five thousand, two hundred fifty dollars (\$5,250.00) was for the solid waste violations and eight thousand, four hundred dollars (\$8,400.00) was for the Pollution Control Act and water pollution violations.

Air Quality Enforcement entered into a Consent Order with Brown Packing Co., Inc. (Respondent), a facility that slaughters cattle and processes beef. Violations include, but are not limited to: failure to obtain Department-issued permits prior to constructing and operating a regulated unit; failure to maintain a startup and shutdown log for its boilers; failure to conduct a waste analysis for materials burned in the boilers; failure to classify waste streams burned in the boilers as hazardous or non-hazardous; failure to maintain copies of records and reports required to demonstrate compliance with Standard No. 3 limits; failure to calculate facility-wide particulate matter (PM10), sulfur dioxide, and formaldehyde emissions on a monthly basis and as 12-month rolling sums; failure to establish operational ranges for the monitored parameters of its scrubbers; failure to maintain measurements for continuous monitoring system or monitoring device performance; and failure to submit a semiannual report of facility-wide PM10 emissions. The Respondent is required to obtain Department-issued permits, maintain a startup and shutdown log for the boilers, maintain copies of records and reports required to demonstrate compliance with Standard No. 3 limits, calculate facility-wide PM10, SO₂, and formaldehyde emissions, maintain measurements, and submit periodic reports in the future. A civil penalty in the amount of sixteen thousand, four hundred dollars (\$16,400.00) was assessed.

Submitted by:

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Deputy Commissioner
Environmental Quality Control