

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
December 13, 2012

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Consent Order 12-0322-UST
Order Date: October 3, 2012
Respondent: **The Jerry Cox Company**
Facility: Jerry Cox Co.
Location: 3104 Highway 701 N.
Conway, SC 29526
Mailing Address: P.O. Box 89
Conway, SC 29528
County: Horry
Previous Orders: None
Permit/ID Number: 05120
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002
and Supp. 2010), and the South Carolina Underground Storage Tank
Control Regulation 61-92.280.20(e), R.61-92.280.31(a), R.61-
92.280.34(c), R.61-92.280.35(f), R.61-92.280.41(b)(1)(ii), R.61-
92.280.44(a), and R.61-92.280.45(b)(1) (Supp. 2011).

Summary: The Jerry Cox Company (Respondent) owns and operates underground storage tanks (USTs) in Horry County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install piping in accordance with manufacturer's instructions; failure to maintain and operate corrosion protection equipment continuously; failure to provide records to the Department upon request; failure to have the Class A/B operator physically visit the facility quarterly; failure to conduct an annual tightness test on pressurized lines or have monthly monitoring; failure to check the line leak detector function annually; and, failure to maintain sampling, testing, or monthly monitoring records for at least one year.

Action: The Respondent is required to: submit proof of shear valve installation in accordance with manufacturer's instructions; submit verification that metal piping in the Submersible Turbine Pump (STP) pit has acceptable corrosion protection; submit a current Class A/B operator log; submit acceptable line tightness testing results for all product lines; submit acceptable line leak

detector test results for all product lines; and, pay a civil penalty in the amount of two thousand, one hundred twenty dollars (**\$2,120.00**).

- 2) Order Type and Number: Consent Order 12-0342-UST
 Order Date: October 31, 2012
 Respondent: **Anjay Patel Irrevocable Trust**
 Facility: Saveway 36
 Location: 905 South Cashua Drive
 Florence, SC 29501
 Mailing Address: 719 Providence Road
 Gaffney, SC 29341-2284

 County: Florence
 Previous Orders: None
 Permit/ID Number: 19163
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
 Supp. 2011), and the South Carolina Underground Storage Tank Control
 Regulation 61-92.280.34(c), R. 61-92.280.40(a), R. 61-92.280.43(d) and
 R. 61-92.280.45(b)(1) (Supp. 2011).

Summary: Anjay Patel Irrevocable Trust (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 provide records to the Department upon request; failure to provide an adequate release detection method; failure to conduct adequate release detection using an automatic tank gauge; and, failure to maintain records for one year.

Action: The Respondent is required to: submit a tank tightness test for the kerosene UST and pay a civil penalty in the amount of one thousand, seven hundred twenty-five dollars (**\$1,725.00**).

- 3) Order Type and Number: Consent Order 12-0349-UST
 Order Date: October 15, 2012
 Respondent: **Thomas Blake**
 Facility: Blakes Texaco Station
 Location: 8423 Savannah Hwy.
 Norway, SC 29113
 Mailing Address: P.O. Box 32
 Norway, SC 29113

 County: Orangeburg
 Previous Orders: None
 Permit/ID Number: 06966

Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and Supp. 2010), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.93(a) and R.61-92.280.110(c) (Supp. 2011).

Summary: Thomas Blake (Respondent) owns and operates underground storage tanks (USTs) in Orangeburg County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility upon expiration of the previous mechanism and failure to submit updated financial responsibility documentation.

Action: The Respondent is required to: pay a civil penalty in the amount of six hundred dollars (**\$600.00**). All violations were corrected prior to the issuance of the Order.

- 4) Order Type and Number: Consent Order 12-0426-UST
Order Date: October 24, 2012
Respondent: **Prakash Patel, Mita Patel, & Ashvin Patel**
Facility: Country Cupboard
Location: 11050 Bypass Highway 17 South,
Murrells Inlet, SC 29576
Mailing Address: 4444 Maypop Trail
Murrells Inlet, SC 29576
County: Horry
Previous Orders: None
Permit/ID Number: 10770
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and Supp. 2011), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(c)(1)(ii) (Supp. 2011).

Summary: Prakash Patel, Mita Patel, & Ashvin Patel (Respondents) own and operate underground storage tanks (USTs) in Horry County, South Carolina, and have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to have overfill protection installed on an underground storage tank.

Action: The Respondents are required to: pay a civil penalty in the amount of five hundred dollars (**\$500.00**). All violations were corrected prior to the issuance of the Order.

- 5) Order Type and Number: Consent Order 12-0456-UST
Order Date: October 31, 2012

Respondent: **Bruce Gerald**
Facility: Gerald's Convenience Store & Grill
Location: 6475 Highway 701 North
Conway, SC 29526-5768
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 11570
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2011), and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.20(c)(1)(ii) (Supp. 2011).

Summary: Bruce Gerald (Respondent) owns and operates underground storage tanks (USTs) in Horry County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to have overfill protection installed on an underground storage tank.

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

Hazardous Waste Enforcement

6) Order Type and Number: Consent Order 12-13-HW
Order Date: October 4, 2012
Responsible Party: **MacLean Power York, LLC**
Location: 7801 Park Place Rd.
York, SC 29745
Mailing Address: P.O. Box 949
York, South Carolina 29745
County: York
Previous Orders: None
Permit Number: SCD 987 579 109
Violations Cited: The South Carolina Hazardous
Waste Management Act §44-56-130(2) and the South Carolina Hazardous
Waste Management Regulation 61-79.262.34(a)(2), R.61-79.265.173(d),
R.61-79.262.34(a)(3), R.61-79.265.173(a), R.61-79.262.34(c)(1)(ii), R.61-
79.265.174, R.61-79.270.1(c), R.61-79.264.75, R.61-79.264.35, and R.61-
79.264.175(a) and (b).

Summary: MacLean Power York, LLC (Respondent) manufactures high voltage insulators for building transmission lines, distribution lines and power substations. The Respondent has violated the South Carolina Hazardous Waste

Management Regulations as follows: failure to ensure that containers of hazardous waste are marked with the accumulation start, an EPA Hazardous Waste Number, and the following or equivalent statement: "Hazardous Waste – federal laws prohibit improper disposal;" failure to keep containers of hazardous waste closed during storage; failure to mark satellite accumulation containers with the words "Hazardous Waste" or other words to identify the contents of the container; failure to inspect areas where containers are stored, at least weekly; failure to store hazardous waste for less than 180 days and store less than 6,000 kg of hazardous waste unless a permit for storage of greater quantities has been issued by the Department; failure to submit quarterly reports; failure to maintain aisle space between containers of hazardous waste in storage; and, failure to provide secondary containment for containers of hazardous waste in storage.

Action: The Respondent has agreed to: ensure that containers of hazardous waste are managed in compliance with the regulations; ensure that a permit is applied for and received before operating as a storage facility; immediately submit a revised notification form whenever generator status changes or storage limits are exceeded; and, pay a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

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| 7) <u>Order Type and Number:</u> | Consent Order 12-068-DW |
| <u>Order Date:</u> | October 3, 2012 |
| <u>Respondent:</u> | Wave Rider Resort Homeowners Association, Inc. |
| <u>Facility:</u> | Wave Rider |
| <u>Location:</u> | 1600 South Ocean Boulevard Myrtle Beach, SC 29577 |
| <u>Mailing Address:</u> | 11923 Plaza Drive Murrells Inlet, SC 29576 |
| <u>County:</u> | Horry |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 26-L38C |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: Wave Rider Resort Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the pool walls and floor were not clean; the electrical panel in the pump room did not have a cover and the pump room door was unlocked; a main drain grate cover was broken; the pool rules sign was not completely filled out; the

chlorine level was not within the acceptable range of water quality standards; and the automatic controller system was not operating properly. A violation was issued for failure to properly operate and maintain the pool on two occasions.

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 seven hundred twenty dollars (**\$720.00**). The civil penalty has been paid and a corrective action plan has been submitted. All of the deficiencies have been corrected.

8) Order Type and Number: Consent Order 12-069-DW
Order Date: October 3, 2012
Respondent: **Ocean Pines Homeowners' Association, Inc.**
Facility: Ocean Pines Phase I
Location: 14th Avenue South
Surfside Beach, SC 29575
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-C65-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J) and 61-51(K)(1)(c)

Summary: Ocean Pines Homeowners' Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was not in place; the emergency telephone was not operating properly; the pool rules sign was not filled out correctly in that the pool operator of record was not posted; the bound and numbered log book could not be located; the chlorine level was not within the acceptable range of water quality standards; two approvable "Shallow Water – No Diving" signs were not posted; and, the Respondent failed to schedule an inspection of the pool prior to re-opening after Department closure. A violation was issued for failure to properly operate and maintain the pool on two occasions and the pool was reopened prior to receiving Department approval on one occasion.

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 one thousand two hundred dollars (**\$1,200.00**). The civil penalty has been paid. Following the second violation, the pool remained closed. The Respondent contacted the Department and scheduled an inspection. The inspection verified that all of the deficiencies had been corrected.

- 9) Order Type and Number: Consent Order 12-073-DW
Order Date: October 9, 2012
Respondent: **Carolina Retail Development, LLC**
Facility: Dollar General – HWY 324 and HWY 322
Location: 3204 Highway 324
Rock Hill, SC 29732
Mailing Address: 9815 J Sam Furr Road, Suite 259
Huntersville, NC 29201
County: York
Previous Orders: None
Permit/ID Number: 4679021
Violations Cited: S.C Code Ann. Regs. 61-58.1.B(8)

Summary: Carolina Retail Development, LLC (Respondent) is responsible for the construction of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to obtain a permit to construct prior to the construction of the appurtenances associated with a new public supply well.

Action: The Respondent is required to: pay a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**). The civil penalty has been paid.

- 10) Order Type and Number: Consent Order 12-074-DW
Order Date: October 9, 2012
Respondent: **Carlyle Greenville, L.P.**
Facility: Carlyle
Location: 620 Halton Road
Greenville, SC 29690
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-497-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Carlyle Greenville, L.P. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. 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 pH level was not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit. A violation was issued for failure to properly operate and maintain the pool on two occasions.

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 and a corrective action plan has been submitted. All of the deficiencies have been corrected.

11) Order Type and Number: Consent Order 12-075-DW
Order Date: October 15, 2012
Respondent: **Canaan Pointe Limited Partnership**
Facility: Canaan Pointe Apartments
Location: 200 Canaan Pointe Drive
Spartanburg, SC 29306
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: 42-186-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Canaan Pointe Limited Partnership (Respondent) owns and is responsible for the proper operation and maintenance of a pool. 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 pump room was not being properly maintained; the main drain grates were not visible; the recirculation and filtration system was not operating; and the bound and numbered log book could not be located. A violation was issued for failure to properly operate and maintain the pool on two occasions.

Action: The Respondent is required to: pay a civil penalty in the amount of eight hundred dollars (**\$800.00**). The civil penalty has been paid. The Department conducted an inspection of the pool and verified that all of the deficiencies had been corrected.

12) Order Type and Number: Consent Order 12-076-DW
Order Date: October 3, 2012
Respondent: **Donald E. Baltz Foundation**
Facility: Camp Awanita Valley
Location: 600 Gap Creek Road
Marietta, SC 29661
Mailing Address: P.O. Box 338
Mauldin, SC 29662
County: Greenville
Previous Orders: None
Permit/ID Number: 2370684

Violations Cited:

S.C. Code Ann. Regs. 61-58.5.F

Summary: Donald E. Baltz Foundation (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). 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 exceedances 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.

- 13) Order Type and Number: Consent Order 12-077-DW
Order Date: October 3, 2012
Respondent: **The Laurens Baptist Association, Inc.**
Facility: Disciples Trail
Location: 30 Ranch Road
Laurens, SC 29360
Mailing Address: P.O. Box 745
Laurens, SC 29360
County: Laurens
Previous Orders: None
Permit/ID Number: 3070677
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: The Laurens Baptist Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). 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 exceedances 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.

- 14) Order Type and Number: Consent Order 12-078-DW
Order Date: October 15, 2012
Respondent: **Mansfield Park Campground LLC**

Facility: Mansfield Park Campground
Location: 1002 Pittmans Landing Drive
Cross Hill, SC 29332
Mailing Address: P.O. Box 311
Laurens, SC 29630
County: Laurens
Previous Orders: None
Permit/ID Number: 28449-WS
Violations Cited: S.C Code Ann. Regs. 61-58.1.K(1)

Summary: Mansfield Park Campground LLC (Respondent) is responsible for the construction and operation of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to obtain written approval to operate from the Department prior to placing the PWS into operation.

Action: The Respondent is required to: pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

15) Order Type and Number: Consent Order 12-079-DW
Order Date: October 15, 2012
Respondent: **Eugene Rice, Individually and
d.b.a. Arrowhead Motel
and Campground**
Facility: Arrowhead Motel and Campground
Location: 1121 Arrowhead Road
Saint Stephen, SC 29479
Mailing Address: Same
County: Berkeley
Previous Orders: None
Permit/ID Number: 0870408
Violations Cited: S.C Code Ann. Regs. 61-58.5.F

Summary: Eugene Rice, Individually and d.b.a. Arrowhead Motel and Campground (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). 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 exceedances 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.

16) Order Type and Number: Consent Order 12-080-DW
Order Date: October 31, 2012
Respondent: **Woodstream Farms Apartments
Limited Partnership**
Facility: Woodstream Farms Apartments
Location: 200 Mitchell Drive
Greenville, SC 29615
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-110-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Woodstream Farms Apartments Limited Partnership (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the life line floats were not equally spaced; the gate did not self close and latch; 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 pool tiles were dirty. A violation was issued for failure to properly operate and maintain the pool on two occasions.

Action: The Respondent is required to: pay a civil penalty in the amount of five hundred sixty dollars (**\$560.00**). The civil penalty has been paid and all of the deficiencies have been addressed.

17) Order Type and Number: Consent Order 12-081-DW
Order Date: October 24, 2012
Respondent: **Scollon Family Partnership, LLC**
Facility: Scollon Productions
Location: 1016 White Rock Road
White Rock, SC 29177
Mailing Address: P.O. Box 486
White Rock, SC 29177
County: Richland
Previous Orders: CO 11-016-DW
(\$4,000.00/\$4,000.00 stipulated)
Permit/ID Number: 4030008
Violations Cited: S.C. Code Ann. Regs. 61-58.5.G(1)

Summary: Scollon Family Partnership, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to conduct bacteriological monitoring.

Action: The Respondent is required to: submit documentation verifying that the Respondent has contracted with a SC Certified lab to conduct bacteriological monitoring and pay a civil penalty in the amount of three thousand eight hundred twenty-five dollars (**\$3,825.00**).

18) Order Type and Number: Consent Order 12-082-DW
Order Date: October 31, 2012
Respondent: **Canal Lakes Fish Camp LLC**
Facility: Canal Lakes Restaurant
Location: 139 Canal Landing Road
Cross, SC 29436
Mailing Address: Same
County: Berkeley
Previous Orders: None
Permit/ID Number: 0872011
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Canal Lakes Fish Camp LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). 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 exceedances 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.

Water Pollution Enforcement

19) Order Type and Number: Consent Order 12-036-W
Order Date: October 3, 2012
Respondent: **City of Manning**
Facility: Wastewater Treatment Plant
Location: Number One Wastewater Lane
Manning, SC 29102
Mailing Address: Same
County: Clarendon
Previous Orders: CO 11-032-W (\$500.00)
Permit/ID Number: SC0020419

Violations Cited: S.C. Code Ann. § 48-1-110(d) (2008) and 24 S.C. Code Ann. Regs. 61-9.122.41 (a) and (d) (2010).

Summary: The City of Manning (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment plant located in Clarendon County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the permitted limits for total residual chlorine (TRC) as specified in the National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: submit an updated operation and maintenance manual addressing measures to be implemented to prevent future effluent violations and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

20) Order Type and Number: Consent Order 12-037-W
Order Date: October 3, 2012
Respondent: **Salvatore Arzillo**
Facility: Commercial Site
Location: Industrial Park Drive
Mailing Address: P.O. Box 1907
Hardeeville, SC 29927
County: Jasper
Previous Orders: None
Permit/ID Number: SCR10L286
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1) (2008), S.C. Code Ann. Regs. 61-9.122.26(a) (Supp. 2011).

Summary: Salvatore Arzillo (Respondent) owns and is responsible for land-disturbing activities in Jasper County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the National Pollutant Discharge Elimination System (NPDES) Permit and initiated land-disturbing activity on the Site outside of the area designated in the Department approved Storm Water Pollution Prevention Plan (SWPPP).

Action: The Respondent is required to: respond to staff comments in the Department letter dated May 19, 2010. Provide information as necessary to complete the permit application and obtain permit coverage for the area (4.5 acres) designated in the Notice of Intent (NOI) submitted on April 5, 2010; permanently stabilize all areas of the Site, outside of any currently permitted area, excluding any delineated wetlands; 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 SWPPP; submit an NOI for the purpose of obtaining coverage for the Site under the NPDES General Permit for Storm Water Discharges Associated With

Industrial Activities SCR000000; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty is to be paid in installments in accordance with the outlined schedule.

21) Order Type and Number: Consent Order 12-038-W
Order Date: October 22, 2012
Respondent: **CMC Recycling, Inc.**
Facility: CMC Recycling WWTF
Location: 2308 Two Notch Road
Lexington, SC 29072
Mailing Address: P.O. Box 946
Lexington, SC 29071
County: Lexington
Previous Orders: None
Permit/ID Number: ND0077101
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008); 24 S.C. Code Ann. Regs. 61-9.505.41(a) (2011)

Summary: CMC Recycling, Inc. (Respondent), located in Lexington County, South Carolina, owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of State Land Application Permit ND0077101 for oil and grease.

Action: The Respondent is required to: submit a detailed summary of corrective actions; complete construction of upgrades already under way within one (1) year; and, pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

22) Order Type and Number: Consent Order 12-039-W
Order Date: October 22, 2012
Respondent: **Chris Samples**
Facility: Samples Poultry Farm
Location: 388 Cedar Creek Road
Wagener, SC 29164
Mailing Address: Same
County: Aiken
Previous Orders: None
Permit/ID Number: ND0085405
Violations Cited: 25 S.C. Code Ann. Regs. 61-
43.200.190 (Supp. 2002).

Summary: Chris Samples (Respondent), located in Wagener, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (CAMM) Certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

23) Order Type and Number: Consent Order 12-040-W
Order Date: October 22, 2012
Respondent: **Joseph Woodward**
Facility: Joseph Woodward
Location: 1310 Joe Collins Road
Eastover, SC 29044
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: ND0068268
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Joseph Woodward (Respondent), located in Eastover, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (CAMM) Certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

24) Order Type and Number: Consent Order 12-041-W
Order Date: October 22, 2012
Respondent: **Davis A. White, Jr.**
Facility: White Poultry Farm
Location: 724 White Road
Bishopville, SC 29010
Mailing Address: Same

County: Lee
Previous Orders: None
Permit/ID Number: ND0085502
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Davis A. White. Jr. (Respondent), located in Bishopville, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (CAMM) Certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

25) Order Type and Number: Consent Order 12-042-W
Order Date: October 22, 2012
Respondent: **Clinton Clark**
Facility: Clark Manure Brokering
Location: 604 High Point Road
Saluda, SC 29138
Mailing Address: Same
County: Saluda
Previous Orders: None
Permit/ID Number: ND0083551
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Clinton Clark (Respondent), located in Saluda, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (CAMM) Certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

26) Order Type and Number: Consent Order 12-043-W
Order Date: October 22, 2012

Respondent: **Jimmy Pham**
Facility: Pham Poultry Farm
Location: 152 Traxler Road
Saint George, SC 29477
Mailing Address: Same
County: Dorchester
Previous Orders: None
Permit/ID Number: ND0079651
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Jimmy Pham (Respondent), located in Saint George, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (CAMM) Certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

27) Order Type and Number: Consent Order 12-044-W
Order Date: October 22, 2012
Respondent: **Jason Kang**
Facility: Kang Family Farm
Location: 1061 Highway 15 North
Bishopville, SC 29010
Mailing Address: Same
County: Lee
Previous Orders: None
Permit/ID Number: ND0074241
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Jason Kang (Respondent), located in Bishopville, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (CAMM) Certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the

amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

28) Order Type and Number: Consent Order 12-045-W
Order Date: October 22, 2012
Respondent: **Donald R. Kyzer**
Facility: Kyzer Land Application
Location: 4133 Calks Ferry Road
Leesville, SC 29009
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: ND0085774
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Donald R. Kyzer (Respondent), located in Leesville, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (Camm) Certification as required.

Action: The Respondent is required to: submit a copy of his Camm certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

29) Order Type and Number: Consent Order 12-046-W
Order Date: October 22, 2012
Respondent: **Francis A. Joseph**
Facility: J&M Enterprises
Location: 2880 Neely Wingard Road
Leesville, SC 29070
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: ND0014664
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Francis A. Joseph (Respondent), located in Leesville, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the

Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (Camm) Certification as required.

Action: The Respondent is required to: submit a copy of his Camm certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

30) Order Type and Number: Consent Order 12-047-W
Order Date: October 30, 2012
Respondent: **Clarence K. Windham**
Facility: Windham Farms
Location: 1028 East Lynches River Road
Lamar, SC 29069
Mailing Address: Same
County: Darlington
Previous Orders: None
Permit/ID Number: ND0086941
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Clarence K. Windham (Respondent), located in Lamar, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (Camm) Certification as required.

Action: The Respondent is required to: submit a copy of his Camm certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

31) Order Type and Number: Consent Order 12-048-W
Order Date: October 30, 2012
Respondent: **Ms. Betty Martin**
Facility: Martin Farms
Location: 940 Westbury Mill Road
Sumter, SC 29153
Mailing Address: Same
County: Sumter
Previous Orders: None
Permit/ID Number: ND0081442

Violations Cited:
43.200.190 (Supp. 2002).

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

Summary: Betty Martin (Respondent), located in Sumter, South Carolina, owns and is responsible for the proper disposal of manure from her agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain her Confined Animal Manure Management (CAMM) Certification as required.

Action: The Respondent is required to: submit a copy of her CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

32) Order Type and Number: Consent Order 12-049-W
Order Date: October 31, 2012
Respondent: **Javas Padgett**
Facility: Padgett Land Application
Location: 3905 Fairview Road
Leesville, SC 29070
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: ND0082091
Violations Cited: 25 S.C. Code Ann. Regs. 61-
43.200.190 (Supp. 2002).

Summary: Javas Padgett (Respondent), located in Leesville, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (CAMM) Certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

33) Order Type and Number: Consent Order 12-050-W
Order Date: October 31, 2012
Respondent: **Jason Hackworth**
Facility: Triple H Farms
Location: 3230 Old Stagecoach Road

Mailing Address: Bethune, SC 29009
County: Same
Previous Orders: Kershaw
Permit/ID Number: None
Violations Cited: ND0086851
25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Jason Hackworth (Respondent), located in Bethune, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (Camm) Certification as required.

Action: The Respondent is required to: submit a copy of his Camm certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (\$1,000.00) should the Respondent fail to comply with the Order.

34) Order Type and Number: Consent Order 12-051-W
Order Date: October 31, 2012
Respondent: **Sandy Wayne Robinson**
Facility: Robinson Poultry Farm
Location: Lightwood Road
Marlboro County, SC
Mailing Address: 207 McNeil Road
Rockingham, NC 28379
County: Marlboro
Previous Orders: None
Permit/ID Number: ND0083321
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Sandy Wayne Robinson (Respondent), located in Marlboro County, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated The Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his Confined Animal Manure Management (Camm) Certification as required.

Action: The Respondent is required to: submit a copy of his Camm certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (\$1,000.00) should the Respondent fail to comply with the Order.

BUREAU OF AIR QUALITY

35) Order Type and Number: Consent Order 12-035-A
Order Date: October 12, 2012
Respondent: **Taylor Pallets & Recycling, Inc.**
Facility: Taylor Pallets & Recycling, Inc.
Location: 3571 Abbeville Highway
Anderson, SC
Mailing Address: P.O. Box 13109
Anderson, SC 29624
County: Anderson
Previous Orders: None
Permit/ID Number: 0200-0153
Violations Cited: U.S. EPA Regulations at 40 CFR
60.2255(b) and (c)

Summary: Taylor Pallets & Recycling, Inc. (Respondent) located in Anderson, South Carolina (site) recycles and incinerates untreated wood pallets and other untreated wood waste generated from scrap pallet activities. The Department issued State Major Air Quality Operating Permit 0200-0153 (Permit) to the Respondent, effective October 8, 2009. The Respondent violated U.S. EPA Regulations in that it failed to conduct an initial and annual Method 9 Visual Emissions Observation (Method 9 VEO) on its air curtain incinerator.

Action: The Respondent is required to: provide the Department with records of tons per year of pallets incinerated upon request; conduct annual performance tests for opacity no more than 12 calendar months following the date of the previous tests; perform a Method 9 VEO on the air curtain incinerator upon startup; submit a written notification to the Department within fifteen (15) days of decommissioning the air curtain incinerator, should it decide to no longer operate it and remove it from the Site; and, pay a civil penalty of six thousand dollars (**\$6,000.00**).

36) Order Type and Number: Consent Order 12-036-A
Order Date: October 12, 2012
Respondent: **Palmetto Paving Corporation**
Facility: Palmetto Paving Corporation
Location: 6184 Godwin Paradise Lane
Conway, SC 29528
Mailing Address: P.O. Box 346
Conway, SC 29528
County: Horry
Previous Orders: None
Permit/ID Number: 9900-0197

Violations Cited: U.S. EPA Regulations at 40 CFR 60.92, Subpart I, 24A S.C. Code Ann. Regs. 61-62.5, Standard 4, Section XII. and 24A S.C. Code Ann. Regs. 61-62.1, Section II.

Summary: Palmetto Paving Corporation (Respondent) manufactures hot-mix asphalt at its facility located at 6184 Godwin Paradise Lane in Conway, South Carolina. The Department issued General Conditional Major Operating Permit 9900-0197 to the Respondent, effective February 1, 2007. The Respondent violated U.S. EPA Regulations, South Carolina Air Pollution Control Regulations, and its Permit as follows: failed to perform periodic tests for particulate matter emissions every two years and limit emissions to 90 mg/dscm (0.04gr/dscf), during a Department approved emission test.

Action: The Respondent is required to: perform future periodic emissions tests every two years in accordance with the regulations and Permit; comply with the emission limits established by the regulations and the Permit; and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**) payable in three (3) installments.

37) Order Type and Number: Consent Order 12-037-A
Order Date: October 24, 2012
Respondent: **Ms. Patricia Gaskins**
Facility: Ms. Patricia Gaskins
Location: 592 Sunset Circle
Lancaster, SC 29720
Mailing Address: Same
County: Lancaster
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 24A South Carolina Code Ann.
Regs. 61-62.2, Prohibition of Open Burning

Summary: Ms. Patricia Gaskins (Respondent) resides at 592 Sunset Circle, Lancaster, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned prohibited materials (household garbage).

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 hundred dollars (**\$100.00**).