

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
February 11, 2010

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Administrative Order 09-0008-UST
 Order Date: December 4, 2009
 Respondent: **Robbins Oil Company**
 Facility: Former Cross Creek Exxon
 Location/Mailing Address: 1015 Montague Ave., Greenwood,
 SC/P.O. Box 207, Forest City, NC
 28043

 County: Greenwood
 Previous Orders: None
 Permit/ID Number: 11237
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988, (SUPERB Act) as amended,
 and the South Carolina Underground Storage Tank Control Regulation 61-
 92.280.65, and R.61-92.280.34(c).

Summary: Robbins Oil Company (Respondent) owned and operated underground storage tanks and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to determine the full extent of a release in accordance with a schedule established by the Department and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit a Tier II Assessment Report for a reported release at the Facility; and, pay a civil penalty in the amount of twenty-eight thousand, seven hundred fifty dollars (**\$28,750.00**).

- 2) Order Type and Number: Administrative Order 09-0155-UST
 Order Date: December 4, 2009
 Respondent: **James M. Wiley**
 Facility: White Rose Party Shop
 Location/Mailing Address: 730G Hwy. 321 Bypass, York,
 SC/P.O. Box 747, York, SC 29745

 County: York
 Previous Orders: None
 Permit/ID Number: 09377
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988, (SUPERB Act) as amended,

and the South Carolina Underground Storage Tank Control Regulation 61-92.280.65, and R.61-92.280.34(c).

Summary: James M. Wiley (Respondent) owned and operated underground storage tanks and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to determine the full extent of a release in accordance with a schedule established by the Department and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit a Ground Water Assessment Report for a reported release at the Facility; and, pay a civil penalty in the amount of six thousand, seven hundred two dollars (**\$6,702.00**).

- 3) Order Type and Number: Administrative Order 09-0156-UST
Order Date: December 4, 2009
Respondent: **Edward Chatman**
Facility: Green T Station
Location/Mailing Address: 28 Broad St., Sumter, SC/211 Fagan St., Sumter, SC 29150
County: Sumter
Previous Orders: None
Permit/ID Number: 08816
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, (SUPERB Act) as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.65, and R.61-92.280.34(c).

Summary: Edward Chatman (Respondent) owned and operated underground storage tanks and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to determine the full extent of a release in accordance with a schedule established by the Department and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit an Initial Ground Water Assessment Report for a reported release at the Facility; and, pay a civil penalty in the amount of five thousand, three hundred seventy dollars (**\$5,370.00**).

- 4) Order Type and Number: Consent Order 09-0193-UST
Order Date: December 22, 2009
Respondent: **Evans Petroleum Company, Inc.**
Facility: County Line Store
Location/Mailing Address: 3042 North Rocky River Rd., Lancaster, SC 29720/605 South Market St., Lancaster, SC 29720

County: Lancaster
Previous Orders: 08-0100-UST (\$200), 07-0153-UST (\$2,000)
Permit/ID Number: 12756
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.62(a)(5), R.61-92.280.34(c), and, R.61-92.280.40(a).

Summary: Evans Petroleum Company, Inc. (Respondent) owns underground storage tanks (USTs) and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to conduct an initial site check; failure to provide records to the department upon request; and, failure to provide adequate release detection methods for a UST.

Action: The Respondent is required to submit to the Department: site assessment results for the soil removed from the area around the two (2) damaged spill buckets; and, a civil penalty in the amount of one thousand, three hundred ninety dollars (**\$1,390.00**).

5) Order Type and Number: Consent Order 09-0262-UST
Order Date: December 21, 2009
Respondent: **Eastover Oil Company**
Facility: Cuzs Corner
Location/Mailing Address: 419A S. Congress St., Winnsboro, SC 29180
County: Fairfield
Previous Orders: None
Permit/ID Number: 11040
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.10(e).

Summary: Eastover Oil Company (Respondent) supplies underground storage tanks (USTs) and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: introduction of petroleum or petroleum products into a UST for which the owner did not hold a currently valid registration.

Action: The Respondent is required to submit to the Department a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

Hazardous Waste Enforcement

- 6) Order Type and Number: Consent Order 09-29-HW
 Order Date: December 21, 2009
 Responsible Party: **Medical Waste Systems, Inc.**
 Location/Mailing Address: 1407 South Church Street
 Florence, South Carolina 29505

 County: Florence
 Previous Orders: None
 Permit Number: SC41-15T
 Violations Cited: The South Carolina Infectious Waste
 Management Act §44-93-30 and the South Carolina Infectious Waste
 Management Regulation 61-105Q(1)(g), R.61-105.P(1)(a), R.61-105.I(5),
 R.61-105.I(8), R.61-105.Q(1)(b), R.61-105.P(1)(b), and R.61-105.J(2)(e).

Summary: Medical Waste Systems, Inc. (Respondent) is a transporter of infectious waste. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to ensure that identification is permanently affixed to the cargo-carrying body on two sides and the back in letters that are a minimum of three (3) inches in height and which state the name of the transporter, the transporter's Department issued registration number and the words INFECTIOUS WASTE, MEDICAL WASTE, or BIOHAZARDOUS WASTE; failure to ensure that all infectious waste accepted for transport is packaged as required; failure to ensure that all containers are sealed to prevent any discharge of the contents at any time until the container enters the treatment system; failure to ensure that all infectious waste is contained in disposable or reusable containers that are appropriate for the type and quantity of waste, able to withstand handling, transfer, and transportation without impairing the integrity of the container, closed tightly and securely, and compatible with selected storage, transportation and treatment processes; failure to ensure that the containers of infectious waste be loaded so that no compaction or mechanical stress of the waste occurs during handling or during transit; failure to ensure that all waste accepted for transport is labeled as required; and, failure to ensure that containers of infectious waste offered for transport offsite be labeled on the outside surfaces so that it is readily visible with the date the container was placed in storage or sent offsite.

Action: The Respondent has agreed to now and in the future: ensure that all cargo-carrying vehicles are properly labeled; ensure that all infectious waste accepted for transport is labeled, packaged, stored and managed as required; ensure that containers of infectious waste are loaded in transport vehicles as required; and, pay a civil penalty in the amount of five thousand, five hundred dollars (**\$5,500.00**).

BUREAU OF WATER

Drinking Water Enforcement

- 7) Order Type and Number: Consent Order 09-064-DW
 Order Date: December 3, 2009
 Respondent: **Southwind Timeshare Owners
 Association, Inc.**

 Facility: Southwind at Shipyard
 Location/Mailing Address: P.O. Box 7926
 Hilton Head Island, S.C. 29938

 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 07-343-1D
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Southwind Timeshare Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a spa. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa.

Action: The Respondent is required to: pay a civil penalty in the amount of two thousand forty dollars (**\$2,040.00**). The civil penalty has been paid.

- 8) Order Type and Number: Consent Order 09-066-DW
 Order Date: December 9, 2009
 Respondent: **Island House Condominium
 Horizontal Property Regime, Inc.**

 Facility: Island House Villa
 Location/Mailing Address: P.O. Box 6623
 Hilton Head Island, S.C. 29938

 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 07-078B
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Island House Condominium Horizontal Property Regime, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the Pool.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). The civil penalty has been paid.

- 9) Order Type and Number: Consent Order 09-070-DW
Order Date: December 9, 2009
Respondent: **Lockwood Riverfront Hotel, LLC**
Facility: Courtyard by Marriott
Location/Mailing Address: 35 Lockwood Drive
Charleston, S.C. 29414
County: Charleston
Previous Orders: None
Permit/ID Number: 10-571D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Lockwood Riverfront Hotel, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a spa. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand two hundred sixty dollars (**\$1,260.00**). The civil penalty has been paid.

- 10) Order Type and Number: Consent Order 09-071-DW
Order Date: December 9, 2009
Respondent: **Drayton Athletic Association**
Facility: Drayton on the Ashley Subdivision
Location/Mailing Address: 2326 South Lander Lane
Charleston, S.C. 29414
County: Charleston
Previous Orders: None
Permit/ID Number: 10-026B and 10-026C
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Drayton Athletic Association (Respondent) owns and is responsible for the proper operation and maintenance of two (2) pools. The main pool and kiddie pool utilize the same filtration system. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pools.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**) and contact the Department to schedule a preseason inspection prior to opening the pools. The civil penalty has been paid.

- 11) Order Type and Number: Consent Order 09-072-DW
Order Date: December 3, 2009
Respondent: **Ocean One Association, Inc.**
Facility: Ocean One
Location/Mailing Address: P.O. Box 7687
Myrtle Beach, S.C. 29572
County: Horry
Previous Orders: None
Permit/ID Number: 26-511B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Ocean One Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool.

Action: The Respondent is required to: submit to the Department for approval, a corrective action plan (CAP) and schedule to include proposed steps to address the chlorine level in the water; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and pay a stipulated penalty in the amount of one thousand five hundred forty dollars (\$1,540.00) if it fails to meet any requirement of this Order.

- 12) Order Type and Number: Consent Order 09-073-DW
Order Date: December 15, 2009
Respondent: **L&B Care Home, Inc.**
Facility: L&B Care Home
Location/Mailing Address: 924 Barr Woods Road
Saluda, S.C. 29138
County: Saluda
Previous Orders: None
Permit/ID Number: 4170001
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5
(F)(1)(b) and (F)(2)

Summary: L&B Care Home, Inc. (Respondent) is responsible for the proper operation 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 for total coliform during the April – June 2009 monitoring period, and failed to collect a minimum of five (5) bacteriological samples during the July 2009 monitoring period.

Action: The Respondent is required to: issue public notice to the customers and employees of L&B Care Home for failure to monitor for bacteriological contaminants during the April – June 2009 monitoring period; submit an Investigative Report to determine the causes of the exceedances for total coliform; submit a Corrective Action Plan and schedule for implementation to address the causes; pay a civil penalty in the amount of one thousand one hundred thirty-five dollars (**\$1,135.00**); and pay a stipulated penalty in the amount of six thousand two hundred dollars (\$6,200.00) should the Respondent fail to meet any requirement of the Order.

- 13) Order Type and Number: Consent Order 09-074-DW
Order Date: December 15, 2009
Respondent: **Senior Living Communities, LLC**
Facility: Summit Hills Assisted Living
Location/Mailing Address: 110 Summit Hills Drive
Spartanburg, S.C. 29307
County: Spartanburg
Previous Orders: None
Permit/ID Number: 42-1055D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(I)

Summary: Senior Living Communities, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a spa. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to submit a Change Order Request Form prior to modifying the spa.

Action: The Respondent is required to: pay a civil penalty in the amount of one hundred seventy-five dollars (**\$175.00**). The civil penalty has been paid.

- 14) Order Type and Number: Consent Order 09-075-DW
Order Date: December 9, 2009
Respondent: **Jonee Enabenter d/b/a Clover Kids Academy Child Care Center**
Facility: Clover Kids Academy Child Care Center
Location/Mailing Address: 3412 Filbert Hwy
Clover, S.C. 29710
County: York
Previous Orders: None
Permit/ID Number: 4670115
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5
(G)(1)

Summary: Jonee Enabenter (Respondent) d/b/a Clover Kids Academy

Child Care Center is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to perform quarterly bacteriological monitoring.

Action: The Respondent is required to: pay a civil penalty of one thousand thirty-five dollars (**\$1,035.00**).

15) Order Type and Number: Consent Order 09-076-DW
Order Date: December 9, 2009
Respondent: **Xanadu II Homeowners Association of North Myrtle**
Facility: Xanadu II
Location/Mailing Address: 1209 Elmwood Avenue
High Point, N.C. 29265
County: Horry
Previous Orders: None
Permit/ID Number: 26-898B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
61-51(K)(1)(c)

Summary: Xanadu II Homeowners Association of North Myrtle (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: failure to properly operate and maintain the pool and failure to schedule a Department inspection of the pool prior to re-opening after Department closure.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand five hundred forty dollars (**\$1,540.00**).

16) Order Type and Number: Consent Order 09-077-DW
Order Date: December 9, 2009
Respondent: **A Summer Retreat Owners Association, Inc.**
Facility: A Summer Retreat
Location/Mailing Address: 6295 Hunt Road
Pleasant Garden, N.C. 27313
County: Horry
Previous Orders: None
Permit/ID Number: 26-F96B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J),
61-51(K)(1)(c)

Summary: A Summer Retreat Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool and failure to schedule a Department inspection of the pool prior to re-opening after Department closure.

Action: The Respondent is required to: pay a civil penalty in the amount of two thousand one hundred dollars (**\$2,100.00**).

17) Order Type and Number: Consent Order 09-078-DW
Order Date: December 15, 2009
Respondent: **HPTCY Properties Trust**
Facility: Courtyard by Marriott
Location/Mailing Address: 110 Mobile Drive
Spartanburg, S.C. 29303
County: Spartanburg
Previous Orders: 08-020-DW (\$1,680)
Permit/ID Number: 42-144D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: HPTCY Properties Trust (Respondent) owns and is responsible for the proper operation and maintenance of a spa. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand eight hundred ninety dollars (**\$1,890.00**).

Water Pollution Enforcement

18) Order Type and Number: Consent Order 09-056-W
Order Date: December 9, 2009
Respondent: **Sun Chemical Corporation**
Facility: Sun Chemical Corp WWTF
Location/Mailing Address: 1506 Bushy Park Road
Goose Creek, SC 29445
County: Berkeley
Previous Orders: None in last 5 years
Permit/ID Number: SC0003441
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008);
and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2008).

Summary: Sun Chemical Corporation (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) and has violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to comply with final effluent limitations for Enterococci bacteria (EC) as reported on its Discharge Monitoring Reports (DMR) for July and August 2009. The violations were believed to be the result of proliferation of EC within the system due to a decrease in production (reduced flow), time lapse for installing the chlorine dioxide treatment system and the concentration of EC in the polishing clarifier component.

Action: The Respondent is required to: submit a report of specific corrective actions taken to identify the source(s) of EC and what steps would be taken to mitigate the affect of these sources on effluent quality and actions to ensure consistent compliance; and, pay a civil penalty in the amount of three thousand six hundred dollars (**\$3,600.00**).

19) Order Type and Number: Consent Order 09-057-W
Order Date: December 4, 2009
Respondent: **McCall Farms, Inc.**
Facility: McCall Farms WWTF
Location/Mailing Address: 6615 S. Irby St.
Effingham, SC 29541
County: Florence
Previous Orders: 07-001-W (\$3400)
Permit/ID Number: SC0039284
Violations Cited: S.C. Code Ann.§ 48-1-110(d) and 24
S.C. Code Ann. Regs. 61-9.122.41(j)(3)(Supp.2008)

Summary: McCall Farms, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving its fruit and vegetable processing and canning facility. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to properly operate and maintain all units of treatment and control; failed to comply with all requirements of its National Pollutant Discharge Elimination System (NPDES) Permit; and, failed to comply with the permitted discharge limits for Fecal Coliform (FC).

Action: The Respondent is required to: submit a corrective action plan addressing compliance with monitoring and reporting requirements of its NPDES permit and pay a civil penalty in the amount of six thousand five hundred seventy-two dollars (**\$6,572.00**). The penalty has been paid.

20) Order Type and Number: Consent Order 09-058-W
Order Date: December 9, 2009

<u>Respondent:</u>	Bio Tech, Inc.
<u>Facility:</u>	Bio Tech, Inc. WSTF
<u>Location/Mailing Address:</u>	151 Old Wire Road Cayce, SC 29033
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	ND0069761
<u>Violations Cited:</u>	S.C. Code Ann. §48-1-110(d)(2008)

Summary: Bio Tech, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater sludge treatment facility (WSTF) and land application site on Old Wire Road in Lexington County. The Respondent has violated the Pollution Control Act as follows: failed to properly maintain all sludge application equipment and to properly monitor sludge being applied to the Site.

Action: The Respondent is required to: submit a corrective action plan to detail standard operating procedures implemented to ensure proper application of sludge in accordance with best agronomic practices for the Site; submit copies of daily operator's logs; and, pay a civil penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**).

21) <u>Order Type and Number:</u>	Consent Order of Dismissal 09-059-W
<u>Order Date:</u>	November 9, 2009
<u>Respondent:</u>	Belvue Crossing, LLC
<u>Facility:</u>	Bellview Crossing Subdivision
<u>Location/Mailing Address:</u>	PO Box 3634 Greenville, SC 29608
<u>County:</u>	Greenville
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	37-04-09-02
<u>Violations Cited:</u>	S.C. Code Ann. §48-1-90(a) (2008), and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp.2008)

Summary: Belvue Crossing, LLC (Respondent) is responsible for land disturbing activity at the Bellview Crossing (Site) located in the Town of Seneca, Oconee County. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to install and properly maintain all erosion control devices during all phases of construction and discharged sediment into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the South Carolina Department of Health and Environmental Control (Department).

Action: The Respondent is required to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of eleven thousand five hundred dollars (**\$11,500.00**), in four equal quarterly installments of two thousand eight hundred seventy-five dollars (\$2,875.00) each.

- 22) Order Type and Number: Consent Order 09-060-W
Order Date: December 4, 2009
Respondent: **City of Camden**
Facility: City of Camden WWTF
Location/Mailing Address: P.O. Box 7002
Camden, SC 29020-7002
County: Kershaw
Previous Orders: CWA-04-2005-4766(USEPA)
(\$33,000)
Permit/ID Number: SC0021032
Violations Cited: S.C. Code Ann.§ 48-1-110(d) and 24
S.C. Code Ann. Regs. 61-9.122.41(a) (1) Supp.2008)

Summary: The City of Camden (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) and has violated the Pollution Control Act and associated regulations by failing to comply with the permitted discharge limit for chronic toxicity (CTOX).

Action: The Respondent is required within a defined time line to: submit a Preliminary Engineering Report (PER) addressing upgrade of the WWTF to meet permitted discharge limits, submit plans and specifications and an application for a permit to construct addressing upgrade of the WWTF to meet permitted discharge limits, begin construction of the permitted upgrade to the WWTF, submit an interim report of progress toward the completion of construction, indicating a project completion date, complete construction of the upgrade to the WWTF and request final operational approval from the Department; pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**); and, pay a stipulated penalty in the amount of one thousand dollars (\$1000.00) for each occurrence in which the discharge exceeds the CTOX permit limits.

- 23) Order Type and Number: Consent Order 09-062-W
Order Date: December 4, 2009
Respondent: **Orangeburg Sausage Co., Inc.**
Facility: Orangeburg Sausage Co., Inc. WWTF
Location/Mailing Address: 597 High Street
Orangeburg, SC 29115
County: Orangeburg
Previous Orders: None
Permit/ID Number: ND0080730

Violations Cited: S.C. Code Ann. § 48-1-110(d) (2008); and 24 S. C. Code Ann. Regs. 61-9.505.21(d)(1) (Supp.2008)

Summary: Orangeburg Sausage Co., Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving its meat packing facility. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to submit an administratively and technically complete application for renewal of its Land Application Permit at least one hundred eighty (180) days prior to the expiration date of the Permit.

Action: The Respondent is required to: continue to operate the WWTF in accordance with the most recently issued Permit until a new permit becomes effective; submit an administratively and technically complete closure plan for the lagoons to the Department for approval; and, implement the Department approved closure plan for the lagoons and contact the EQC Regional Office for approval.

24) Order Type and Number: Consent Order 09-063-W
Order Date: December 21, 2009
Respondent: **Honeywell Safety Products, Inc.**
Facility: North Safety Products, Inc.
Location/Mailing Address: 1150 Jackson Heights Rd.
Clover, SC 29710
County: York
Previous Orders: CO 05-059-W (\$1,400)
Permit/ID Number: SC0002801
Violations Cited: S.C. Code Ann.§ 48-1-110(d) and 24 S.C. Code Ann. Regs. 61-67.300.F.17 (Supp. 2008)

Summary: Honeywell Safety Products, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the North Safety Products plant located in the Town of Clover. The Respondent has violated the Pollution Control Act and associated regulations by failing to submit a closure plan for the WWTF for approval within one hundred eighty (180) days of the closing out of a treatment system as required in Permit 19195-IW.

Action: The Respondent is required to: submit a closure plan for the WWTF and pay a civil penalty in the amount of three thousand six hundred dollars (**\$3,600.00**).

BUREAU OF AIR QUALITY

25) Order Type and Number: Consent Order 09-073-A
Order Date: December 3, 2009
Respondent: **Mr. P. Boyd Purdy**
Facility: Mr. P. Boyd Purdy
Location/Mailing Address: 4074 Pickens Creek Road
Hodges, S.C.
County: Greenwood
Previous Orders: N/A
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning

Summary: Mr. P Boyd Purdy (Respondent) owns property located on Highway 246 North in Greenwood, South Carolina. The Respondent violated Open Burning Regulations in that he burned land clearing debris with 1,000 feet of a residential site.

Action: The Respondent has agreed to cease open burning, except as provided by the regulations and pay a civil penalty of three thousand dollars (**\$3,000.00**).

26) Order Type and Number: Consent Order 09-074-A
Order Date: December 17, 2009
Respondent: **Satterfield Construction
Company, Inc.**
Facility: Satterfield Construction Company,
Inc.
Location/Mailing Address: 822 Ascauga Lake Road,
Graniteville, S.C.
County: Aiken
Previous Orders: N/A
Permit/ID Number: CM-9900-0130
Violations Cited: US EPA 40 CFR 60.92, SC Code
Ann. 48-1-90(a), and South Carolina Air Pollution Control Regulation 61-
62.60, Subpart I

Summary: Satterfield Construction Company, Inc. (Respondent) owns and operates a facility that produces hot mix asphalt. The Department issued General Conditional Major Permit CM-9900-0130 to the Respondent, effective April 1, 2007. The Respondent violated U.S. EPA 60.92, Pollution Control Act, and South Carolina Air Pollution Control Regulations in that it exceeded its particulate matter (PM) emission limit during a June 2, 2009, Department-approved source test.

Action: The Respondent is required to: comply with the PM emission limits established by the regulations and its permit; and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

27) Order Type and Number: Consent Order 09-075-A
Order Date: December 3, 2009
Respondent: **Spartan Industries, Inc.**
Facility: Spartan Industries, Inc.
Location/Mailing Address: 6860 S. Pine St., Pacolet, S.C. 29372
/ P.O. Box 309, Pacolet, S.C. 29372
County: Spartanburg
Previous Orders: 06-073-A (\$8,000)
Permit/ID Number: 2060-0327
Violations Cited: Consent Order 06-073-A, U.S. EPA 40 CFR 63.346(b)(13), S.C Code Ann. § 48-1-110(d), and South Carolina Air Pollution Control Regulation 61-62.63, Subpart N

Summary: Spartan Industries, Inc. (Respondent) owns and operates a machine shop that hard chrome-electroplates hydraulic pump parts and cylinders. On December 16, 2008, the Department issued Air Quality Operating Permit 2060-03127 to Respondent. The Respondent violated its permit (Pollution Control Act), Consent Order, U.S. EPA 40 CFR Part 63, and South Carolina Air Pollution Control Regulation, as follows: failed to maintain records of the date and time that it adds fume suppressants to its electroplating bath.

Action: The Respondent is required to: maintain records of the date and time that fume suppressants are added to the electroplating bath and records of all monitoring data forms in its periodic ongoing compliance status reports in the future; and pay a civil penalty in the amount of four thousand eight hundred dollars (**\$4,800.00**) in four equal installments.

28) Order Type and Number: Consent Order 09-076-A
Order Date: December 3, 2009
Respondent: **Vulcan Construction Materials, LP**
Facility: Vulcan Construction Materials, LP
Location/Mailing Address: 239 Mill Creek Rd., Blacksburg, S.C. 29702 / P.O. Box 8834, Greenville, S.C. 29604
County: Cherokee
Previous Orders: N/A
Permit/ID Number: 0600-0002

Violations Cited: S. C. Code Ann. § 48-1-90(a), and South Carolina Air Pollution Control Regulation 61-62.5, Standard No. 4, Section IX.B.

Summary: Vulcan Construction Materials, LP (Respondent), owns and operates a plant that produces crushed, screened, and washed stone for use in the paving industry. The Department issued Conditional Major Air Quality Operating Permit CM-0600-0002 to Respondent, effective July 1, 2005. The Respondent violated its permit (Pollution Control Act), and South Carolina Air Pollution Control Regulation, as follows: failed to limit opacity to 20% from a transfer point between two conveyors.

Action: The Respondent is required to: limit opacity from conveyor transfer points in the future; and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

29) Order Type and Number: Consent Order 09-077-A
Order Date: December 9, 2009
Respondent: **Lafarge Building Materials Inc.**
Facility: Lafarge Building Materials Inc.
Location/Mailing Address: 463 Judge St., Harleyville, S.C. 29448
PO Box 326, Harleyville, S.C. 29448
County: Dorchester
Previous Orders: 06-017-A (\$24,000), 08-008-A (\$90,000)
Permit/ID Number: 0900-0004
Violations Cited: U.S. EPA Regulations at 40 CFR 63.1343(b)(ii); S.C. Code Ann. § 48-1-90(a); South Carolina Air Pollution Control Regulation 61-32.63 - Subpart LLL

Summary: Lafarge Building Materials Inc. (Respondent) owns and operates a Portland cement manufacturing plant. The Department issued Part 70 (Title V) Air Quality Permit TV-0900-0004 to the Respondent, effective January 1, 2003. The Respondent violated National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, Pollution Control Act, and South Carolina Air Pollution Control Regulations as follows: failure to control fugitive particulate matter (PM) emissions from non-enclosed operations; and exceeded the established emission rate limit for dioxin/furans (D/F) during two Department-approved source tests.

Action: The Respondent is required to: submit for approval a written plan of actions taken to evaluate raw material fly ash fed into the rotary kiln in an effort to preclude an exceedance of the D/F emission rate limits; and pay a civil penalty in the amount of one hundred six thousand dollars (**\$106,000.00**).

30) Order Type and Number: Consent Order 09-078-A
Order Date: December 17, 2009
Respondent: **Palmetto Imaging Technology, LLC**
Facility: Palmetto Imaging Technology, LLC
Location/Mailing Address: P.O. Box 1118
Winnsboro, S.C. 29180
County: Fairfield
Previous Orders: N/A
Permit/ID Number: CM-1000-0017
Violations Cited: S.C. Code Ann. § 48-1-110(d)

Summary: Palmetto Imaging Technology, LLC (Respondent) manufactures typewriter and computer printer supplies. The Department issued Conditional Major Air Quality Operating Permit CM-1000-0017 to the Respondent, effective July 1, 2004. The Respondent violated its permit as follows: failed to demonstrate a volatile organic compound (VOC) destruction removal efficiency (DRE) greater than 95% for its catalytic oxidizer (ST4) during a Department-approved source test conducted on March 3, 2009.

Action: The Respondent is required to: comply with all conditions and emission limits of the applicable Permit including VOC DRE and total VOC emissions; and, pay a civil penalty in the amount of five thousand six hundred dollars (\$5,600.00).

31) Order Type and Number: Consent Order 09-079-A
Order Date: December 15, 2009
Respondent: **Industrial Coaters, LLC**
Facility: Industrial Coaters, LLC
Location/Mailing Address: 1010 Lowndes Hill Rd., Greenville,
S.C. 29607 / P.O. Box 5499,
Greenville, S.C. 29606
County: Greenville
Previous Orders: N/A
Permit/ID Number: 1200-0189
Violations Cited: S. C. Code Ann. § 48-1-110(d),
South Carolina Air Pollution Control Regulation 61-62.5, Standard 1,
Section I.A.C., and South Carolina Air Pollution Control Regulation 61-
62.1, Section II(M).

Summary: Industrial Coaters, LLC (Respondent), owns and operates a facility that coats metal components with powder and Teflon® paints. On June 15, 2005, the Department issued Air Quality Operating Permit 1200-0189 to Respondent. The Respondent violated its permit (Pollution Control Act) and

South Carolina Air Pollution Control Regulations as follows: failed to maintain a log of the time, magnitude, duration and any other pertinent information to determine periods of startup and shutdown for its curing ovens; failed to conduct operation and maintenance (O&M) checks on its baghouse/dust collector system systems, dust collection hoppers and conveying systems for proper operation; failed to maintain records of the daily inspection and regular cleaning or replacement of its dry filters; failed to maintain records of maintenance events for all equipment; and failed to submit a written request for transfer of the operating permit.

Action: The Respondent is required to: maintain the required records in the future; and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**).

32)	<u>Order Type and Number:</u>	Consent Order 09-080-A
	<u>Order Date:</u>	November 16, 2009
	<u>Respondent:</u>	Barnhill Realty & Development Company, LLC
	<u>Facility:</u>	Barnhill Realty & Development Company, LLC
	<u>Location/Mailing Address:</u>	2351 Old Clear Pond Road. Conway, S.C. 29526
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	N/A
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	U.S. EPA 40 CFR 61.145, South Carolina Air Pollution Control Regulation 61-86.1.

Summary: Barnhill Realty & Development Company, LLC (Respondent) owns and manages the Ashlyn Estates Mobile Home Park on Hallie Martin Road in Conway, S. C. The Respondent violated US EPA 40 CFR and South Carolina Air Pollution Control Regulations 61-86.1 as follows: failure to submit a Demolition Project license application with the Department; failure to perform an asbestos building survey; failure to use Department-licensed asbestos abatement personnel when dealing with regulated asbestos containing materials (RACM); and failure to properly contain, label and dispose of RACM in a Department-approved landfill while demolishing six mobile homes at the site.

Action: The Respondent is required to comply with Federal and State Asbestos Regulations when performing any future demolition activities including: submit an application for a Department Asbestos project license; ensure that an asbestos building survey is conducted on structures prior to commencing demolition activities; use only Department-licensed asbestos abatement personnel when handling RACM; properly dispose of asbestos-containing materials; and pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) and pay a

suspended penalty in the amount of nine thousand dollars (\$9,000.00) should the Respondent fail to meet any requirement of the Order..

- 33) Order Type and Number: Consent Order 09-081-A
Order Date: December 16, 2009
Respondent: **Simpson Lumber Company, LLC**
Facility: Simpson Lumber Company, LLC
Location/Mailing Address: 2701 Indian Hut Road
Georgetown, S.C. 29440
County: Georgetown
Previous Orders: N/A
Permit/ID Number: 1140-0008
Violations Cited: U.S. EPA 40 CFR 60, Subpart Dc;
South Carolina Air Pollution Control Regulation 61-62.5, Standard 1 and
Standard 3; and S.C. Code Ann. Sections 48-1-90(a) and 48-1-110(d).

Summary: Simpson Lumber Company, LLC (Respondent) produces lumber products from pine logs at its facility at 2701 Indian Hut Road in Georgetown, South Carolina. The Department issued Title V Air Quality Operating Permit TV-1140-0008 (TV Permit) to the Respondent effective April 1, 2007. The Respondent violated the TV Permit, US EPA 40 CFR 60, and South Carolina Air Pollution Control Regulations as follows: failure to demonstrate compliance with the permitted particulate matter (PM) emissions limit during a Department-approved source test on February 18, 19, and 20, 2009; and failure to retain records of Specification Oil chemical analysis for 5 years.

Action: The Respondent is required to comply with PM emissions limits (0.4 lbs/10⁶ BTU heat input and 11.5 lbs/hr rate); retain Specification Oil chemical analysis for 5 years and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).