

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
January 9, 2014**

BUREAU OF LAND AND WASTE MANAGEMENT

Joint Infectious Waste/Hazardous Waste Enforcement

- 1) Order Type and Number: Consent Order 13-04-IW,HW;
13-10-HW,IW
- Order Date: November 25, 2013
- Respondent: **Diversified Medical Services, LLC**
- Facility: Diversified Medical Services, LLC
- Location: 200 Foster Brothers Drive
West Columbia, SC 29172
- Mailing Address: Same
- County: Lexington
- Previous Orders: None
- Permit/ID Number: SC41-19T; IWMP32-001;
SCR 000 772 798
- Violations Cited: South Carolina Infectious Waste Management Act §44-93-140; South Carolina Infectious Waste Management Regulation 61-105.W(12)/Permit Condition II.D.; R.105.W(12)/Permit Condition II.E.; R.61-105.Z.(1); §44-93-160(A); §44-93-160(B)(1); §44-93-160(B)(2); R.61-105.P(1)(a); Permit Condition IV.C.; R.61-105.P(1)(b); Permit Condition IV.D.; R.61-105.K(5)(c)/Permit Condition IV.F.1.(b); R.61-105.T(5)/Permit Condition IV.A; Permit Condition IV.B.2.(c); R.61-105.W(14)/Permit Condition IV.B.2.(a)(ii); R.61-105.R(2)(a); R.61-105.L(1)(c)/Permit Condition X.A.2.; R.61-105.Q(1)(g)(i-iii); South Carolina Hazardous Waste Management Act §44-56-130(2); South Carolina Hazardous Waste Management Regulation 61.79.263.10(g); and R.61-79.270.1(c).

Summary: Diversified Medical Services, LLC (Respondent) is a registered infectious waste and hazardous waste transporter as well as a permitted infectious waste treatment, storage, and disposal facility. On June 7, 2011, and June 9, 2011, the Department performed compliance inspections of the Respondent's facility. The Respondent violated the South Carolina Infectious Waste Management Act & Regulations and its Infectious Waste Treatment Permit as follows: failure to demonstrate financial responsibility and submit documentation of financial assurance; failure to submit monthly fees and reports; failure to submit a report detailing the total weight of infectious waste received for treatment during the preceding month and its point of origin; failure to accept for transport and store only waste that is packaged in accordance with the

regulations; failure to repackage infectious waste that was in a container which was not in good condition or leaking or immediately transfer the container to the steam sterilizer for treatment; failure to accept for transport and store only waste that is labeled in accordance with the regulations; failure to store infectious waste for no longer than 14 days without refrigeration and 30 days with refrigeration maintained at or below 42 degrees Fahrenheit; failure to store prohibited waste in the Special Waste Handling Area in a manner to prevent release; failure to visually inspect containers to assure proper packaging before accepting for transport; failure to disinfect any material or surface which comes in contact with infectious waste and spillage of infectious waste; and, failure to transport infectious waste in a vehicle with identification that is permanently affixed to the cargo-carrying body on two (2) sides and the back in letters a minimum of three (3) inches in height which state: (i) the name of the transporter; (ii) the transporter's Department issued registration number; and, (iii) the words, "Infectious Waste," "Medical Waste," or "Biohazardous Waste." The Respondent violated the Hazardous Waste Management Act & Regulations as follows: failure to transport and store hazardous waste within the State unless having first applied for and received a permit from the Department.

Action: The Respondent is required to: submit its original Irrevocable Letter of Credit along with an updated Schedule B attachment that references the Letter of Credit number as assigned by SCBT; submit to the Department annually for review and approval an updated cost estimate adjusted to include inflation, and an updated Letter of Credit to include the updated cost of closure/post-closure care of the facility; ensure that fees for the treatment of infectious waste are calculated and received by the Department as required by the Infectious Waste Management Act and Regulations; submit to the Department for review and approval (1) an updated Standard Operating Procedure Manual, and (2) an application for Permit modifications; only accept for transport infectious waste that is packaged in accordance with the regulations; ensure that prohibited waste is stored in the Special Waste Handling Area; immediately disinfect any material or surface which comes in contact with infectious waste and/or its spillage; ensure that transport vehicles are labeled in accordance with the regulations or that a variance has been granted by the Department; ensure that a permit is applied for and received from the Department before transporting and/or storing hazardous waste; and, pay a civil penalty in the amount of twenty-five thousand dollars (\$25,000.00).

BUREAU OF WATER

Drinking Water Enforcement

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| 2) | <u>Order Type and Number:</u> | Consent Order 13-132-DW |
| | <u>Order Date:</u> | November 12, 2013 |

Respondent: **Springhouse Apartments, LLC**
Facility: Springhouse Apartments
Location: 7930 Saint Ives Road
North Charleston, SC 29406
Mailing Address: 11766 Wilshire Boulevard
Los Angeles, CA 90025
County: Charleston
Previous Orders: None
Permit/ID Number: 10-280-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Springhouse Apartments, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 12, 2013, and July 18, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; the pool operator of record information was not posted; the pH level was not within the acceptable range of water quality standards; and, the pool rules sign was not completely filled out.

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. The Respondent submitted a corrective action plan and corrected the deficiencies.

3) Order Type and Number: Consent Order 13-137-DW
Order Date: November 12, 2013
Respondent: **Malabar, LTD**
Facility: Sea Gypsy
Location: 304 North Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: 1701 South Ocean Boulevard
Myrtle Beach, SC 29577
County: Horry
Previous Orders: None
Permit/ID Number: 26-303-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Malabar, LTD (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 30, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a bathroom did not have paper towels; the lifeline with floats was not in the pool area; the gate did not self close and latch; the chlorine level was not within the

acceptable range of water quality standards; there was only one main drain present and the Vac-Alert records were not available for Department review; the shepherd's crook was not the approved length; the emergency telephone was not available; the pool rules sign was missing; the current pool operator of record information was not posted; and, the bound and numbered log book was not available for Department review.

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 four hundred dollars (**\$400.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

4)	<u>Order Type and Number:</u>	Consent Order 13-138-DW
	<u>Order Date:</u>	November 12, 2013
	<u>Respondent:</u>	Contravest Management Company
	<u>Facility:</u>	Courtney Bend Apartments
	<u>Location:</u>	321 Donegal Drive Hardeeville, SC 29927
	<u>Mailing Address:</u>	237 South Westmonte Drive Altamonte Springs, FL 32714
	<u>County:</u>	Jasper
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	27-1005B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Contravest Management Company (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 10, 2013, and July 10, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the pool deck was not clear of hazards in that the pool furniture was not at least four feet from the edge of the pool; the pool deck was not clear of hazards in that the pavers had settled at the edge of the coping creating a trip hazard around the pool; 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 bound and numbered log book was not available for Department review.

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. A technical assistance visit has been conducted and it was verified that all of the deficiencies have been corrected.

5)	<u>Order Type and Number:</u>	Consent Order 13-139-DW
	<u>Order Date:</u>	November 12, 2013

Respondent: **The Breakers Horizontal Property Regime**
Facility: The Breakers
Location: 4 North Forest Beach Drive
Hilton Head Island, SC 29928
Mailing Address: 1040 William Hilton Parkway
Hilton Head Island, SC 29928
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-520-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Breakers Horizontal Property Regime (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 17, 2013, and July 22, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. 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; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

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. The Respondent submitted a corrective action plan and corrected the deficiencies.

6) Order Type and Number: Consent Order 13-145-DW
Order Date: November 12, 2013
Respondent: **North Shore Place Property Owners' Association, Inc.**
Facility: North Shore Place
Location: 3 North Forest Beach Drive
Hilton Head Island, SC 29928
Mailing Address: 1040 William Hilton Parkway
Hilton Head Island, SC 29928
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-609-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: North Shore Place Property Owners' Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 17, 2013, and July 22, 2013, the pool was inspected and a

violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a skimmer was missing a weir; 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; the cyanuric acid level was above the water quality standards acceptable limit; and the automatic controller was not operating.

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. The Respondent submitted a corrective action plan and corrected the deficiencies.

7) <u>Order Type and Number:</u>	Consent Order 13-146-DW
<u>Order Date:</u>	November 25, 2013
<u>Respondent:</u>	Ashton Cove Property Owners Association, Inc.
<u>Facility:</u>	Ashton Cove
<u>Location:</u>	2 Ashton Cove Drive Hilton Head, SC 29928
<u>Mailing Address:</u>	55 New Orleans Road, Suite 211 Hilton Head Island, SC 29928
<u>County:</u>	Beaufort
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	07-410-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Ashton Cove Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 28, 2013, and July 9, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the floats on the lifeline were not evenly spaced, and one of the floats was cracked; a gate did not self close and latch, and the gate had a gap that was greater than four inches; a section of perimeter fence was broken; 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 bound and numbered log book was not maintained on a daily basis.

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. The Respondent submitted a corrective action plan and corrected the deficiencies.

8) Order Type and Number: Consent Order 13-147-DW
Order Date: November 25, 2013
Respondent: **Gleneagle Green Horizontal Property Regime, Inc.**
Facility: Gleneagle Green
Location: 2535 Gleneagle Lane
Hilton Head, SC 29928
Mailing Address: 1040 William Hilton Parkway
Hilton Head Island, SC 29928
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-221-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Gleneagle Green Horizontal Property Regime, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 24, 2013, and July 31, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a lifeline float was cracked; a ladder was missing a bumper; the chlorine level was not within the acceptable range of water quality standards; and, the United States Coast Guard approved life ring was defective in that it did not have grab lines.

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. The Respondent submitted a corrective action plan and corrected the deficiencies.

9) Order Type and Number: Consent Order 13-148-DW
Order Date: November 25, 2013
Respondent: **Pier 96 Townhouse Owners Association, Inc.**
Facility: Pier 96
Location: 100 Peake Court
Ninety-Six, SC 29666
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit/ID Number: 24-038-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Pier 96 Townhouse Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 26, 2013, and August 4, 2013, the pool was inspected and a violation was

issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; the pH level was not within the acceptable range of water quality standards; and, the bound and numbered log book was not maintained on a daily basis.

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 six hundred eighty dollars (**\$680.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

10)	<u>Order Type and Number:</u>	Consent Order 13-149-DW
	<u>Order Date:</u>	November 12, 2013
	<u>Respondent:</u>	Southshore Commons Association
	<u>Facility:</u>	Southshore Commons Condominiums
	<u>Location:</u>	125 South Shore Drive, #1202 Hilton Head, SC 29938
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Beaufort
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	07-1125D
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Southshore Commons Association (Respondent) owns and is responsible for the proper operation and maintenance of a spa. On June 10, 2013, and August 5, 2013, the spa was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a skimmer was missing a weir; the spa plaster was deteriorating; 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 automatic controller was not operating properly.

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 six hundred eighty dollars (**\$680.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

11)	<u>Order Type and Number:</u>	Consent Order 13-150-DW
	<u>Order Date:</u>	November 12, 2013
	<u>Respondent:</u>	Hampton Lake Community Association, Inc.

Facility: Lakeside at Hampton Lake
Location: 20 Hampton Lake Drive
Bluffton, SC 29910
Mailing Address: 200 Hampton Lake Crossing
Hilton Head, SC 29910
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1123C
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Hampton Lake Community Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a kiddie pool. On June 13, 2013, and July 18, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. 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; the bound and numbered log book was not available for Department review; and, the automatic controller was not operating properly.

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. The Respondent submitted a corrective action plan and corrected the deficiencies.

12) Order Type and Number: Consent Order 13-151-DW
Order Date: November 12, 2013
Respondent: **South Carolina Lutheran Retreat Centers, South Carolina Synod, Evangelical Lutheran Church in America**
Facility: Camp Kinard
Location: 6053 Two Notch Road
Leesville, SC 29070
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 3270680
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: South Carolina Lutheran Retreat Centers, South Carolina Synod, Evangelical Lutheran Church in America (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On August 28, 2013, and September 30, 2013, a violation was issued as a

result of monitoring records received by the Department. 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 violations 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 13-152-DW
Order Date: November 12, 2013
Respondent: **Saluda River Resort, LLC**
Facility: Saluda River Resort
Location: 1283 Saluda River Road
Silverstreet, SC 29145
Mailing Address: Same
County: Newberry
Previous Orders: 10-045-DW, \$4,000.00 (stipulated)
Permit/ID Number: 3670800
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Saluda River Resort, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On August 23, 2013, a violation was issued as a result of monitoring records received by the Department. 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 violation and a corrective action plan to include proposed steps to address those causes; obtain the required permit and approval to operate and install additional storage; 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 13-153-DW
Order Date: November 12, 2013
Respondent: **Hornbuckle Homeowners Association, Inc.**
Facility: Hornbuckle Subdivision
Location: 138 Hornbuckle Drive
Easley, SC 29642
Mailing Address: 248 Sassafras Drive

County: Easley, SC 29642
Previous Orders: Anderson
Permit/ID Number: None
Violations Cited: 04-085-1
S.C. Code Ann. Regs. 61-51(J)

Summary: Hornbuckle Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 19, 2013, and July 30, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; a skimmer was missing a weir; the pH level was not within the acceptable range of water quality standards; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; the bound and numbered log book was not maintained on a daily basis; and, the chlorine level was not within the acceptable range of water quality standards.

Action: The Respondent is required to: pay a civil penalty in the amount of eight hundred dollars (**\$800.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

15) Order Type and Number: Consent Order 13-154-DW
Order Date: November 12, 2013
Respondent: **Wyndham Vacation Resorts, Inc.**
Facility: Wyndham Village
Location: 3710 Dockside Road
Edisto Island, SC 29438
Mailing Address: 6277 Sea Harbor Drive
Orlando, FL 32821
County: Colleton
Previous Orders: None
Permit/ID Number: 15-1005D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Wyndham Vacation Resorts, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a spa. On June 4, 2013, and July 30, 2013, the spa was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the gates did not self close and latch; the annual Vac-Alert test for 2013 had not been performed; 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; the cyanuric acid level was above the water quality standards acceptable limit; and, the spa thermometer was not visible to the public.

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 Respondent submitted a corrective action plan and corrected the deficiencies.

16) Order Type and Number: Consent Order 13-155-DW
Order Date: November 12, 2013
Respondent: **Pinecrest Property Owners Association, Inc.**
Facility: Pinecrest Subdivision
Location: 20 Pinecrest Way
Bluffton, SC 29910
Mailing Address: 203 Claredon Building
Hilton Head, SC 29928
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1069B and 07-1070C
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Pinecrest Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool. On June 12, 2013, June 14, 2013, and July 19, 2013, the pool and kiddie pool were inspected. A violation was issued for failure to properly operate and maintain the pool on June 12, 2013, June 14, 2013, and July 19, 2013; and a violation was issued for failure to properly operate and maintain the kiddie pool on June 12, 2013, and July 19, 2013. The Respondent has violated the Public Swimming Pools Regulation as follows: the skimmers were missing weirs; the skimmers were not operating properly; 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; the cyanuric acid level was above the water quality standards acceptable limit; and, the automatic controller was not operating properly.

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 three thousand two hundred dollars (**\$3,200.00**).

17) Order Type and Number: Consent Order 13-156-DW
Order Date: November 12, 2013
Respondent: **Village Creek Association, Inc.**
Facility: Village Creek Condominiums
Location: Village Creek Lane
Mount Pleasant, SC 29464
Mailing Address: 790 Dupre Lane

<u>County:</u>	Mount Pleasant, SC 29464
<u>Previous Orders:</u>	Charleston
<u>Permit/ID Number:</u>	None
<u>Violations Cited:</u>	10-196-1
	S.C. Code Ann. Regs. 61-51(J)

Summary: Village Creek Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 15, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. On August 7, 2013, and August 12, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain and for failure to contact the Department to schedule an inspection prior to re-opening the pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the pool floor was dirty; the lifeline with floats was missing; a ladder was not tight and secure and was missing a cap; a bathroom did not have soap; the main drain grates were not visible; the emergency telephone was not operating properly; the pool rules sign was not completely filled out; the current pool operator of record information was not posted; 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 bound and numbered log book was not available for Department review.

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 two thousand seven hundred twenty dollars (**\$2,720.00**).

18) <u>Order Type and Number:</u>	Consent Order 13-157-DW
<u>Order Date:</u>	November 12, 2013
<u>Respondent:</u>	Summer Pointe Homeowners Association, Inc.
<u>Facility:</u>	Summer Pointe
<u>Location:</u>	129 Sassafras Boulevard Greenwood, SC 29646
<u>Mailing Address:</u>	139 Gardenia Drive Ninety-Six, SC 29666
<u>County:</u>	Greenwood
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	24-1009B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Summer Pointe Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 29, 2013, and August 9, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated

the Public Swimming Pools Regulation as follows: a bathroom did not have paper towels; the pH level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; and, only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted.

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. The Respondent submitted a corrective action plan and corrected the deficiencies.

19) <u>Order Type and Number:</u>	Consent Order 13-158-DW
<u>Order Date:</u>	November 12, 2013
<u>Respondent:</u>	Ghanshyam, Corp.
<u>Facility:</u>	Quality Inn
<u>Location:</u>	719 Bypass 25 North East Greenwood, SC 29646
<u>Mailing Address:</u>	Same
<u>County:</u>	Greenwood
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	24-013-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Ghanshyam, Corp. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 31, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the pool deck was not clear of hazards in that the deck at the deep end of the pool had a raised area with a gap; there were openings in the fence greater than four inches wide; the gate did not self close and latch; 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; the main drain grates were not visible in that the water was cloudy; the United States Coast Guard approved life ring was deteriorated; the shepherd’s crook was not permanently attached to the pole; the bound and numbered log book was not available for Department review; the disinfection equipment was not operating; and the recirculation and filtration system was not operating.

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 four hundred dollars (**\$400.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

20) Order Type and Number: Consent Order 13-159-DW
Order Date: November 12, 2013
Respondent: **Tilbros, Inc.**
Facility: Sleep Inn
Location: 834 Windslow Avenue
Gaffney, SC 29341
Mailing Address: Same
County: Cherokee
Previous Orders: None
Permit/ID Number: 11-023-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Tilbros, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 3, 2013, and August 1, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the main drain grates were not visible in that the water was cloudy; only one "Shallow Water – No Diving Allowed" sign was posted; 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; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign was not completely filled out; the current pool operator of record information was not posted; and, the disinfection equipment was not operating.

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 six hundred eighty dollars (**\$680.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

21) Order Type and Number: Consent Order 13-160-DW
Order Date: November 12, 2013
Respondent: **Planters Row at Palmetto Crossing Homeowners Association, Inc.**
Facility: Planters Row at Palmetto Crossing
Location: 200 Indigo Way
Greenwood, SC 29649
Mailing Address: P.O. Box 50612
Greenwood, SC 29649
County: Greenwood
Previous Orders: None
Permit/ID Number: 24-1016D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Planters Row at Palmetto Crossing Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and

maintenance of a spa. On July 12, 2013, and August 14, 2013, the spa was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: there were chlorine sticks in the skimmer baskets; 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; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

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 Respondent submitted a corrective action plan and corrected the deficiencies.

22)	<u>Order Type and Number:</u>	Consent Order 13-161-DW
	<u>Order Date:</u>	November 12, 2013
	<u>Respondent:</u>	Horizon Village One, LP
	<u>Facility:</u>	Barony Place Apartments
	<u>Location:</u>	3800 Rivers Avenue North Charleston, SC 29405
	<u>Mailing Address:</u>	303 Perimeter Center North Atlanta, GA 30346
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	10-1134B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Horizon Village One, LP (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 3, 2013, and July 3, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; the gate did not self close and latch; the cyanuric acid level was above the water quality standards acceptable limit; 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; the emergency telephone was not operating; the pool rules sign was not completely filled out; and, the bound and numbered log book was not maintained on a daily basis.

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 Respondent submitted a corrective action plan and corrected the deficiencies.

23) Order Type and Number: Consent Order 13-162-DW
Order Date: November 26, 2013
Respondent: **Lost Wilderness Property Owners Association, Inc.**
Facility: Lost Wilderness
Location: Turkey Trail
Clarks Hill, SC 29821
Mailing Address: P.O. Box 214
Clarks Hill, SC 29821
County: McCormick
Previous Orders: None
Permit/ID Number: 35-005-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Lost Wilderness Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 27, 2013, and August 5, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; there were no “Shallow Water – No Diving Allowed” signs posted; the pool rules sign was not completely filled out; and, the bound and numbered log book was not maintained on a daily basis.

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 six hundred eighty dollars (**\$680.00**).

24) Order Type and Number: Consent Order 13-163-DW
Order Date: November 25, 2013
Respondent: **Foxfield Investments, Inc.**
Facility: Foxfield Apartments
Location: 400 North Emerald Road
Greenwood, SC 29646
Mailing Address: 1516 A Bypass 72 North East
Greenwood, SC 29649
County: Greenwood
Previous Orders: None
Permit/ID Number: 24-032-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Foxfield Investments, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 24, 2013, and July 29, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public

Swimming Pools Regulation as follows: the pool deck was dirty; the fence was bent and a fence post was broken; 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; the bound and numbered log book was not available for Department review; and, the bound and numbered log book was not maintained on a daily basis.

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 five hundred sixty dollars (**\$560.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

25) <u>Order Type and Number:</u>	Consent Order 13-164-DW
<u>Order Date:</u>	November 25, 2013
<u>Respondent:</u>	Fairways Development, LLC
<u>Facility:</u>	Plantation Club at Longcreek
<u>Location:</u>	730 Longtown Road Blythewood, SC 29016
<u>Mailing Address:</u>	P.O. Box 290730 Columbia, SC 29229
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-290-1 and 40-360-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Fairways Development, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool. On July 19, 2013, and September 6, 2013, the pool and kiddie pool were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the floats on the lifeline were not evenly spaced, and one of the floats was broken; the depth marker tiles at the pool were defective in that the lettering was not the appropriate size; a ladder was missing a bumper and was not tight and secure; the pool deck was not clear of hazards in that there was a gap between the coping and the four and one half foot depth marker tile, and the tile was cracked; the pool deck was cracked; there was a large crack on the right side of the handrail step at the shallow end of the pool; the lifeguard on duty was not holding the rescue tube; the depth marker tiles at the kiddie pool were defective in that the lettering was not the appropriate size; the kiddie pool deck was not clear of hazards in that the pool furniture was not at least four feet from the edge of the kiddie pool; the chlorine level was not within the acceptable range of water quality standards; the water was cloudy; the gate did not self close and latch; the United States Coast Guard approved life ring was missing; the shepherd's crook was missing a bolt; the emergency telephone was not accessible; both of the "Shallow Water – No Diving Allowed" signs were defective in that the lettering was not the appropriate

size; the bound and numbered log book was not available for Department review; the pool floor was dirty; the skimmer baskets were full of debris; the recirculation and filtration system was not operating properly in that there was a leak in the piping; and, the flow meter was not operating properly.

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 one thousand six hundred dollars (**\$1,600.00**).

26)	<u>Order Type and Number:</u>	Consent Order 13-165-DW
	<u>Order Date:</u>	November 25, 2013
	<u>Respondent:</u>	Cliffabee Leas Homeowners Association, Inc.
	<u>Facility:</u>	Cliffabee Leas Clubhouse
	<u>Location:</u>	53 Angus Run Seneca, SC 29672
	<u>Mailing Address:</u>	21 Angus Run Seneca, SC 29672
	<u>County:</u>	Oconee
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	37-1006B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Cliffabee Leas Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 23, 2013, and August 13, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the emergency telephone was not operating properly; the pool rules sign was not completely filled out; and, the bound and numbered log book was not maintained on a daily basis.

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**).

27)	<u>Order Type and Number:</u>	Consent Order 13-166-DW
	<u>Order Date:</u>	November 25, 2013
	<u>Respondent:</u>	Silverleaf Homeowners Association, Inc.
	<u>Facility:</u>	Silverleaf Community
	<u>Location:</u>	618 Laurens Drive

Mailing Address: Anderson, SC 29621
502 Laurens Drive
Anderson, SC 29621
County: Anderson
Previous Orders: None
Permit/ID Number: 04-088-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Silverleaf Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 5, 2013, and July 25, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; the chlorine level was not within the acceptable range of water quality standards; the United States Coast Guard approved life ring was missing; the bound and numbered log book was not maintained on a daily basis; and a skimmer cover was broken.

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 Respondent submitted a corrective action plan and corrected the deficiencies.

Water Pollution Enforcement

28) Order Type and Number: Consent Order 13-040-W
Order Date: November 12, 2013
Respondent: **Threatt Enterprises, Inc.**
Facility: Quail Haven Subdivision WWTF
Location: 170 Quail Haven Dr.
Easley, SC 29642
Mailing Address: P.O. Box 17265
Greenville, SC 29606
County: Pickens
Previous Orders: None
Permit/ID Number: ND0067377
S.C. Code Ann. § 48-1-110(d) (2008 and Supp 2012); S.C. Reg. 61-9.122.41 (e) (2011)

Summary: Threatt Enterprises, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility (WWTF) and the associated collection system, located in Pickens County. On March 8, 2012, in response to complaints of overflows in the Subdivision, the collection system was inspected and a notice was issued to the Respondent. The

Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly operate and maintain the WWTF and collection system in accordance with the requirements of the Permit.

Action: The Respondent is required to: operate and maintain the WWTF and collection system in accordance with the requirements of the Permit and the applicable regulations; submit pertinent and necessary financial documents to show the Respondent is a viable wastewater system owner; register with the South Carolina Public Service Commission (PSC) and request adequate rates be established to ensure proper operation and maintenance of the WWTF and collection system; implement the PSC approved rate plan and begin collecting fees from Quail Haven Subdivision residents; and, pay a **stipulated penalty** in the amount of five thousand dollars (**\$5,000.00**) should the Respondent fail to meet any requirement of the Order.

Additional Information: The Respondent constructed the WWTF and CS in the 1970s, assuming that it would be a temporary facility until it could be eliminated by connection to the regional sewer system. To date, the Respondent has provided the cost for the operation and maintenance of the WWTF and collection system. The Respondent has not charged the residents of the subdivision sewer fees. In a letter dated March 27, 2012, the Respondent stated that the company was facing a substantial financial hardship. If someone cannot be found to takeover the maintenance of the lagoon, Threatt Enterprises will be forced to abandon the facility. The Respondent and the Department have contacted the regional sewer provider in an effort to arrange the connection of the Quail Haven WWTF and CS to the regional sewer system. These efforts have not been successful.

29) Order Type and Number: Consent Order 13-041-W
Order Date: November 25, 2013
Respondent: **Town of Winnsboro**
Facility: Jackson Creek WWTP
Location: 207 N. Congress St.
Winnsboro, SC 29180
Mailing Address: Post Office Box 209
Winnsboro, SC 29108
County: Fairfield
Previous Orders: 10-027-W (\$3,500.00)
Permit/ID Number: SC0020125
Violations Cited: Pollution Control Act, S.C. Code Ann.§ 48-1-110(A)(1)(2008) and the regulations governing Water Pollution Control Permits, 24 S.C. Code Ann. Regs. 61-9.122.41(e)(4) (2011)

Summary: The Town of Winnsboro (Respondent) owns and is responsible for the proper operation and maintenance of the Jackson Creek Wastewater Treatment Plant (WWTP) and sewage collection system (CS) serving the residents and businesses within its designated service area in Fairfield County, South Carolina. The CS downstream from the Respondent's Drinking Water Treatment Plant (DWTP) experienced sanitary sewer overflows (SSOs). On January 31 and February 1, 2013, Department staff inspected the CS following receipt of a complaint. Staff observed evidence of wastewater sludge that had discharged or was discharging from several manholes. The Respondent violated the Pollution Control Act and the Water Pollution Control Permits Regulations as follows: failed to properly manage, operate and maintain a portion of their sewer collection system, resulting in the unauthorized discharge of wastewater to the environment, including waters of the State.

Action: The Respondent is required to: submit a corrective action plan (CAP) identifying corrective actions planned or taken, with an enforceable schedule of compliance, to remedy the circumstances under which the SSOs are occurring; submit a "Non-domestic Questionnaire" specific to the DWTP with a permitting requirement evaluation for inclusion in the Industrial Pretreatment Program (IPP); modify the IPP and implement acceptable changes; and, pay a civil penalty in the amount of twenty-three thousand four hundred dollars (\$23,400.00).

30) Order Type and Number: Consent Order 13-042-W
Order Date: November 25, 2013
Respondent: **Tracy K. Tankersley**
Facility: Tankersley Lake Dam
Location: River Falls Road
Marietta, SC 29661
Mailing Address: 8 Club Pointe
Taylors, SC 29687
County: Greenville
Previous Order: AO 13-039-W
Permit/ID Number: D 1103
Violations Cited: Dams and Reservoirs Safety Act,
S.C. Code Ann. § 49-11-150 and § 49-11-170(c) (2008 and Supp. 2012);
Dams and Reservoirs Safety Act Regulations 9 S.C. Code Ann. Regs. 72-
4(C)(3) (2012)

Summary: Tracy K. Tankersley (Respondent) is one of three owners of the Tankersley Lake Dam located in Greenville County, South Carolina. On November 21, 2012, and December 6, 2012, the property was inspected and the dam was found to have excessive vegetation, large trees growing, debris on the spillway, and seepage around the discharge pipe and through the dam. The Respondent violated the Dams and Reservoirs Safety Act and the Dams and

Reservoirs Safety Act Regulations as follows: failed to maintain the dam; failed to conduct a detailed inspection of the site; and, failed to provide an Emergency Action Plan. Previously the Respondent and two other property owners were issued Administrative Order (AO) 13-039-W for this site. The Respondent expressed an interest in a Consent Order to resolve her portion of the AO. This Consent Order vacates the Respondent's portion of the AO.

Action: The Respondent is required to: ensure that all requirements specified under this Order (the same work required under AO 13-039-W) are met to return the referenced dam to compliance with applicable statutes and regulations; immediately begin lowering the water level in the reservoir to a level at which the site no longer presents a hazard to surrounding residents and property; maintain the water level in the reservoir at a safe level until certification of completion and operation is issued by the Department; ascertain permission from all property owners to conduct inspections, repairs and modifications necessary to address deficiencies and requirements; conduct a detailed inspection of the Site by a registered professional engineer, as defined in the Dams and Reservoirs Safety Act and the Dams and Reservoirs Safety Act Regulations; submit to the Department the results of the detailed inspection and a plan for the repair and/or restoration of the dam, or structural modification of the dam to ensure that the impoundment no longer holds water, including all engineering recommendations and an application for a permit to repair, restoration and/or structural modifications, and an Emergency Action Plan on forms provided by the Department; within one hundred eighty (180) days of the issue of a permit by the Department, complete all repairs, restoration and/or modification, including engineering recommendations and correction of cited violations, of the site in accordance with the approved plan; and, pay a **stipulated penalty** in the amount of one thousand five hundred dollars (**\$1,500.00**) should the Respondent fail to meet any requirement of the Order.

BUREAU OF AIR QUALITY

31)	<u>Order Type and Number:</u>	Consent Order 13-047-A
	<u>Order Date:</u>	November 12, 2013
	<u>Respondent:</u>	Ms. Janie T. Cudd
	<u>Facility:</u>	Residential Property
	<u>Location:</u>	1546 Ruth St., Lancaster, S.C. 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>	5 South Carolina Code Ann. Regs. 61-62.2, Prohibition of Open Burning

Summary: Ms. Janie T. Cudd (Respondent) resides at 1546 Ruth St., Lancaster, South Carolina (Site). On April 22, 2013, the Department conducted an investigation in response to a complaint of open burning at the Site and a Notice of Alleged Violation was issued on August 20, 2013. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned materials other than those allowed by the regulations.

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 twenty-five dollars (**\$125.00**).

32) Order Type and Number: Consent Order 13-048-A
Order Date: November 25, 2013
Respondent: **Furr Grading & Paving, Inc.**
Facility: Furr Grading & Paving, Inc.
Location: 5817 Highway 52 South
Cheraw, SC 29520
Mailing Address: Same
County: Chesterfield
Previous Orders: None
Permit/ID Number: 9900-0073
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.5,
Standard No. 4, Section XII and 5 S.C. Code Ann. Regs. 61-62.1, Section
II, Permit Requirements

Summary: Furr Grading & Paving, Inc. (Respondent) owns and operates an asphalt paving company at its facility located in Chesterfield, South Carolina. The Department issued General Conditional Major Operating Permit 9900-0073 to the Respondent, effective April 1, 2007. The Department conducted a comprehensive inspection at the Respondent's facility on April 11, 2013, and a Notice of Alleged Violation was issued on July 25, 2013. The Respondent violated South Carolina Air Pollution Control Regulations and its Permit in that it failed to perform the required tests for PM emissions every two years.

Action: The Respondent is required to: discontinue operation of the asphalt plant; submit the appropriate permit cancellation form to the Department; and, pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

33) Order Type and Number: Consent Order 13-049-A
Order Date: November 25, 2013
Respondent: **Patricia Evans**
Facility: Residential Property
Location: 1410 Old Mars Bluff Road
Florence, SC 29506

Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.2
(Supp. 2012), Prohibition of Open Burning

Summary: Ms. Patricia Evans (Respondent) owns and resides on property located at 1410 Old Mars Bluff Road in Florence, South Carolina (Site). On January 29, 2013, the Department conducted an investigation in response to a complaint of open burning at the Site and a Notice of Alleged Violation was issued on March 21, 2013. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned materials other than those allowed by the regulations.

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**).

DIVISION OF OCEAN AND COASTAL RESOURCE MANAGEMENT

34) Order Type and Number: Consent Order 13M-005W
Order Date: November 15, 2013
Respondent: **Charles Player**
Sharon Player
Donald W. Richardson
Rebecca D. Richardson
Location: 235 Calhoun Drive
Garden City, SC 29576
Mailing Address: 8963 Gapway Road
Andrews, SC 29510/
200 Patriots Lane
Aynor, SC 29511
County: Horry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. §48-39-130(A) and
23A S.C. Code Ann. Regs. 30-2(B). 23A S.C. Code Ann. Regs. 30-
12(G)(2)(a)

Summary: Donald W. Richardson and Rebecca D. Richardson are the owners of certain property abutting the tidelands critical area. Sharon Player and Charles Player are the current occupants of the property and the individuals who authorized and conducted the work. On August 21, 2013, DHEC became aware

of unauthorized fill dirt in the tidelands critical area adjacent to the site and an inspection of the site was conducted at the same date. A Notice of Violation and Admission Letter was issued on September 9, 2013. Mr. and Mrs. Player have violated the Coastal Zone Management Act and Critical Area Permitting Regulations by placing fill material in the tidelands critical area without authorization from the Department.

Action: Mr. and Mrs. Player are required to ensure that the disturbed area adjacent to the tidelands critical area is stabilized so as to prevent further impacts from sedimentation and pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The fill material was removed from the tidelands critical area prior to the effective date of the Order.

35) Order Type and Number: Consent Order 13C-003W
Order Date: November 15, 2013
Respondent: **Traditions LP**
Location: 2793 Parkers Landing Road
Mt. Pleasant, SC 29466
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: OCRM-02-294-R
Violations Cited: S.C. Code Ann. §48-39-130(A) and
23A S.C. Code Ann. Regs. 30-2(B). 23A S.C. Code Ann. Regs. 30-
12(A)(2)(e)(i)

Summary: Traditions LP (Respondent) is the owner of certain property abutting the tidelands critical area. An inspection of the dock at the site was conducted on July 31, 2013 and a Notice of Violation and Admission Letter was issued on August 30, 2013. The Respondent has violated the Coastal Zone Management Act and Critical Area Permitting Regulations installing four unauthorized boat storage structures in the tidelands critical area regulated by the Department.

Action: The Respondent is required to: submit an administratively complete after-the-fact permit request for the entire dock structure and pay a civil penalty in the amount of two hundred fifty dollars (**\$250.00**). Two of the unauthorized boat storage structures were removed prior to the effective date of the Order.

36) Order Type and Number: Consent Order 13C-006Pa
Order Date: November 18, 2013
Respondent: **Dale Wilson and Sherry Wilson**
Location: 1300 N. Edgewater Drive

	Charleston, SC 29407
<u>Mailing Address:</u>	Same
<u>County:</u>	Charleston
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	S.C. Code Ann. §48-39-130(A) and 23A S.C. Code Ann. Regs. 30-2(B), 23A S.C. Code Ann. Regs. 30- 12(A)(2)(c)(vii), and 23A S.C. Code Ann. Regs. 30-12(A)(2)(c)(iv).

Summary: Dale Wilson and Sherry Wilson (Respondents) are the owners of a certain property abutting the tidelands critical area. An inspection of the dock at the site was conducted on July 18, 2013 and a Notice of Violation and Admission Letter was issued on September 3, 2013. The Respondents have violated the Coastal Zone Management Act and Critical Area Permitting Regulations by constructing an unauthorized private recreational dock as well as an unauthorized boat storage structure in the tidelands critical area regulated by the Department.

Action: The Respondents are required to: reduce the total square footage of the fixed pierhead and floating dock to no more than 231 square feet; submit an administratively complete after-the-fact permit request for the entire dock structure; and, pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)**.