

Mailing Address: P.O. Box 594, McCormick, SC
29835
County: McCormick
Previous Orders: None
Permit/ID Number: 10770
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-
60(A) (2002 and Supp. 2011), and the South Carolina Underground
Storage Tank Control Regulation 61-92.280.31(a), R. 61-92.280.31(c), R.
61-92.280.34(c), R. 61-92.280.35(c), R. 61-92.280.93(a), and, R. 61-
92.280.110(c) (Supp. 2011).

Summary: Willie Perrin d.b.a. Perrin's Exxon (Respondent) owns and operates underground storage tanks (USTs) in McCormick County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain the corrosion protection system; failure to inspect the impressed current system every 60 days; failure to provide records to the Department upon request; failure to have a trained Class A/B operator for the Facility; failure to demonstrate financial responsibility; failure to provide financial responsibility records to the Department upon request; and, failure to pay annual tank registration fees for fiscal years 2011, 2012, and 2013.

Action: The Respondent is required to: submit a completed Certificate of Financial Responsibility and proof of financial responsibility mechanism; submit proof that the corrosion protection system has been operated and maintained continuously or permanently close the USTs; pay annual tank registration fees and associated late fees in the amount of nine hundred sixty-eight dollars (\$968.00); and, pay a civil penalty in the amount of six thousand, four hundred dollars (**\$6,400.00**).

3) Order Type and Number: Administrative Order 12-0106-UST
Order Date: September 18, 2012
Respondent: **Joseph Hardee**
Facility: Hardee's Grocery
Location Address: 535 Main Street, Gilbert, SC
Mailing Address: 420 Shady Grove Road, Gilbert, SC
29054
County: Lexington
Previous Orders: None
Permit/ID Number: 14755
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-
60(A) (2002 and Supp. 2010), and the South Carolina Underground

Storage Tank Control Regulation 61-92.280.35(c), R.61-92.280.70(a), R.61-92.280.93(a), and R.61-92.280.110(c) (Supp. 2011).

Summary: Joseph Hardee (Respondent) owns and operates underground storage tanks, located in Gilbert, South Carolina, and has violated the South Carolina Underground Storage Tank Control (UST) Regulations as follows: failure to have a trained Class A/B operator by August 8, 2011; failure to comply with the temporary closure requirements for a UST; failure to demonstrate financial responsibility; failure to submit financial responsibility documentation to the Department upon request; and failure to pay annual underground storage tank registration fees for fiscal year 2012.

Action: The Respondent is required to: submit proof of a trained Class A/B operator; submit a completed Certificate of Financial Responsibility and proof of mechanism; submit proof that all USTs have been emptied to less than one inch of residue; pay annual tank registration fees for fiscal year 2012 in the amount of three hundred sixty-three dollars (\$363.00); and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

- 4) Order Type and Number: Consent Order 12-0102-UST
Order Date: November 20, 2012
Respondent: **David Kaveh**
Facility: Cornerstop 110
Location Address: 267 North Anderson Road, Rock Hill, SC
Mailing Address: P.O. Box 3278, Rock Hill, SC 29730
County: York
Previous Orders: None
Permit/ID Number: 09275
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.30(a), R. 61-92.280.31(a), R.61-92.280.34(c), R.61-92.280.40(a), and R.61-92.280.43(d) (Supp. 2011).

Summary: David Kaveh (Respondent) owns and operates underground storage tanks, located in Rock Hill, South Carolina, and has violated the South Carolina Underground Storage Tank (UST) Control Regulations as follows: failure to maintain spill and overflow prevention equipment; failure to maintain and operate corrosion protection equipment continuously; failure to provide records to the Department upon request; failure to provide adequate release detection methods; and, failure to conduct proper release detection using an Automatic Tank Gauge (ATG).

Action: The Respondent is required to: submit documentation of overfill prevention devices for each UST; submit a disposal manifest for the removal of water from the regular unleaded sump #1; submit documentation as to why the ullage (dry) portion of the premium UST failed the tank tightness test; submit proof that the premium UST has been repaired and retested; and, pay a civil penalty in the amount of one thousand, three hundred twenty-five dollars (**\$1,325.00**) in accordance with a promissory note.

- 5) Order Type and Number: Consent Order 12-0352-UST
Order Date: November 26, 2012
Respondent: **G.J. Creel & Sons, Inc.**
Facility: Jimmy's Shell
Location: 1314 Longstreet Street, Kingstree,
SC 29556
Mailing Address: P.O. Box 289, Conway, SC 29528-
289
County: Williamsburg
Previous Orders: 11-0358-UST (\$600.00), AO 12-
0143-UST (\$3,400.00)
Permit/ID Number: 09100
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-
60(A) (2002 and Supp. 2010).

Summary: G.J. Creel & Sons, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Williamsburg County, South Carolina, and has violated the SUPERB Act as follows: failure to pay annual tank registration fees for fiscal year 2013.

Action: The Respondent is required to submit: annual tank registration fees and late fees in the amount of one thousand, eighty-nine dollars (\$1,089.00); and, pay a civil penalty in the amount of two hundred dollars (**\$200.00**).

BUREAU OF WATER

Drinking Water Enforcement

- 6) Order Type and Number: Consent Order 12-083-DW
Order Date: November 20, 2012
Respondent: **The Advisory Board South
Carolina - District Church of
Nazarene**

Facility: D. Moody Gunter Camp
and Retreat Center
Location: 1420 Nazarene Road
Batesburg, SC 29006
Mailing Address: 150 McSwain Drive
West Columbia, SC 29169
County: Aiken
Previous Orders: None
Permit/ID Number: 0270800
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: The Advisory Board South Carolina District Church of Nazarene (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 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.

7) Order Type and Number: Consent Order 12-084-DW
Order Date: November 20, 2012
Respondent: **Graham Family Limited Partnership**
Facility: Dollar General - McClellanville
Location: 10141 North Highway 17
McClellanville, SC 29458
Mailing Address: 6220 Sweet Home Church Road
Myrtle Beach, SC 29577
County: Charleston
Previous Orders: None
Permit/ID Number: 1070008
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Graham Family Limited Partnership (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 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.

- 8) Order Type and Number: Consent Order 12-085-DW
Order Date: November 20, 2012
Respondent: **JLH, Inc.**
Facility: Plexico's Mobile Home Park
Location: 198 Lake Commons Drive
Rock Hill, SC 29732
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 4660078
Violations Cited: S.C. Code Ann. Regs. 61-58.5.B(2)(h)

Summary: JLH, 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 nitrate.

Action: The Respondent is required to: submit a corrective action plan to include proposed steps to address the MCL exceedance at the PWS 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 12-089-DW
Order Date: November 26, 2012
Respondent: **Town of Smoaks**
Facility: Town of Smoaks
Location: 176 New Street
Smoaks, SC 29481
Mailing Address: P.O. Box 38
Smoaks, SC 29481
County: Colleton
Previous Orders: None
Permit/ID Number: 1510002
Violations Cited: S.C Code Ann. Regs. 61-58.5.F

Summary: The Town of Smoaks (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 which resulted in an acute violation of the Total Coliform Rule.

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

Water Pollution Enforcement

10) Order Type and Number: Consent Order 12-052-W
Order Date: November 20, 2012
Respondent: **Evergreen Biodiesel Production Facility, LLC**
Facility: Evergreen Biodiesel Production Facility, LLC
Location: 130 Mountain Creek Church Road
Greenville, SC29609
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: Industrial General Storm Water Permit Certificate SCR005295
Violations Cited: S.C. Code Ann. §48-1-10(2008), *et seq.*, 24 S.C. Code Ann. Regs. 61-9.122.26(c)(Supp. 2010); and 25 S.C. Code Ann. Regs. 61-67.300.G.2 (Supp. 2010).

Summary: Evergreen Biodiesel Production Facility, LLC (Respondent) owns and is responsible for the proper processing, storage, treatment, handling, transporting and disposal of process wastewater, other wastes or material generated at the biodiesel production facility and for properly managing storm water on site. The Respondent failed to obtain Department approval to pump and haul waste; and, failed to submit a timely application and obtain Department general permit coverage for storm water discharges associated with industrial activity.

Action: The Respondent is required to: provide a report of biodiesel production records, suppliers and quantities of material received for processing, the volume of process wastewater and other wastes generated, and how those wastes were handled and disposed; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

11) Order Type and Number: Consent Order 12-053-W

Order Date: November 26, 2012
Respondent: **Transmontaigne Operating Company LP**
Facility: Belton Piedmont Terminal
Location: 1310 Highway 20 North
Belton, SC 29627
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: SCG340019
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008) and 24 S.C. Code Ann. Regs. 61-9.122.41 (a) (2011).

Summary: Transmontaigne Operating Company LP (Respondent) is responsible for the proper operation and maintenance of a treatment system for the handling of storm water and facility wastewater associated with a bulk petroleum storage facility in Anderson County, South Carolina. The Respondent failed to comply with the permitted effluent limitation for Total Zinc due to residual zinc in storm water from zinc-based paint used on bulk storage tanks.

Action: The Respondent is required to: install the enhanced zinc removal system in accordance with a construction schedule and pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**).

BUREAU OF AIR QUALITY

12) Order Type and Number: Consent Order 12-039-A
Order Date: November 7, 2012
Respondent: **City of Dillon**
Facility: City of Dillon
Location: 401 West Main Street
Dillon, SC 29536
Mailing Address: P.O. Drawer 431
Dillon, SC 29536
County: Dillon
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145(b)(3)(i) and 25A S.C. Code Ann. Regs. 61-86.1, Section XVI.B.1.a., 25A S.C. Code Ann. Regs. 61-86.1, Section V.B.3., U.S. EPA 40 CFR 61.145(c)(1) and 25A S.C. Code Ann. Regs. 61-86.1, Section XVI.C.2., 25A S.C. Code Ann. Regs. 61-86.1, Section IV.A.1. and 2., U.S. EPA 40 CFR 61.150(a)(1)(iv), and (v) and 25A S.C. Code Ann. Regs. 61-86.1, Section VIII. and X.C.4

Summary: The City of Dillon (Respondent) is a municipality located within Dillon County South Carolina. The Respondent violated U.S. EPA Regulations and South Carolina Standards of Performance for Asbestos Projects as follows: failed to submit a written notice of intent to demolish to the Department at least 10 working days prior to beginning demolition, failed to obtain Department-issued asbestos project licenses prior to demolition, failed to ensure that all asbestos-containing materials were removed in accordance with the applicable work practice requirements prior to beginning demolition, failed to use workers licensed by the Department while engaging in an asbestos project, and failed to ensure that all asbestos was disposed of in accordance with applicable disposal requirements.

Action: The Respondent is required to: ensure that a thorough building inspection is performed and all asbestos materials are removed by a Department-licensed contractor prior to commencing renovation or demolition activities at regulated structures; ensure that all applicable notifications are submitted to the Department in accordance with state and federal asbestos regulations; ensure that a Department-issued demolition license is obtained prior to engaging in any future demolition activities; and, pay a civil penalty in the amount of thirty thousand dollars (**\$30,000.00**).

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| 13) <u>Order Type and Number:</u> | Consent Order 12-040-A |
| <u>Order Date:</u> | November 7, 2012 |
| <u>Respondent:</u> | Mr. William Purvis |
| <u>Facility:</u> | Mr. William Purvis |
| <u>Location:</u> | 1826 Mangum Dr., Lancaster, SC 29720 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Lancaster |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | N/A |
| <u>Violations Cited:</u> | 24A South Carolina Code Ann. Regs. 61-62.2, Prohibition of Open Burning |

Summary: Mr. William Purvis (Respondent) resides at 1826 Mangum Dr., Lancaster, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned prohibited materials, including wood debris and tools.

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 two hundred fifty dollars (**\$250.00**) payable in two installments.

- 14) Order Type and Number: Consent Order 12-042-A
Order Date: November 20, 2012
Respondent: **South Carolina Public Service Authority**
Facility: Cross Generating Station
Location: 553 Cross Station Rd., Pineville, SC
Mailing Address: P.O. Box 2946101, Moncks Corner, SC 29461
County: Berkeley
Previous Orders: 11-044-A (\$20,000); 10-026-A (\$47,500)
Permit/ID Number: TV-0420-0030
Violations Cited: 24A South Carolina Code Ann. Regs. 61-62.1, Section II

Summary: South Carolina Public Service Authority (Respondent) is a state-owned electric and water utility, and operates the Cross Generating Station located at 553 Cross Station Road in Pineville, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0420-0030 (Title V Permit) to the Respondent, effective January 1, 2007. The Respondent violated the Title V Permit as follows: exceeded its carbon monoxide (CO) emission limit of 0.16 pounds per million British Thermal Units for Boiler #3.

Action: The Respondent is required to: limit the CO emission rate from Boiler #3 to at or below the CO emission rate; conduct source tests on a more frequent basis; and, pay a civil penalty in the amount of thirty thousand dollars (**\$30,000.00**).

- 15) Order Type and Number: Consent Order 12-043-A
Order Date: November 20, 2012
Respondent: **The City of Union**
Facility: Tosches Creek Waste Water Treatment Plant
Location: 1700 Cross Keys Hwy., Union, SC
Mailing Address: P.O. Box 987, Union, SC 29379
County: Union
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 68, Chemical Accident Prevention Provisions, and 24A South Carolina Code Ann. Regs. 61-62.68,

Summary: The City of Union (Respondent) owns and operates the Tosches Creek Waste Water Treatment Plant, located at 1700 Cross Keys Highway in Union, South Carolina. The Respondent violated U.S. EPA

Regulations and South Carolina Air Pollution Control Regulations as follows: failed to ensure that its process safety information (PSI) consisted of all information pertaining to the technology and equipment of the process; failed to develop and implement written operating procedures that provided clear instructions for safely conducting activities involved in each covered process consistent with the PSI; failed to ensure that its process hazard analyses were appropriate to the complexity of the process and identified, evaluated, and controlled the hazards involved in the process; failed to prepare a record, which contained the means used to verify that employees understood the training; failed to establish and implement written procedures to maintain the on-going integrity of process equipment; failed to establish and implement written procedures to manage changes to process chemicals, technology, equipment, and procedures, and changes to stationary sources that affect a covered process; failed to develop a written plan of action regarding the implementation of employee participation; and failed to document that each contract employee was trained in the work practices necessary to safely perform his/her job.

Action: The Respondent is required to: implement and maintain its risk management program in accordance with the regulations and pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**).