

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
November 8, 2012

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 11-0277-UST
 Order Date: September 5, 2012
 Respondent: **Willie Beatrice Adams**
 Facility: Adams Amoco
 Location: 609 Main Street, Eastover, SC 29044
 Mailing Address: P.O. Box 272, Eastover, SC 29044
 County: Richland
 Previous Orders: None
 Permit/ID Number: 07776
 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 61-92.280.31(c), R.61-92.280.34(c), and R.61-
 92.280.35(c) (Supp. 2011).

Summary: Willie Beatrice Adams (Respondent) owns and operates underground storage tanks (USTs) in Richland County, South Carolina, and has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulations as follows: failure to inspect the impressed current system every sixty (60) days; failure to provide records to the Department upon request; and, failure to have a trained Class A/B operator by August 8, 2011.

Action: The Respondent is required to: submit acceptable proof that the impressed current system is being inspected every sixty (60) days; submit acceptable proof that the power to the rectifier has been continuous; submit proof of a trained Class A/B operator; and, pay civil penalty in the amount of one thousand, eight hundred fifty dollars (**\$1,850.00**).

- 2) Order Type and Number: Consent Order 12-0306-UST
 Order Date: September 18, 2012
 Respondent: **Ray Thomas Petroleum Company**
 Inc.
 Facility: Community Mart 6

Location: 2849 Cherry Road, Rock Hill, SC
29730
Mailing Address: P.O. Box 338, Shelby, NC 29151
County: York
Previous Orders: None
Permit/ID Number: 09344
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 61-92.280.93(a) and R.61-92.280.110(c) (Supp. 2011).

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

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

3) Order Type and Number: Consent Order 12-0339-UST
Order Date: September 19, 2012
Respondent: **Ambica, LLC 2002**
Facility: Ambica, LLC 2002
Location: 5831 N. Main St., Columbia, SC
29203
Mailing Address: 700 S. Cashua Drive, 17-C,
Florence, SC 29501
County: Richland
Previous Orders: 09-0071-UST (\$810.00)
Permit/ID Number: 07712
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 61-92.280.41(b)(1)(i) (Supp. 2011).

Summary: Ambica, LLC 2002 (Respondent) owns and operates underground storage tanks (USTs) in Richland County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to equip pressurized lines with an automatic line leak detector.

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

County: Spartanburg
Previous Orders: None
Permit/ID Number: SCR 000 767 814; 2060-0410
Violations Cited: South Carolina Hazardous Waste Management Act §44-56-130(2); South Carolina Hazardous Waste Management Regulation 61-79.273.33(d)(1); R.61-79.273.34(e); R.61-79.263.12; and, R.61-79.263.21(a)(1); and 24A S.C. Code Ann. Regs. 61-62.1, Section II.

Summary: Cleanlites Recycling South, LLC d.b.a. Cleanlites Recycling, Inc. (Respondent), located in Spartanburg, South Carolina, recycles fluorescent and high intensity discharge lamps and is a large quantity handler of universal waste and hazardous waste transporter. The Respondent violated the Hazardous Waste Management Regulations at its 195 Ben Abi Road location as follows: failure to contain any lamp in containers or packages that are closed, structurally sound, adequate to prevent breakage, compatible with the contents of the lamps, and lacking evidence of leakage, spillage or damage; failure to label or mark clearly each lamp or its container with one of the following phrases: “Universal Waste - Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s),” failure to store manifested shipments of hazardous waste for a period of 10 days or less; failure to deliver the entire quantity of hazardous waste which it has accepted from a generator to the designated facility listed on the manifest. On November 29, 2004, the Department issued Air Quality Operating Permit 2060-0410 (Operating Permit) to the Respondent. The Respondent violated its Operating Permit at 100 Fine Road as follows: failure to ensure that there was no release of mercury prior to entry into its recycling recovery process during an incident on July 19, 2011; and, failure to maintain and operate its sources in a manner consistent with good air pollution control practices for minimizing emissions during incidents on July 14 and 19, 2011.

Action: The Respondent has agreed to: ensure that containers of universal waste lamps are managed in accordance with the regulations; ensure that manifested shipments of hazardous waste are stored at a transfer facility for a period of ten (10) days or less; ensure that the entire quantity of hazardous waste accepted from a generator is delivered to the destination facility as manifested; ensure that there are no releases of mercury prior to entry into the recovery process and after the recovery process; to the extent practicable, maintain and operate any source including associated air pollution control equipment in a manner consistent with good air pollution control practices for minimizing emissions; and, pay to a civil penalty in the amount of ten thousand dollars (**\$10,000.00**). Five thousand dollars (\$5,000.00) of the penalty amount has been assessed as a result of hazardous waste violations and five thousand dollars (\$5,000.00) of the penalty amount has been assessed as a result of air quality violations.

BUREAU OF WATER

Drinking Water Enforcement

- 6) Order Type and Number: Consent Order 12-066-DW
Order Date: September 25, 2012
Respondent: **West Ashley Ventures, LLC**
Facility: Hampton Inn & Suites
Location: 17 Lockwood Drive
Charleston, SC 29401
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: 10-607-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: West Ashley Ventures, LLC (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 rules sign was not completely filled out; 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; the recirculation and filtration system was not operating due to a leak; 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: 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.

- 7) Order Type and Number: Consent Order 12-067-DW
Order Date: September 18, 2012
Respondent: **National Water Services, Inc.**
Facility: Earth Fare - Columbia
Location: 3312 Devine Street
Columbia, SC 29205
Mailing Address: 247-F Rosario Boulevard
Santa Fe, NM 87501-135
County: Richland
Previous Orders: None
Permit/ID Number: 4080011
Violations Cited: S.C Code Ann. Regs. 61-58.7.G(1)

Summary: National Water Services, 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 failed to provide an operator who holds a valid Bottle Water Class Operator's Certificate issued by the South Carolina Department of Labor, Licensing and Regulation to inspect the PWS no less than once a week.

Action: The Respondent is required to: pay a civil penalty in the amount of three thousand sixty dollars (**\$3,060.00**).

8) Order Type and Number: Consent Order 12-070-DW
Order Date: September 25, 2012
Respondent: **Town of Estill**
Facility: Town of Estill
Location: 205 Martin L. King Jr. Blvd South
Estill, SC 29918
Mailing Address: P.O. Box 415
Estill, SC 29918
County: Hampton
Previous Orders: None
Permit/ID Number: 2510002
Violations Cited: S.C Code Ann. Regs. 61-58.7

Summary: The Town of Estill (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 for failure to properly operate and maintain the PWS as follows: four hydrants had low residual pressure; two hydrants had a low flow rate; and, total phosphate residual monitoring was not being conducted every two weeks.

Action: The Respondent is required to: increase the total phosphate residual monitoring; correct the deficiencies; 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.

9) Order Type and Number: Consent Order 12-071-DW
Order Date: September 25, 2012
Respondent: **City of Cayce**
Facility: City of Cayce
Location: 2545 Charleston Highway
Cayce, SC 29171
Mailing Address: P.O. Box 2004
Cayce, SC 29171

County: Lexington
Previous Orders: None
Permit/ID Number: 3210003
Violations Cited: S.C Code Ann. Regs. 61-58.5.P(2)

Summary: The City of Cayce (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 trihalomethanes (TTHM).

Action: The Respondent is required to: submit an investigative report to determine the causes of the TTHM exceedance 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.

10) Order Type and Number: Consent Order 12-072-DW
Order Date: September 25, 2012
Respondent: **Richland County Recreation Commission**
Facility: Crossroads Park
Location: 2750 McCords Ferry Road
Eastover, SC 29044
Mailing Address: 5819 Shakespeare Road
Columbia, SC 29223
County: Richland
Previous Orders: None
Permit/ID Number: 4070112
Violations Cited: S.C Code Ann. Regs. 61-58.5.F

Summary: Richland County Recreation Commission (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

- 11) Order Type and Number: Consent Order 12-033-W
Order Date: September 25, 2012
Respondent: **City of Clemson**
Facility: Cochran Road WWTF
Location: 300 Cochran Road
Mailing Address: 1250 Tiger Boulevard, Suite I
Clemson, SC 29531-2661
County: Pickens
Previous Orders: None
Permit/ID Number: SC0020010
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008); 24 S.C. Code Ann. Regs. 61-9.122.41(a) (2011)

Summary: The City of Clemson (Respondent), located in Pickens 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 its National Pollutant Discharge Elimination System Permit for Fecal Coliform Bacteria.

Action: The Respondent is required to: submit a detailed summary of corrective actions and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

- 12) Order Type and Number: Consent Order 12-034-W
Order Date: September 18, 2012
Respondent: **Town of Blackville**
Facility: Blackville WWTF
Location: Davis Street
Mailing Address: 5983 L'Artigue Street
Blackville, SC 29817
County: Barnwell
Previous Orders: 07-144-W (\$7,229.50)
Permit/ID Number: SC0026417
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008); and, 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) and (e)(3)(i)
(2011).

Summary: The Town of Blackville (Respondent), located in Barnwell 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 properly monitor for pH, dissolved oxygen (DO), toxicity, and total residual chlorine (TRC) as specified in the National Pollutant Discharge Elimination System (NPDES) Permit. The Respondent also failed to provide an operator of proper grade to make daily visits to the WWTF in accordance with its NPDES Permit.

Action: The Respondent is required to: submit a Viability Study; submit all laboratory data including chains-of-custody, laboratory data analysis sheets, and operator logs from January 2012 forward; pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**); pay a suspended penalty in the amount of two thousand dollars (\$2,000.00) should the Respondent fail to comply with the terms and conditions of the Order; and, pay a stipulated civil penalty in the amount of one hundred fifty dollars (\$150.00) should the Respondent fail to properly monitor and report for pH, DO, TRC, and/or Toxicity.

- 13) Order Type and Number: Consent Order 12-035-W
Order Date: September 25, 2012
Respondent: **Hodge Trucking Company, Inc.**
Facility: Hodge Trucking Company, Inc.
Location: 602 East Fulton Street and 187 South Lafayette Street, Sumter, SC
Mailing Address: 133 South Main Street
Sumter, SC 29150
County: Sumter
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-110(a) (2008); and, 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3) (2011), and 25 S.C. Code Ann. Regs 61-67.300(G)(2) (Supp. 2010).

Summary: Hodge Trucking Company, Inc. (Respondent), located in Sumter, South Carolina, owns and is responsible for the proper operation and maintenance of a waste recycling facility (WRF). The Respondent has violated the Pollution Control Act, Water Pollution Control Permits and the Standards for Wastewater Facility Construction Regulations as follows: operated a liquid storage tank without the appropriate permits or approvals; initiated a pump and haul program without the appropriate approvals; and, allowed the discharge of liquid wastes into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit a detailed map of all storm drains located on the East Fulton Street property; install an emergency shut off valve to contain accidental overflows during truck loading; submit all necessary applications for construction, industrial storm water coverage and the pump and

Respondent: **Fujifilm Manufacturing, U.S.A., Inc.**
Facility: Fujifilm Manufacturing, U.S.A., Inc.
Location: 211 Puckett Ferry Road, Greenwood, SC 29649
Mailing Address: P.O. Box 1306, Greenwood, SC 29648
County: Greenwood
Previous Orders: None
Permit/ID Number: TV-1240-0074, TV-1240-0046, TV-1240-0118, TV-1240-0097, TV-1240-0098
Violations Cited: 24A S.C. Code Ann. Regs. 61-62.1, Section II, Permitting Requirements and 61-62.70.5(a) (1) (iii)

Summary: Fujifilm Manufacturing, U.S.A., Inc. (Respondent) owns and operates a photographic supplies and equipment manufacturing facility in Greenwood, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit Nos., TV-1240-0074, TV-1240-0046, TV-1240-0118, TV-1240-0097, TV-1240-0098 (Title V Permits), to the Respondent effective October 1, 2007. All five Title V Permits expired on September 30, 2012. The Respondent violated South Carolina Air Pollution Control Regulations in that it failed to submit timely Title V renewal applications for its Title V Permits.

Action: The Respondent is required to: operate in compliance with all terms and conditions of the existing Title V Permits until the Department takes final action on Title V renewal applications; and, pay a civil penalty of five thousand dollars (**\$5,000.00**).

16) Order Type and Number: Consent Order 12-034-A
Order Date: September 28, 2012
Respondent: **NURRC, LLC**
Facility: NURRC, LLC
Location: 5396 North Blackstock Road, Spartanburg, SC 29303
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: 2060-0279
Violations Cited: S.C. Code Ann. § 48-1-110(d), and 24A S.C. Code Ann. Regs. 61-62.1, Section II.

Summary: NURRC, LLC (Respondent) owns and operates a facility that recycles polyester feed stock, primarily from used beverage containers, and processes them into Federal Drug Administration-approved polyester chips for

commercial use in new beverage containers. On February 6, 2004, the Department issued Air Quality Operating Permit 2060-0279 to the Respondent. On August 18, 2006, the Department issued Construction Permits 2060-0279-CF and -CG to the Respondent for additional equipment. The Respondent violated its Construction Permits as follows: failed to submit Semiannual volatile organic compound (VOC) and hazardous air pollutant (HAP) Emission Reports; failed to record baghouse pressure drop readings; failed to maintain records of operation and maintenance (O&M) checks for its baghouses and cyclones; failed to determine baghouse operational ranges; failed to implement an inspection program for its bin vent baghouses; and, failed to submit its most current plant drawing.

Action: The Respondent is required to submit Semiannual VOC and HAP Emission Reports; record baghouse pressure drop readings and maintain baghouse operational ranges; maintain records of O&M checks for its baghouses and cyclones; submit any updated plant drawings; pay a civil penalty in the amount of one thousand three hundred dollars (**\$1,300.00**); and, pay a suspended penalty in the amount of thirteen thousand dollars (\$13,000.00) should the Respondent fail meet any requirement of the Order.