

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
January 14, 2010

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 09-0218-UST
 Order Date: November 20, 2009
 Respondent: **Red Rocket Fireworks Store**
 Facility: Red Rocket Fireworks Store
 Location/Mailing Address: 1166 Porter Rd. SE & I-77, Rock
 Hill, SC 29732

 County: York
 Previous Orders: None
 Permit/ID Number: 17022
 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-
 92.280.31(a).

Summary: Red Rocket Fireworks Store (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 maintain and operate the corrosion protection system.

Action: The Respondent is required to submit to the Department a civil penalty in the amount of four hundred five dollars (**\$405.00**).

Hazardous Waste Enforcement

- 2) Order Type and Number: Consent Order 09-25-HW
 Order Date: November 12, 2009
 Respondent: **TransGlobal Trucking**
 Facility: N/A
 Location/Mailing Address: 320 Winningham Rd. /
 P.O. Drawer 337
 St. George, South Carolina 29477

 County: Dorchester
 Previous Orders: 07-06-HW (\$5,000)
 Permit/ID Number: SCD 000 075 515

Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulation 61-79.263.12; R.61-79.273.53(a); R.61-79.273.53(b); R.61-79.273.15(a); R.61-79.273.15(c); R.61-9.263.20(a)(1); R.61-79.263.20(b); R.61-79.270.1; R.61-79.263.23(a); R.61-79.264.174; R.61-79.264.31; R.61-79.264.35; R.61-79.264.175(a); R.61-79.264.171; R.61-79.264.173(b); R.61-79.273.13(d)(1); R.61-79.273.14(e); and the Pollution Control Act §48-1-90.

Summary: TransGlobal Trucking (Respondent) is a hazardous waste transporter and has violated the South Carolina Hazardous Waste Management Regulations as follows: failure to store manifested shipments of hazardous waste in containers at a transfer facility for a period of ten days or less; failure to store universal waste at a universal waste transfer facility for ten days or less; failure to comply with the applicable requirements while storing the universal waste; failure to accumulate universal waste for no longer than one year from the date received from another handler; failure to demonstrate the length of time that the universal waste has been accumulating from the date it became a waste or was received; failure to accept hazardous waste from a generator unless the transporter is also provided with a signed manifest; failure to sign and date the manifest acknowledging acceptance of the hazardous waste from the generator; failure to accumulate hazardous waste onsite for less than 90 days; failure to obtain a permit for removal of a hazardous waste from a transport vehicle for the purpose of blending, mixing, treating, or storing; failure to perform weekly inspections of areas where containers are stored, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors; failure to design, construct, maintain, and operate its facility in a way to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment; failure to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency; failure to have a containment system that is designed and operated in accordance with the requirements; failure to transfer hazardous waste from a container that is not in good condition to a container that is in good condition or manage the waste in some other way that complies with the requirements of this part; failure to open, handle, or store a container holding hazardous waste in a manner which may not rupture the container or cause it to leak; failure to contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps; and, failure to label or mark clearly each lamp or a container or package in which such lamps are contained with "Universal Waste - Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)." The Respondent also discharged an industrial waste into the environment of the State without a permit.

Action: The Respondent has agreed to: ensure that universal wastes are handled in accordance with the regulations; ensure that organic or inorganic matter, including sewage, industrial wastes and other wastes are not directly or indirectly thrown, drained, ran, allowed to seep or otherwise discharged into the environment of the State, except as in compliance with a permit issued by the Department; and, pay a civil penalty in the amount of ninety-five thousand dollars (**\$95,000.00**) in installments.

- 3) Order Type and Number: Consent Order 09-26-HW
Order Date: November 20, 2009
Responsible Party: **Palmetto Plating Company, Inc.**
Location/Mailing Address: 510 Saco Lowell Road and
115 Folger Avenue
Easley, South Carolina 29641
County: Pickens
Previous Orders: 05-01-HW (\$20,000 suspended); 04-019-A (\$18,000)
Permit Number: SCR 000004739 Saco Lowell
SCD 982091514 Folger Avenue
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations, R.61-79.262.34(a)(2); R.61-79.265.173(c); R.61-79.265.173(d); R.61-79.265.35; R.61-79.273.13(d)(1); R.61-79.265.15(d); R.61-79.262.11; and, R.61-79.262.34(a)(4)/265.53(a).

Summary: Palmetto Plating Company, Inc. (Respondent) is a metal finishing company that operates two locations in Easley, South Carolina. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to ensure that the date upon which each accumulation period begins is clearly marked and visible on each container; failure to ensure that each container of hazardous waste be permanently and legibly marked with "Hazardous Waste – federal laws prohibit improper disposal;" failure to appropriately label each container containing hazardous waste with an EPA Identification Number; failure to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and any decontamination equipment to any area of facility operation in an emergency; failure to contain lamps in containers that remain closed and lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions; failure to record inspections in an inspection log or summary to include the date and time of the inspection; failure to accurately determine if that waste was a hazardous waste; and, failure to maintain a copy of the contingency plan at the facility.

Action: The Respondent has agreed to: ensure compliance with the South Carolina Hazardous Waste Management Act and Regulations; ensure that all containers of hazardous waste are labeled with the appropriate information; ensure that areas where containers of hazardous wastes are stored have aisle space; ensure that inspection logs are completed appropriately; ensure that an accurate waste determination is made on all solid waste; ensure that a contingency plan is maintained at applicable locations; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

- 4) Order Type and Number: Consent Order 09-052-DW
Order Date: November 10, 2009
Respondent: **Southwood Realty Company**
Facility: Crown Point Apartments
Location/Mailing Address: 165 South York Street
Gastonia, NC 28053
County: Spartanburg
Previous Orders: None
Permit/ID Number: 42-093B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Southwood Realty Company (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 six hundred eighty dollars (**\$680.00**). The civil penalty has been paid.

- 5) Order Type and Number: Consent Order 09-053-DW
Order Date: November 10, 2009
Respondent: **Summer Place of Myrtle Beach Homeowners Association, Inc.**
Facility: A Summer Place
Location/Mailing Address: 5714 Snapdragon Lane
Huntersville, N.C. 28078
County: Horry
Previous Orders: None
Permit/ID Number: 26-E56B

Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Summer Place of Myrtle Beach Homeowners 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: pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). The civil penalty has been paid.

6) Order Type and Number: Consent Order 09-055-DW
Order Date: November 9, 2009
Respondent: **Graves Development Group, Inc.**
Facility: Seacrest Hotel
Location/Mailing Address: P.O. Box 5818
Hilton Head Island, S.C. 29938
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-141-1B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Graves Development Group, 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 has agreed to: pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). The civil penalty has been paid.

7) Order Type and Number: Consent Order 09-056-DW
Order Date: November 10, 2009
Respondent: **Pan American Property Owners' Association, Inc.**
Facility: Dunes Village
Location/Mailing Address: 5300 North Ocean Boulevard
Myrtle Beach, S.C. 29577
County: Horry
Previous Orders: None
Permit/ID Number: 26-1324D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Pan American Property 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 one thousand nine hundred twenty dollars (**\$1,920.00**). The civil penalty has been paid.

8) Order Type and Number: Consent Order 09-058-DW
Order Date: November 12, 2009
Respondent: **Point South Kamp Ground, Inc.**
Facility: KOA Campground
Location/Mailing Address: 14 Campground Road
Yemassee, S.C. 29945
County: Jasper
Previous Orders: None
Permit/ID Number: 27-026-1D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Point South Kamp Ground, 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 one thousand six hundred eighty dollars (**\$1,680.00**). The civil penalty has been paid.

9) Order Type and Number: Consent Order 09-060-DW
Order Date: November 10, 2009
Respondent: **Parth, LLC**
Facility: Super 8 Motel
Location/Mailing Address: 9125 Old Highway 6
Santee, S.C. 29142
County: Orangeburg
Previous Orders: None
Permit/ID Number: 38-076B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Parth, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a Pool. The Respondent has violated the Public Swimming Pools Regulation as follows: 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**).

- 10) Order Type and Number: Consent Order 09-061-DW
Order Date: November 10, 2009
Respondent: **Rabco, LLC**
Facility: The Oaks Mobile Home Park
Location/Mailing Address: 599 Robert Smalls Parkway
Beaufort, S.C. 29906
County: Beaufort
Previous Orders: None
Permit/ID Number: 0760022
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7

Summary: Rabco, LLC (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: failed to properly operate and maintain the PWS.

Action: The Respondent is required to: acquire a sufficient quantity of source water to meet its average daily demand; add conduit to the electrical wiring and a casing vent to the well casing; secure the well and storage tank in a secure/lockable well house; perform routine maintenance on the system; create a cross connection control program; add a drain and sample tap to the storage tank; pay a penalty in the amount of one thousand four hundred dollars (**\$1,400.00**); and pay a stipulated penalty in the amount of one thousand four hundred dollars (\$1,400.00) should the Respondent fail to meet any requirement of the Order.

- 11) Order Type and Number: Consent Order 09-063-DW
Order Date: November 10, 2009
Respondent: **Greene Creek Homeowners Association, Inc.**
Facility: Greene Creek Subdivision
Location/Mailing Address: 4916 Trilogoy Park Trail
Hoschton, GA 30548
County: Spartanburg
Previous Orders: None
Permit/ID Number: 42-1026C
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Greene Creek Homeowners 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: pay a civil penalty in the amount of two thousand forty dollars (**\$2,040.00**).

12) Order Type and Number: Consent Order 09-065-DW
Order Date: November 20, 2009
Respondent: **Market Pavilion Hotel, Inc.**
Facility: Market Pavilion Hotel
Location/Mailing Address: 2008 Savannah Highway
Charleston, S.C. 29407
County: Charleston
Previous Orders: None
Permit/ID Number: 10-638B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Market Pavilion Hotel, 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**).

13) Order Type and Number: Consent Order 09-067-DW
Order Date: November 20, 2009
Respondent: **Island West Homeowners Association, Inc.**
Facility: Island West Recreation Center
Location/Mailing Address: 230 Blythe Island
Bluffton, S.C. 29910
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1020B and 07-1021C
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

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

Action: The Respondent is required to: pay a civil penalty in the amount of four thousand eighty dollars (**\$4,080.00**).

- 14) Order Type and Number: Consent Order 09-068-DW
Order Date: November 20, 2009
Respondent: **Lodging Development Group, LLC**
Facility: Holiday Inn Express
Location/Mailing Address: 145 Independence Blvd.
Hardeeville, S.C. 29927
County: Jasper
Previous Orders: None
Permit/ID Number: 27-1007B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

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

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

- 15) Order Type and Number: Consent Order 09-069-DW
Order Date: November 20, 2009
Respondent: **Narayan Krupa, LLC**
Facility: Comfort Inn
Location/Mailing Address: P.O. Box 544
Hardeeville, S.C. 29927
County: Jasper
Previous Orders: None
Permit/ID Number: 27-027-1B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Narayan Krupa, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a Pool. The Respondent has violated the Public Swimming Pools Regulation as follows: 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**).

Water Pollution Enforcement

- 16) Order Type and Number: Consent Order 09-047-W

Order Date: November 12, 2009
Respondent: **Town of Saluda**
Facility: Town of Saluda WWTP
Location/Mailing Address: N. Bouknight Ferry Road
Saluda, SC 29138
County: Saluda
Previous Orders: 06-076-W (\$1,400.00); 08-112-W
(\$3,200.00)
Permit/ID Number: SC0022381
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008)
and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(Supp. 2008).

Summary: The Town of Saluda (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment plant (WWTP) serving the residents of Saluda. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with permitted sludge handling requirements subsequent to the sludge belt press becoming inoperative; and, exceeded effluent quality limitations for fecal coliform and biochemical oxygen demand as reported on April and May 2009 Discharge Monitoring Reports.

Action: The Respondent is required to: submit a corrective action plan detailing standard operation and maintenance procedures which will be implemented to prevent effluent violations, including a comprehensive diagnostic evaluation (DE) of the WWTP; complete repair of the sludge belt press; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

17) Order Type and Number: Consent Order 09-048-W
Order Date: November 12, 2009
Respondent: **Newberry County Water & Sewer Authority**
Facility: Cannon's Creek WWTF
Location/Mailing Address: 13903 C. R. Koon Highway
Newberry, South Carolina 29108
County: Newberry
Previous Orders: 08-116-W (\$3,600.00)
Permit/ID Number: SC0048313
Violations Cited: S.C. Code Ann. § 48-1-110(d) and 24
S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(Supp.2008)

Summary: Newberry County Water & Sewer Authority (Respondent) owns and is responsible for the proper operation and maintenance of the Cannon's Creek Wastewater Treatment Facility (WWTF). 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; and, failed to comply with all requirements of its National Pollutant Discharge Elimination System Permit in

that it failed to comply with the permitted discharge limits for ammonia-nitrogen (NH₃N).

Action: The Respondent is required to: submit to the Department a corrective action plan addressing compliance with NH₃N limits to include an Operation and Maintenance Manual detailing procedures and protocols for the operation of the WWTF; and, pay a civil penalty in the amount of twelve thousand eight hundred dollars (**\$12,800.00**). The penalty has been paid.

- 18) Order Type and Number: Consent Order 09-050-W
Order Date: November 13, 2009
Respondent: **Town of Ridgeway**
Facility: Town of Ridgeway WWTF
Location/Mailing Address: P.O. Box 24
Ridgeway, SC 29130
County: Fairfield
Previous Orders: None
Permit/ID Number: SC0022900
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: The Town of Ridgeway (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Fairfield County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to comply with the effluent limits for total copper and total zinc in accordance with its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: submit a Summary of Corrective Actions implemented to ensure that complete and accurate Discharge Monitoring Reports are submitted to the Department; submit data from a Department approved bench study to determine if multimedia sand filters will provide adequate treatment to meet permit limits; construct upgrades necessary to meet the effluent limitations of its NPDES Permit; pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**); and, pay a suspended penalty of three thousand six hundred dollars (\$3,600.00) should the Respondent fail to meet any requirements of the Order.

- 19) Order Type and Number: Consent Order 09-051-W
Order Date: November 13, 2009
Respondent: **Greer Commission of Public Works**
Facility: Maple Creek WWTF
Location/Mailing Address: P. O. Box 216

	Greer, S. C. 29652
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	04-143-W (\$0)
<u>Permit/ID Number:</u>	SC0046345
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90 (a) (Supp. 2008) and § 48-1-110(d) (Supp. 2008); and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e), 403.1(a), 403.5 and 403.8, (Supp. 2008),

Summary: Greer Commission of Public Works (Respondent) owns and is responsible for the proper operation and maintenance of the Maple Creek Wastewater Treatment Facility (WWTF) located in the City of Greer. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to fully implement its approved pretreatment program, in that it allowed the discharge of pollutants into its treatment facility that interfered with the operation and/or performance of its treatment works; failed to report the operational interferences; failed to adequately address pass throughs and interferences from an industrial user (IU); and, discharged waste into the environment other than in compliance with a Permit issued by the Department.

Action: The Respondent is required to: submit a corrective action plan (CAP) to include a diagnostic evaluation (DE) detailing standard operation and maintenance procedures which will be implemented to prevent unauthorized discharges and pass-throughs caused by the IU's waste; submit an updated Operation and Maintenance Manual; if necessary, enter into a consent agreement with the IU or initiate enforcement action against the IU; pay a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**); and, pay a stipulated penalty of five thousand dollars (\$5,000.00) for each unauthorized discharge that occurs at the WWTF that is directly related to the foaming problems with the IU set forth in the Order. If the DE concludes that the WWTF as presently constructed, can meet NPDES permit requirements, without interferences, unauthorized discharges or pass-throughs related to the treatment the IU's wastewater, with the concurrence of the Department, then the Order will be closed.

20)	<u>Order Type and Number:</u>	Consent Order 09-052-W
	<u>Order Date:</u>	November 23, 2009
	<u>Respondent:</u>	Mr. Ben Thrasher
	<u>Facility:</u>	Thrasher Farm
	<u>Location/Mailing Address:</u>	40 Omega Drive Seneca, SC 29678
	<u>County:</u>	Oconee
	<u>Previous Orders:</u>	N/A
	<u>Permit/ID Number:</u>	PC 18155-AG

Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008) and 48-1-110(a) (2008) and S.C. Code Ann. Regs. 61-43.200.100.C(2) and 200.140(A)(Supp. 2008).

Summary: Mr. Ben Thrasher (Respondent) owns and is responsible for the proper operation and maintenance of the Thrasher Farm. The Respondent violated the Pollution Control Act and The Standards for the Permitting of Agricultural Animal Facilities as follows: discharged animal waste into the environment, including waters of the state, in a manner other than in compliance with a permit issued by the Department; failed to comply with all requirements of Permit PC 18.155-AG; and, the Department approved Waste Management Plan.

Action: The Respondent is required to: within one hundred and eighty (180) days of the execution date of the Order, submit to the Department copies of the certification for successful completion of the approved Confined Animal Manure Management (CAMM) course for employees that handle the animal waste for the facility; and pay to the Department a civil penalty in the amount of one thousand seven hundred and fifty dollars (**\$1,750.00**). The penalty has been paid.

21) <u>Order Type and Number:</u>	Consent Order 09-053-W
<u>Order Date:</u>	November 12, 2009
<u>Respondent:</u>	Don Wisher
<u>Facility:</u>	Sandy Coffee Tract
<u>Location/Mailing Address:</u>	104 South Charleston Street Blacksburg, SC 29702
<u>County:</u>	Cherokee
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a) (2008)

Summary: Don Wisher (Respondent) purchased the timber and supervised the logging activities on the Sandy Coffee Tract (site) in Cherokee County. The Respondent has violated the Pollution Control Act as follows: directed the removal of trees in the streamside management zone (SMZ) and allowed the discharge of logging debris and sediment into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: attend a Top SMZ class or equivalent as designated by the South Carolina Forestry Commission; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**). The civil penalty is to be paid in four (4) quarterly installments of two thousand dollars (\$2,000.00).

22) Order Type and Number: Consent Order 09-054-W
Order Date: November 12, 2009
Respondent: **Development Services, Inc.**
Facility: Bush River WWTF
Location/Mailing Address: PO Box 1730
Lexington, South Carolina 29071
County: Lexington
Previous Orders: None
Permit/ID Number: SC0032743
Violations Cited: S.C. Code Ann.§ 48-1-110(d) and 24
S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(Supp.2008)

Summary: Development Services, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Bush River Wastewater Treatment Facility (WWTF) serving businesses and residents located off Bush River Road northwest of Interstate 26 in Lexington County. 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; and, failed to comply with all requirements of its National Pollutant Discharge Elimination System (NPDES) Permit in that it failed to comply with the permitted discharge limits for fecal coliform.

Action: The Respondent has agreed to: submit to the Department revised operation and maintenance procedure for the Ultraviolet Disinfection System; and pay a civil penalty in the amount of nine thousand five hundred dollars (**\$9,500.00**) in quarterly installments over a period of twelve (12) months.

23) Order Type and Number: Consent Order 09-055-W
Order Date: November 12, 2009
Respondents: **James B. Jones, Jr. Const., Inc.**
Abbeville Construction Co. Inc.
Facility: Grace United Methodist Church
Location/Mailing Address: P.O. Box 847
Abbeville, SC 29620
County: Abbeville
Previous Orders: None
Permit/ID Number: SCR10H422
Violations Cited: 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: Grace United Methodist Church owns property located at the intersection of Highland Terrace and East Harrisburg Road (Site) in Abbeville County. James B. Jones, Jr. Construction Co., Inc. and Abbeville Construction Co., Inc. (Respondents) are responsible for land-disturbing activity at the Site. The Respondents violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to install and maintain erosion and sediment

controls as required by the approved plans 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 Respondents are required to: submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that all storm water and sediment control devices are installed and functioning properly as specified in the approved Erosion and Sediment Control Plan and pay a civil penalty in the amount of nine thousand five hundred eighty dollars (**\$9,580.00**).

Joint Orders

24) Order Type and Number: Consent Order 09-049-W/09-059-DW
Order Date: November 12, 2009
Respondent: **Country Manor Holdings, LLC**
Facility: Wham-Long Mobile Home Park
Location/Mailing Address: Post Office Box 1234
Fountain Inn, SC 29644
County: Laurens
Previous Orders: None in the last 5 years
Permit/ID Number: Unpermitted
Violations Cited: 24 S.C. Code Ann. Regs. 61-9.122.26(c)(1) (Supp. 2008) and 24A S.C. Code Ann. Regs. 61-58.1(B)(1) (Supp.2008) and 61-58.1(K)(1) (Supp.2008).

Summary: Country Manor Holdings, LLC (Respondent), located in Fountain Inn, owns and is responsible for the Wham-Long Mobile Home Park in Laurens County. The Respondent has violated the Water Pollution Control Permits Regulation and State Primary Drinking Water Regulations as follows: initiated land-clearing and construction activities without the appropriate permits or approvals from the Department and constructed and placed into operation a public water system (PWS) without the appropriate permits from the Department.

Action: The Respondent is required to: submit a notice of intent (NOI) for coverage under the National Pollutant Discharge Elimination System General Permit for Construction Activities Associated with Large and Small Construction; submit an engineer's report certifying all storm water, sediment and erosion control measures have been installed and are functioning properly; submit an application package for the construction of the PWS; complete all required upgrades to the PWS and request an approval to operate; and, pay a civil penalty in the amount of two thousand fifty-seven dollars (**\$2,057.00**). The penalty has been paid.

BUREAU OF AIR QUALITY

25) Order Type and Number: Consent Order 09-069-A
Order Date: November 13, 2009
Respondent: **Lincoln Oil Company, Inc.**
Facility: Lincoln Oil Company, Inc.
Location/Mailing Address: 1230 Edgefield Rd., N. Augusta, S.C.; 620 Greenville Dr., Williamston, S.C.; 227 Youth Center Rd., Belton, S.C.; 9851 Belton-Honea Path Hwy., Belton, S.C.; and 123 Hibernia Rd., Monetta, S.C. / 22 S. Main St., Greenville, S.C. 29601
County: Anderson, Edgefield, and Saluda
Previous Orders: None
Permit/ID Number: 0200-0208, 0200-0209, 0980-0039, and 1940-0020
Violations Cited: U.S. EPA Regulations at 40 CFR 70.5(a)(1); South Carolina Air Pollution Control Regulation 61-62.70.5(a)(1)(i); and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements, A.1.b. and F.1.

Summary: Lincoln Oil Company, Inc. (Respondent), is an ethanol distributor, and owns and operates, or has operated the following sites in South Carolina: North Augusta Terminal in North Augusta; Williamston Site in Williamston; Belton Youth Center Terminal and Belton Rail Yard in Belton; and Monetta Rail Yard in Monetta. On June 15, 2009, the Department issued Operating Permit 0980-0039 for the North Augusta Terminal. On December 3, 2008, the Department issued Operating Permit 0200-0209 for the Belton Rail Yard. On January 9, 2009, the Department issued Operating Permit 1940-0020 for the Monetta Railyard. The Respondent violated U.S EPA Regulations at 40 CFR Part 70, and South Carolina Air Pollution Control Regulations as follows: failed to submit an application for a Part 70 (Title V) Operating Permit for the Belton Youth Center Terminal within 12 months of becoming subject to the regulation; failed to obtain a construction permit prior to commencement of construction of the North Augusta Terminal, the Williamston Site, the Belton Youth Center Terminal, the Belton Rail Yard, and the Monetta Rail Yard; and failed to submit written notification of the actual date of initial start-up of the North Augusta Terminal, the Williamston Site, the Belton Youth Center Terminal, the Belton Rail Yard, and the Monetta Rail Yard.

Action: The Respondent is required to: obtain the necessary/appropriate permits prior to commencement of construction of any sources of air contaminants and submit the required notifications in the future; and pay a civil penalty in the amount of twenty-four thousand five hundred dollars (**\$24,500.00**).

26) Order Type and Number: Consent Order 09-070-A
Order Date: November 12, 2009
Respondent: **Chester Wood Products LLC**
Facility: Chester Wood Products LLC
Location/Mailing Address: 1445 Lancaster Hwy
Chester, S.C. 29706
County: Chester
Previous Orders: 06-032-A (\$9,000), 08-059-A (\$10,000)
Permit/ID Number: TV-0640-0013
Violations Cited: U.S. EPA 40 CFR 63.2250(a) and U.S. EPA 40 CFR Table 2 To Subpart DDDD of Part 63--Operating Requirements; U.S. EPA 40 CFR 63.2281(b) and South Carolina Air Pollution Control Regulation 61-62.63, Subpart DDDD; and, U.S. EPA 40 CFR 63.2281(d) and (e).

Summary: Chester Wood Products LLC (Respondent) owns and operates a softwood veneer and plywood manufacturing facility. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0640-0013 to the Respondent, effective November 2, 2000. The Respondent violated U.S. EPA Regulations at 40 CFR and South Carolina Air Pollution Control Regulations and as follows: failed to maintain the 3-hour block average temperature of the RTO/RCO above the minimum temperature of 1027°F established during the original source test; failed to submit its Semiannual Report no later than the established due date; and, failed to submit a complete Semiannual Report.

Action: The Respondent is required to: comply with the compliance options, as described in Notices of Compliance Status; submit timely and complete semiannual reports to the Department; and, pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

27) Order Type and Number: Consent Order 09-071-A
Order Date: November 12, 2009
Respondent: **CPJ Technologies, Inc.**
Facility: CPJ Technologies, Inc.
Location/Mailing Address: 200 Tanner Dr., Taylors, S.C. 29687
County: Greenville
Previous Orders: None
Permit/ID Number: 1200-0068
Violations Cited: Pollution Control Act (S. C. Code Ann. § 48-1-110(d))

Summary: CPJ Technologies, Inc. (Respondent) owns and operates a facility that manufactures dyes and other specialty chemicals for use in the textile

industry. The Department issued Conditional Major Air Quality Operating Permit CM-1200-0068 to the Respondent, effective April 1, 2008. The Respondent violated the Pollution Control Act and its permit as follows: failed to conduct a source test of a scrubber to verify uncontrolled and controlled volatile organic compounds (VOC) and hazardous air pollutants (HAP) from a reactor, verify the control efficiency and operational ranges of the scrubber, and submit operational ranges for the scrubber.

Action: The Respondent is required to: conduct a source test of the scrubber to verify that uncontrolled VOC emissions from its reactor are less than 100 tons per year (TPY) at the scrubber inlet; conduct a subsequent source test of the scrubber to verify the controlled VOC emissions, the control efficiency, and establish operational ranges if the uncontrolled VOC emissions are greater than 100 TPY; and pay a civil penalty in the amount of five thousand eight hundred dollars (**\$5,800.00**).

28) <u>Order Type and Number:</u>	Consent Order 09-072-A
<u>Order Date:</u>	November 13, 2009
<u>Respondent:</u>	Industrial Container Services -SC, LLC
<u>Facility:</u>	Industrial Container Services - SC, LLC
<u>Location/Mailing Address:</u>	2819 Industrial Ave Charleston, S.C. 29405
<u>County:</u>	Charleston
<u>Previous Orders:</u>	05-17-HW (\$14,000); 07-01-HW (\$21,000)
<u>Permit/ID Number:</u>	TV-0560-0081
<u>Violations Cited:</u>	S.C. Code Ann. 48-1-110(d)

Summary: Industrial Container Services - SC, LLC (Respondent) reconditions and recycles drums. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0560-0081 to the Respondent, effective April 1, 2005. The Respondent violated the Pollution Control Act and its permit as follows: failed to indicate all deviations of the afterburner temperature operating range; and failed to take appropriate corrective action when deviations of the afterburner temperature operating range occurred.

Action: The Respondent is required to: report all deviations of the temperature operating range established for the afterburner; take appropriate corrective action when deviations of the afterburner operating range occur; and pay a civil penalty in the amount of two thousand five hundred fifty dollars (**\$2,550.00**).