

SUMMARY SHEET  
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
 February 11, 2010

\_\_\_\_\_ ACTION/DECISION

  X   INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period December 1, 2009 – December 31, 2009.
- III. **FACTS:** For the periods December 1, 2009 through December 31, 2009 EQC issued thirty (30) Consent Orders with total assessed civil penalties in the amount of \$196,997.00. Three (3) Administrative Orders were also reported during this period with total assessed penalties in the amount of \$40,822.00.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
<b>Land &amp; Waste Management</b>				
UST Program	3	\$ 40,822.00	2	\$ 2,390.00
Solid Waste	0	0	0	0
Hazardous Waste	0	0	1	5,500.00
<b>SUBTOTAL</b>	<b>3</b>	<b>40,822.00</b>	<b>3</b>	<b>\$ 7,890.00</b>
<b>Water</b>				
Drinking Water	0	\$ 0	11	\$ 15,035.00
Water Pollution	0	\$ 0	7	36,172.00
<b>SUBTOTAL</b>	<b>0</b>	<b>\$ 0</b>	<b>18</b>	<b>\$ 51,207.00</b>
<b>Air Quality</b>				
<b>SUBTOTAL</b>	<b>0</b>	<b>\$ 0</b>	<b>9</b>	<b>\$ 137,900.00</b>
<b>TOTAL</b>	<b>3</b>	<b>\$ 40,822.00</b>	<b>30</b>	<b>\$ 196,997.00</b>

**ANALYSIS:** During the reporting period, Underground Storage Tank Enforcement issued three (3) Administrative Orders for violations of the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations including failure to determine the full extent of

a release in accordance with the schedule provided by the Department. Total civil penalties were assessed in the amount of forty thousand eight hundred twenty-two dollars (\$40,882.00).

Drinking Water Enforcement entered into eleven (11) Consent Orders of which nine (9) were for violations of the Public Swimming Pool Regulations. Total civil penalties were assessed in the amount of twelve thousand eight hundred sixty-five dollars (\$12,865.00).

Water Pollution Enforcement entered into seven (7) Consent Orders of which five (5) were for various violations at wastewater treatment facilities (WWTF). Total civil penalties were assessed in the amount of seventeen thousand one hundred seventy-two dollars (17,172.00).

Air Quality Enforcement entered into a Consent Order with Lafarge Building Materials, Inc. (Respondent) owner and operator of a Portland cement manufacturing plant. The Respondent failed to control fugitive particulate matter emissions from non-enclosed operations and exceeded the established emission rate limit for dioxin/furans during two Department-approved source tests. To comply with the Order, the Respondent must submit a written plan of actions taken to evaluate raw material fly ash fed into the rotary kiln to try and prevent an exceedance of the dioxin/furan emission rate limits. A civil penalty in the amount of one hundred six thousand dollars (\$106,000.00) was assessed.

Submitted by:

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Robert W. King, Jr., P.E.  
Deputy Commissioner  
Environmental Quality Control