

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 13, 2010

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Administrative Order 08-0316-UST
 Order Date: November 24, 2009
 Respondent: **Bhagavati Corporation**
 Facility: Boones Barn
 Location/Mailing Address: 1249 US Hwy. 321 S., Winnsboro,
 SC 29180

 County: Fairfield
 Previous Orders: None
 Permit/ID Number: 11660
 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(b).

Summary: Bhagavati Corporation (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 have the corrosion protection system inspected by a qualified tester every three years.

Action: The Respondent is required to submit to the Department a civil penalty in the amount of nine hundred dollars (**\$900.00**).

- 2) Order Type and Number: Administrative Order 09-0213-UST
 Order Date: January 15, 2010
 Respondent: **Steven D. Lever**
 Facility: Former Mini Mart
 Location/Mailing Address: 6101 Monticello Rd., Columbia,
 SC/9227 Wilson Blvd., Columbia,
 SC 29203-9649

 County: Richland
 Previous Orders: None
 Permit/ID Number: 07906
 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: Steven D. Lever (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 I Assessment Report for a reported release at the Facility; and, pay a civil penalty in the amount of fourteen thousand, nine hundred eighty dollars (**\$14,980.00**).

- 3) Order Type and Number: Administrative Order 07-0649-UST
Order Date: February 5, 2010
Respondent: **Larry Bochette**
Facility: Midway Supply
Location/Mailing Address: 6402 Pamplico Hwy., Effingham,
SC 29511/6331 Pamplico Hwy.,
Effingham, SC 29541
County: Florence
Previous Orders: None
Permit/ID Number: 16808
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
and the South Carolina Underground Storage Tank Control Regulation
61-92.280.70(a), R.61-92.280.34(c), R.61-92.280.93(a), and R.61-92-
280.110(c).

Summary: Larry Bochette (Respondent) owns an underground storage tank (UST) and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to continue release detection methods for a temporarily closed underground storage tank system; failure to provide records to the Department upon request; failure to demonstrate financial responsibility for the UST system; and, failure to provide financial responsibility records to the Department upon request.

Action: The Respondent is required to: submit tank tightness, line tightness, and line leak detector function test results, or proof that the UST has been emptied to less than one inch of residue; submit a completed Certificate of Financial Responsibility and proof of mechanism; and, pay a civil penalty in the amount of four thousand, eighty dollars (**\$4,080.00**).

- 4) Order Type and Number: Administrative Order 09-0058-UST

Order Date: February 24, 2010
Respondent: **Mike Morrow**
Facility: Hilda Grocery and Meat
Location/Mailing Address: 31 Broughton Ave., Hilda, SC
29813/658 Morrow Dr., Blackville,
SC 29817
County: Barnwell
Previous Orders: None
Permit/ID Number: 00868
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(b), R.61-92.280.31(c), R.61-92.280.34(c), R.61-
92.280.93(a), R.61-92-280.110(c), and the SUPERB Act, Section 44-2-
60(A).

Summary: Mike Morrow (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 have the corrosion protection system inspected by a qualified tester every three (3) years; failure to inspect the impressed current system every sixty (60) days; failure to provide records to the Department upon request; failure to demonstrate financial responsibility for the UST system; failure to provide financial responsibility records to the Department upon request; and, failure to pay to the Department annual underground storage tank registration fees.

Action: The Respondent is required to: submit payment of annual UST registration fees in the amount of three hundred sixty-three dollars (\$363.00); submit a completed Certificate of Financial Responsibility and proof of mechanism; submit a completed Tank and Sludge Disposal form for the permanent closure of the USTs at the Facility; and, pay a civil penalty in the amount of five thousand, two hundred dollars (**\$5,200.00**).

5) Order Type and Number: Consent Order 09-0254-UST
Order Date: March 18, 2010
Respondent: **Coley, Inc.**
Facility: Cuz's Corner
Location/Mailing Address: 419 A South Congress St.,
Winnsboro, SC 29180/P.O. Box 85,
Blackstock, SC 29014
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: Coley, Inc. (Respondent) owns 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**).

- 6) Order Type and Number: Consent Order 09-0315-UST
Order Date: March 4, 2010
Respondent: **CFJ Properties**
Facility: Flying J Travel Plaza
Location/Mailing Address: 1011 N. Mountain St., Blacksburg, SC 29702/1104 Country Hills Dr., Ogden, UT 84403
County: Cherokee
Previous Orders: None
Permit/ID Number: 16114
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(c)(1)(ii).

Summary: CFJ Properties (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 use an adequate overfill prevention system in a UST.

Action: The Respondent is required to submit to the Department a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill prevention equipment deficiency was corrected before the Order was issued.

- 7) Order Type and Number: Consent Order 10-0001-UST
Order Date: March 4, 2010
Respondent: **P&P Investment Company, LLC**
Facility: Sam's Foodmart 2
Location/Mailing Address: 6340 St. Andrews Rd., Columbia, SC 29210/220 Bluemountain Dr., Irmo, SC 29063
County: Lexington

Previous Orders: 08-0312-UST (\$400);
10-0013-UST (\$500)
Permit/ID Number: 06045
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
and the South Carolina Underground Storage Tank Control Regulation
61-92.280.20(c)(1)(ii).

Summary: P&P Investment Company, LLC (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 use an adequate overfill prevention system in a UST.

Action: The Respondent is required to submit to the Department a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill prevention equipment deficiency was corrected before the Order was issued.

8) Order Type and Number: Consent Order 10-0002-UST
Order Date: March 4, 2010
Respondent: **Brabham Oil Co., Inc.**
Facility: E Z Shop 6
Location/Mailing Address: 4137 Ladson Rd., Ladson, SC
29456/P.O. Box 330, Bamberg, SC
29003
County: Dorchester
Previous Orders: None
Permit/ID Number: 03072
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
and the South Carolina Underground Storage Tank Control Regulation
61-92.280.20(c)(1)(ii).

Summary: Brabham Oil 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 use an adequate overfill prevention system in a UST.

Action: The Respondent is required to submit to the Department a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill prevention equipment deficiency was corrected before the Order was issued.

9) Order Type and Number: Consent Order 10-0013-UST
Order Date: March 4, 2010
Respondent: **P&P Investment Company, LLC**

Facility: P&P Investment Company
Location/Mailing Address: 2051 Wilson Road, Newberry, SC
29108/220 Bluemountain Dr., Irmo,
SC 29063
County: Newberry
Previous Orders: 08-0312-UST (\$400);
10-0001-UST (\$500)
Permit/ID Number: 10228
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
and the South Carolina Underground Storage Tank Control Regulation
61-92.280.20(c)(1)(ii).

Summary: P&P Investment Company, LLC (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 use an adequate overfill prevention system in a UST.

Action: The Respondent is required to submit to the Department a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill prevention equipment deficiency was corrected before the Order was issued.

Hazardous Waste Enforcement

10) Order Type and Number: Consent Order 10-03-HW
Order Date: February 8, 2010
Responsible Party: **Anderson Auto Center, LLC**
Location/Mailing Address: 506 Spartanburg Highway South
Lyman, South Carolina 29365
County: Spartanburg County
Previous Orders: None
Permit Number: Non-Notifier
Violations Cited: The South Carolina Hazardous
Waste Management Act §44-56-130(2); The South Carolina Hazardous
Waste Management Regulation 61-79.262.11; The South Carolina Solid
Waste Policy and Management Act §44-96-160; The South Carolina Solid
Waste Regulation 61-107.279.12.h; R.61-107.279.22.d(1); R.61-
107.279.22.d(2); R.61-107.279.22.d(3); R.61-107.279.22.d(4); and, The
Pollution Control Act §48-1-90.

Summary: Anderson Auto Center, LLC (Respondent) is an automobile repair facility. The Respondent has violated the Acts and Regulations as follows: failure to make an accurate waste determination; failure to ensure that used oil is contained in a manner to prevent a discharge; and, failure to perform the

necessary cleanup steps upon detection of a release of used oil to the environment.

Action: The Respondent has agreed to: now and in the future ensure that an accurate waste determination is made on all solid wastes generated; ensure that used oil is not discharged to the environment; ensure that any release of used oil to the environment is properly cleaned up; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

- 11) Order Type and Number: Consent Order 10-06-HW
Order Date: March 18, 2010
Responsible Party: **Detyens Shipyards, Inc.**
Location/Mailing Address: 1670 Drydock Avenue
North Charleston, South Carolina
29405-2114
County: Charleston County
Previous Orders: None
Permit Number: SCR 000 002 253
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and, The South Carolina Hazardous Waste Management Regulation 61-79.262.34(a)(2); R.61-79.262.34(a)(3); R.61-79.262.34(a)(5); R.61-79.265.173(a); R.61-79.265.31; R.61-79.265.35; R.61-79.265.175(a); and R.61-79.265.175(b)(1).

Summary: Detyens Shipyards, Inc. (Respondent) is a full service commercial shipyard. The Respondent has violated the South Carolina 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 and tank is labeled or marked clearly with the EPA Hazardous Waste Number and the words: “Hazardous Waste – federal laws prohibit improper disposal;” failure to ensure that containers of hazardous waste not be stacked more than two containers high without first obtaining written approval from the Department; failure to keep a container holding hazardous waste closed during storage, except when it is necessary to add or remove waste; failure to maintain and operate the facility 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 any decontamination equipment to any area of facility operation in an emergency, unless it can be demonstrated to the Department that aisle space is not needed for any of these purposes; failure to ensure that container storage areas have a containment system designed and operated in accordance with the regulations; and, failure to ensure that the

containment system be designed and operated so that a base underlies the containers, which is free of cracks or gaps and is sufficiently impervious.

Action: The Respondent has agreed to: now and in the future, ensure that all containers of hazardous waste and container storage areas are managed and designed in accordance with the regulations; and, pay a civil penalty in the amount of twenty-eight thousand dollars (**\$28,000.00**).

Infectious Waste Enforcement

- 12) Order Type and Number: Consent Order 10-01-IW
Order Date: March 4, 2010
Responsible Party: **Stericycle, Inc.**
Location/Mailing Address: 200 Alta Vista Court
Lexington, South Carolina 29073
County: Lexington
Previous Orders: None
Permit Number: SC14-02T
Violations Cited: South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulations 61-105.Q(1)(b) and R.61-105.N(8).

Summary: Stericycle, Inc. (Respondent) is an international transporter of infectious waste. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to ensure that containers of waste are loaded and unloaded so that no compaction or mechanical stress of the waste occurs during handling or during transit and failure to prevent the discharge of infectious waste from a transport vehicle into the environment.

Action: The Respondent has agreed to pay a civil penalty in the amount of five thousand one hundred dollars (**\$5,100.00**).

Solid Waste Enforcement

- 13) Order Type and Number: Consent Order 09-18-SW
Order Date: February 12, 2010
Respondent: **Pee Dee Environmental Services, Inc.**
Facility: Pee Dee Environmental Services Industrial Landfill
Location/Mailing Address: P.O. Box 4112
Florence, South Carolina 29502

County: Florence
Previous Orders: None
Permit/ID Number: 212426-1601
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, Part IV.C.1.a., Part IV.C.3.a., and Permit Number 212426-1601, Special Condition A.2.

Summary: Pee Dee Environmental Services, Inc. (Respondent) operates an industrial landfill. The Respondent failed to implement a program for detecting and preventing the disposal of regulated hazardous wastes as defined in the Hazardous Waste Management Regulations; failed to remove unauthorized wastes from the working face prior to cover or at the end of the working day, whichever occurs first; and failed to comply with the Permit in that, the Respondent is limited to the disposal of the waste shown on Attachment II of the permit.

Action: The Respondent is required to: submit for Department approval a waste-screening program for the landfill; implement the waste-screening program once approved; and, pay a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**) in accordance with a Promissory Installment Note.

14) Order Type and Number: Consent Order 09-35-SW
Order Date: February 12, 2010
Respondent: **City of Chester**
Facility: City of Chester Composting Facility
Location/Mailing Address: 100 West End Street
Chester, South Carolina 29706
County: Chester
Previous Orders: None
Permit/ID Number: 121003-3001
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Solid Waste Yard Trash and Land-Clearing Debris; and Compost Regulation 61-107.4, as amended, Sections E.2., E.3.b., E.e., and E.i., and Sections F.1., F.2, F.3, F.7.a., F.7.c., F.9a., F.10.a., and F.11.c.; Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, Part I.A.8., and Registration Number 121003-3001.

Summary: City of Chester (Respondent) is the operator of a composting facility. The Respondent failed to maintain a layout of the facility that matched the Department-approved plans; and the Respondent failed to comply with the Registration and Regulatory requirements for operation of the Composting/Wood-Chipping Facility.

Action: The Respondent is required to: remove the remaining land-clearing debris (LCD) at the Facility located at the bottom of the hill; dispose of the LCD at a permitted facility; submit all disposal receipts; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

- 15) Order Type and Number: Consent Order 09-38-SW
Order Date: February 23, 2010
Respondent: **Lee County C&D Waste Processing Facility**
Facility: Lee County C&D Waste Processing Facility
Location/Mailing Address: 537 Egypt Road
Camden, South Carolina 29588
County: Lee
Previous Orders: None
Permit/ID Number: 312640-2001
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended; Solid Waste Management: Solid Waste Processing Facilities, Regulation 61-107.6.F.3.a, as amended; and, Permit # 312640-2001.

Summary: Lee County C&D Waste Processing Facility (Respondent) has violated the Solid Waste Management: Solid Waste Processing Facilities Regulation and their Permit for failure to operate the Facility according to the drawings in the Permit.

Action: The Respondent is required to: submit a request for a modification of the Permit for approval to include the “As Built” drawing submitted to the Department on October 13, 2009; come into compliance with the modified Permit; and, pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

- 16) Order Type and Number: Consent Order 10-08-SW
Order Date: March 4, 2010
Respondent: **Town of Hemingway**
Facility: Town of Hemingway
Location/Mailing Address: P.O. Box 968
Hemingway, South Carolina 29681
County: Williamsburg
Previous Orders: None
Permit/ID Number: 451003-3001
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended; Solid Waste Management: Yard Trash and Land-Clearing Debris, and Compost Regulation 61-107.4.F.12.b., as amended; and, Registration # 451003-3001.

Summary: The Town of Hemingway (Respondent) is the operator of a composting facility. The Respondent has violated the Solid Waste Management: Yard Trash and Land-Clearing Debris; and Compost Regulation and Registration # 451003-3001 as follows: failure to submit to the Department the Annual Report for Fiscal Year 2009 by the deadline of October 15, 2009.

Action: The Respondent is required to: pay a civil penalty of five hundred dollars (**\$500.00**) and submit the Annual Report for Fiscal Year 2009.

BUREAU OF WATER

Drinking Water Enforcement

17) Order Type and Number: Consent Order 10-013-DW
Order Date: February 8, 2010
Respondent: **Columbia Sussex Corporation**
Facility: Marriott Myrtle Beach Resort and Spa at Grande Dunes
Location/Mailing Address 740 Centre View Boulevard
Crestview Hills, KY 41017-5434
County: Horry
Previous Orders: 07-068-DW (\$2,040); 07-196-DW (\$3,060)
Permit/ID Number: 26-1127D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Columbia Sussex Corporation (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: the pH level was not within the acceptable range of water quality standards; the chlorine level was not within the acceptable range of water quality standards; and, the automatic controller was not operating.

Action: The Respondent is required to: properly operate and maintain the pool and pay a civil penalty in the amount of three thousand five hundred seventy dollars (**\$3,570.00**). The civil penalty has been paid.

18) Order Type and Number: Consent Order 10-015-DW
Order Date: February 2, 2010
Respondent: **Bobby Mickell d.b.a. SILK**

<u>Facility:</u>	SILK
<u>Location/Mailing Address:</u>	P.O. Box 323 Fairfax, S.C. 29827
<u>County:</u>	Allendale
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	0370901
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58.7

Summary: Bobby Mickell (Respondent) d.b.a. SILK owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and maintain the PWS as follows: the electrical wiring was not enclosed in conduit and the top of the well casing was not scaled; the check valve had been removed from the wellhead piping and the sample tap was not separate from the blow-off and installed in proper locations; a written program showing no cross connections exist within the PWS was not available for review; and, no repair log, system map, completed sample siting plan; monitoring records, procedures manual or emergency plan were available for review.

Action: The Respondent is required to: correct the wellhead piping and operation and control deficiencies; develop a program for cross connection control; develop a sample siting plan, system map, procedures manual and emergency plan; pay a civil penalty in the amount of nine hundred dollars (\$900.00); and, pay a stipulated penalty in the amount of six thousand dollars (\$6,000.00) should the Respondent fail to meet any requirement of the Order.

19) <u>Order Type and Number:</u>	Consent Order 10-016-DW
<u>Order Date:</u>	February 2, 2010
<u>Respondent</u>	YMCA of Greenville
<u>Facility:</u>	YMCA Camp Greenville
<u>Location/Mailing Address:</u>	P.O Box 390 Cedar Mountain, NC 28718
<u>County:</u>	Greenville
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2370677
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58.7

Summary: YMCA of Greenville (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and maintain the PWS as follows: the blow-off valve on the wellhead piping was not downstream of the check valve; the water filtration system had been installed without a permit; no cross connection program, valve maintenance program, flushing program, or procedures manual

were available for review; and, the flow measuring device meter on Well #2 was not working.

Action: The Respondent is required to: disconnect the water filtration system until it is permitted; correct the wellhead deficiencies, develop programs for cross connection control and flushing and valve maintenance; develop a procedures manual; and pay a **stipulated penalty** in the amount of twelve thousand two hundred fifty dollars (**\$12,250.00**) should the Respondent fail to meet any requirement of the Order.

20) Order Type and Number: Consent Order 10-017-DW
Order Date: February 8, 2010
Respondent: **Gita Hospitality, LLC**
Facility: Days Inn
Location/Mailing Address: 220 East Exchange Boulevard
Columbia, S.C. 29209
County: Richland
Previous Orders: None
Permit/ID Number: 40-242B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Gita Hospitality, 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: 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 disinfection system was not operating; and, the recirculation and filtration system was not operating.

Action: The Respondent is required to: properly operate and maintain the pool and pay a civil penalty in the amount of one thousand five hundred thirty dollars (**\$1,530.00**). The civil penalty has been paid.

21) Order Type and Number: Consent Order 10-018-DW
Order Date: February 8, 2010
Respondent: **Shivam Investments, Inc.**
Facility: Country Inn and Suites
Location/Mailing Address: 220 East Exchange Boulevard
Columbia, S.C. 29209
County: Richland
Previous Orders: None
Permit/ID Number: 40-394B and 40-395D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(c)

Summary: Shivam Investments, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool and spa. 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 was not within the acceptable range of water quality standards; the bound and numbered logbook was not available for review; the disinfection equipment was not operating; the automatic controller was not operating; and, failure to contact the Department for an inspection of the pool and spa prior to re-opening after Department closure.

Action: The Respondent is required to: properly operate and maintain the pool and spa and pay a civil penalty in the amount of three thousand seven hundred fifty dollars (**\$3,750.00**). The civil penalty has been paid.

22) Order Type and Number: Consent Order 10-019-DW
Order Date: February 18, 2010
Respondent: **Palmetto Greens Property Owners Association, Inc.**
Facility: Palmetto Greens
Location/Mailing Address: 2898 Mashie Drive
Myrtle Beach, S.C. 29577
County: Horry
Previous Orders: None
Permit/ID Number: 26-J08C
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(c)

Summary: Palmetto Greens 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: the chlorine level was not within the acceptable range of water quality standards and failure to schedule a Department inspection of the spa prior to re-opening after Department closure.

Action: The Respondent is required to: properly operate and maintain the pool and pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**). The civil penalty has been paid.

23) Order Type and Number: Consent Order 10-020-DW
Order Date: March 1, 2010
Respondent: **Southside, LLC**
Facility: Tupelo Bay
Location/Mailing Address: 401 12th Avenue North
Myrtle Beach, S.C. 29577

County: Horry
Previous Orders: None
Permit/ID Number: 26-1521C
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Southside, 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: the chlorine level and pH level were not within the acceptable range of water quality standards.

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

24) Order Type and Number: Consent Order 10-021-DW
Order Date: February 18, 2010
Respondent: **Clubview Apartments, Inc.**
Facility: Cherry Tree Inn
Location/Mailing Address: 5400 North Ocean Boulevard
County: Horry
Myrtle Beach, S.C. 29577
Previous Orders: None
Permit/ID Number: 26-B81D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Clubview Apartments, 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: the chlorine level was not within the acceptable range of water quality standards; the Pool Operator of Record (POR) sign was not posted; and, the POR requirement was not met.

Action: The Respondent is required to: properly operate and maintain the spa and pay a civil penalty in the amount of two thousand forty dollars (\$2,040.00).

25) Order Type and Number: Consent Order 10-022-DW
Order Date: March 4, 2010
Respondent: **Intel Hotel Spartanburg, LLC**
Facility: Hampton Inn
Location/Mailing Address: 1614 Holly Berry Lane
Spartanburg, S.C. 29301
County: Spartanburg
Previous Orders: None

Permit/ID Number: 42-1021B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Intel Hotel Spartanburg, 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: the chlorine level was not within the acceptable range of water quality standards; the pH was not within the acceptable range of water quality standards; the bound and numbered logbook was not maintained on a daily basis; the disinfection equipment was not operating; and, the automatic controller was not operating.

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

26) Order Type and Number: Consent Order 10-023-DW
Order Date: March 1, 2010
Respondent: **City of Columbia**
Facility: Canal Water Treatment Plant (A40010)
Location/Mailing Address: 300 Laurel Street
Columbia, S.C. 29201
County: Richland
Previous Orders: None
Permit/ID Number: 4010001
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.10(H)(4)(a)(ii)

Summary: The City of Columbia (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS experienced two (2) treatment technique violations for turbidity.

Action: The Respondent is required to: submit a corrective action plan and a standard operating procedure that will be used to address turbidity violations and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

27) Order Type and Number: Consent Order 10-024-DW
Order Date: March 1, 2010
Respondent: **Schooner Beach and Racquet Club Property Owners**
Facility: Schooner Beach and Racquet Club

Location/Mailing Address: 225 Wess Wall Road
King, NC 27021
County: Horry
Previous Orders: 07-005-DW (\$1,680)
Permit/ID Number: 26-738D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Schooner Beach and Racquet Club Property Owners (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: the chlorine level was not within the acceptable range of water quality standards; the main drain gate was not in place; and, the pH was above the water quality standards.

Action: The Respondent is required to: properly operate and maintain the pool and pay a civil penalty in the amount of two thousand one hundred sixty dollars (**\$2,160.00**).

28) Order Type and Number: Consent Order 10-025-DW
Order Date: March 4, 2010
Respondent: **Robyn Barkley d.b.a. Barkley Well Drilling**
Facility: 39 Estate Place, Camden
Location/Mailing Address: 5137 Percival Road, Lot # 5
Elgin, S.C. 29045
County: Kershaw
Previous Orders: None
Permit/ID Number: SCW28108582
Violations Cited: 25 S.C. Code Ann. Regs. 61-71(E)(1)(c) and 61-71(F)(8)

Summary: Robyn Barkley (Respondent) d.b.a. Barkley Well Drilling is responsible for the proper installation of an irrigation well. The Respondent has violated the South Carolina Well Standards & Regulations as follows: the well was not installed per the specified minimum distance from a septic tank and the well was not properly labeled with an identification tag.

Action: The Respondent is required to: properly label the replacement well with a permanent identification plate; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two thousand nine hundred dollars (\$2,900.00) should the Respondent fail to meet any requirement of the Order.

29) Order Type and Number: Consent Order 10-026-DW

Order Date: March 4, 2010
Respondent: **Six Mile Rural Community Water District**
Facility: Six Mile Water District
Location/Mailing Address: 214 Lusk Road
Six Mile, S.C. 29682
County: Greenville
Previous Orders: None
Permit/ID Number: 3920002
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7(E)(7)

Summary: Six Mile Rural Community Water District (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to maintain a minimum pressure in the distribution system under normal operating conditions of twenty-five (25) pounds per square inch (psi) at a customer's service connection.

Action: The Respondent is required to: submit a corrective action plan to include proposed steps to address the pressure deficiency 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.

30) Order Type and Number: Consent Order 10-027-DW
Order Date: March 4, 2010
Respondent: **Town of Eastover**
Facility: Town of Eastover
Location/Mailing Address: P.O. Box 58
Eastover, S.C. 29044
County: Richland
Previous Orders: None
Permit/ID Number: 4010002
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: The Town of Eastover (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: Well #2 was not operating; wellhead piping on Well #2 was corroded; Well #2 did not have a chlorine feed connection; lime injection meter on Well #1 was before the meter causing it to clog periodically; no cross connection control program was available for review; the valve maintenance program was incomplete; the leak detection and repair program was incomplete and water loss cannot be accounted for; the dome vent cover was missing from the two hundred fifty thousand gallon elevated storage tank and it did not meet the special

conditions as required by the Permit; and the pump on Well #2 was not operational.

Action: The Respondent is required to: correct its quantity issues by placing Well #2 online; conduct annual inspections of its elevated storage tanks, implement a cross connection control program; implement a leak detection and repair program (which will help account for water loss); pay a civil penalty in the amount of nine hundred dollars (**\$900.00**); and, pay a stipulated penalty in the amount of five thousand one hundred dollars (\$5,100.00) should the Respondent fail to meet any requirement of the Order.

31) Order Type and Number: Consent Order 10-029-DW
Order Date: March 11, 2010
Respondent: **Clearwater Drilling Company LLC**
Location/Mailing Address: 603 Hook Avenue
West Columbia, S.C. 29169
County: Lexington
Previous Orders: None
Permit/ID Number: Certification No. 1546
Violations Cited: 25 S.C. Code Ann. Regs. 61-71(G)(11)(a)

Summary: Clearwater Drilling Company LLC (Respondent) is in the business of well drilling. The Respondent has violated the South Carolina Well Standards & Regulations as follows: failed to submit Water Well Record Forms 1903 to the Department for twenty-two (22) wells.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred fifty dollars (**\$450.00**) and pay a stipulated penalty of eight hundred twenty-five dollars (\$825.00) should he fail to pay the assessed penalty amount.

32) Order Type and Number: Consent Order 10-030-DW
Order Date: March 26, 2010
Respondent: **South Carolina Coast and Lakes, LLC (South Carolina Land Sales, LLC)**
Facility: Catawba Shores Pool & Clubhouse
Location/Mailing Address: 2500 N. Houston Street Apt #1208
Dallas, Texas 75219
County: York
Previous Orders: None
Permit/ID Number: 26254-WS
Violations Cited: S.C. Code Ann. Regs. 61-58.1(B)(8)

Summary: South Carolina Coast and Lakes, LLC (Respondent) is responsible for the proper permitting and construction of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain a follow-up construction permit from the Department prior to the construction of a PWS.

Action: The Respondent is required to: either obtain final approval to operate the PWS from the Department or disconnect the well from the system and have it properly abandoned, and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

Water Pollution Enforcement

33) Order Type and Number: Administrative Order 10-002-W
Order Date: January 11, 2010
Respondent: **Johnny Mullinax d/b/a Johnny Mullinax Logging**
Facility: Sandy Coffee Tract
Location/Mailing Address: 749 Old Buffalo Road
Blacksburg, SC 29702
County: Cherokee
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008)

Summary: Johnny Mullinax d/b/a Johnny Mullinax Logging (Respondent) harvested the timber on the Sandy Coffee Tract and has violated the Pollution Control Act as follows: 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 has been ordered to: have a felling machine operator or an on-site equipment operator complete the Timber Operations Professions (TOP) Streamside Management Zone class or equivalent as designated by the South Carolina Forestry Commission; complete 24 hours of TOP approved Continuing Logger Education units and submit all certificates of completion to the Department; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

34) Order Type and Number: Administrative Order 10-007-W
Order Date: January 15, 2010
Respondent: **Robert Newton**

Facility: Heatherwood Subdivision WWTF
Location/Mailing Address: 100 Ole Towne Square, Suite B
Central, SC 29630
County: Pickens
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008);
24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2009); 25 S.C. Code Ann.
Regs. 61-67.300.F(17) (Supp. 2009); and, 25 A S.C. Code Ann. Regs. 61-
82 (Supp. 2009)

Summary: Robert Newton (Respondent) owns and is responsible for the proper closure of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Regulations for Standards for Wastewater Facility Construction, Water Pollution Control Permits and Closeout of Wastewater Treatment Systems as follows: failed to properly closeout his WWTF within one hundred eighty (180) days of the date of elimination of the discharge from the WWTF and allowed the unauthorized discharge of partially treated wastewater 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 has been ordered to: submit a closure plan; complete closure of the WWTF; and, pay a civil penalty in the amount of thirty-five thousand dollars (**\$35,000.00**).

35) Order Type and Number: Administrative Order 10-011-W
Order Date: February 10, 2010
Respondent: **Ralph Massenburg and Anthony Rhodes**
Facility: R&M Homes
Location/Mailing Address: 3527 Kitford Road
Johns Island, SC 29455
County: Berkeley
Previous Orders: None
Permit/ID Number: SCR10H147
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008);
24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2009); and, 24
S.C. Code Ann. Regs. 61-9.122.26(c)(1) (Supp. 2009).

Summary: Ralph E. Massenburg and Anthony Rhodes (Respondents) own and are responsible for land-clearing and construction activity associated with R&M Homes in Berkeley County. The Respondents has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly install, operate and maintain storm water, sediment and erosion control devices in accordance with the Department approved Site

plan; allowed the discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department; and, initiated land-disturbing activities without the appropriate permits or approvals from the Department.

Action: The Respondents has been ordered to: submit an engineer's report certifying the installation and operation of all storm water controls and pay a civil penalty in the amount of ninety-six thousand two hundred seventy-five dollars (**\$96,275.00**).

36) Order Type and Number: Consent Order 10-008-W
Order Date: February 5, 2010
Respondent: **Adams Homes AEC, LLC**
Facility: Fox Trace SD
Location/Mailing Address: 3443 Pelham Road, Ste. C
Greenville, SC 29615
County: Greenville
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
(2008) and S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2009).

Summary: Adams Homes AEC, LLC (Respondent) owns and is responsible for land-disturbing activities at the Fox Trace Subdivision (Site). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by initiating land-disturbing activities prior to obtaining coverage under National Pollutant Discharge Elimination System (NPDES) General Permit SCR100000.

Action: The Respondent is required to: submit a Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) for the purpose of obtaining NPDES permit coverage for the Site; submit a report, completed by a S.C. Registered Professional Engineer, certifying that all sediment and erosion control devices are installed and functioning properly as specified by the approved SWPPP; and, pay a civil penalty in the amount of three thousand five hundred eighty-six dollars (**\$3,586.00**).

37) Order Type and Number: Consent Order 10-009-W
Order Date: February 8, 2010
Respondent: **Adams Homes AEC, LLC**
Facility: Four Seasons Farms SD
Location/Mailing Address: 3443 Pelham Road, Ste. C
Greenville, SC 29615
County: Spartanburg

Previous Orders: None
Permit/ID Number(s): N/A
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1) (2008) and S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2009).

Summary: Adams Homes AEC, LLC (Respondent) owns and is responsible for land-disturbing activities at the Four Seasons Farms Subdivision (Site). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by initiating land-disturbing activities prior to obtaining coverage under National Pollutant Discharge Elimination System (NPDES) General Permit SCR100000.

Action: The Respondent is required to: submit a Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) for the purpose of obtaining NPDES permit coverage for the Site; submit a report, completed by a S.C. Registered Professional Engineer, certifying that all sediment and erosion control devices are installed and functioning properly as specified by the approved SWPPP; and, pay a civil penalty in the amount of three thousand five hundred eighty-six dollars (**\$3,586.00**).

38) Order Type and Number: Consent Order 10-010-W
Order Date: February 8, 2010
Respondent: **Bruce Berret**
Facility: Oakwood Plantation Development
Location/Mailing Address: 772 Fire Tower Road
Aiken, SC 29803
County: Aiken
Previous Orders: None in Last 5 Years
Permit/ID Number: SCR10K023
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008); and 24 S.C. Code Ann. Regs. 61-9.122.26(a) and (e) (Supp. 2008).

Summary: Bruce Berret (Respondent) owns and is responsible for land-clearing and construction activities associated with the Oakwood Plantation Development. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly operate and maintain storm water, sediment and erosion control devices in accordance with the Department approved storm water pollution prevention plan and allowed the discharge of 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: submit an engineer's report certifying all storm water, sediment and erosion control measures have been installed and are functioning properly; pay a civil penalty in the amount of one thousand three hundred sixty dollars (**\$1,360.00**); and, pay a suspended penalty in

the amount of twelve thousand two hundred forty dollars (\$12,240.00) should the Respondent fail to comply with the requirements of the Order.

- 39) Order Type and Number: Consent Order 10-012-W
Order Date: February 18, 2010
Respondent: **Middleton Painting, Inc.**
Facility: N/A
Location/Mailing Address: 917 Prescott Rd.
Columbia SC 29203
County: Richland
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008)

Summary: Middleton Painting, Inc. (Respondent) was subcontracted to provide painting services and is responsible for the proper application, clean up and disposal of paint and paint-related materials at the A.C. Flora High School construction site, located in the City of Columbia. The Respondent has violated the Pollution Control Act by allowing the unauthorized discharge of waste paint and wash water 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: submit a revised corrective action plan to include a description of how onsite waste collection drums, proposed by the Respondent, will be removed from the site and properly disposed; pay a civil penalty in the amount of one thousand one hundred dollars (**\$1,100.00**); and, pay a suspended penalty in the amount of two thousand two hundred dollars (\$2,200.00) should the Respondent fail to comply with the conditions of the Order and have no further violation for six (6) months following the execution date of the Order.

- 40) Order Type and Number: Consent Order 10-013-W
Order Date: March 1, 2010
Respondent: **Exide Technologies**
Facility: Exide Technologies-Greer
Location/Mailing Address: 3000 Montrose Ave.
Reading, PA 19605
County: Greenville
Previous Orders: 07-064-W (\$8,000)
Permit/ID Number: SC0042633
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2008) and 24 S.C. Code Ann. Regs. 61-9.122.41 (a) and (d) (Supp. 2009)

Summary: Exide Technologies (Respondent) owns and is responsible for the proper operation and maintenance of a storm water treatment facility (SWTF) located at 109 Old Chick Springs Road in the City of Greer. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to comply with the effluent limits for whole effluent toxicity (WET) as contained in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: construct and place into operation a system to prevent WET violations; and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**), which the Department will consider and may at its discretion reduce upon the Respondent's full compliance with the requirements of the Order.

41)	<u>Order Type and Number:</u>	Consent Order 10-014-W
	<u>Order Date:</u>	March 4, 2010
	<u>Respondent:</u>	Kohler Company
	<u>Facility:</u>	Kohler Company
	<u>Location/Mailing Address:</u>	2851 Southport Road Spartanburg, SC 29302
	<u>County:</u>	Spartanburg
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	SCR001627, SCR10C869, SCR101326
	<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. 2009)

Summary: Kohler Company (Respondent) owns and is responsible for the proper operation and maintenance of a storm water collection system. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly operate and maintain all storm water, sediment and erosion control devices; failed to properly monitor all outfalls; failed to collect the appropriate number of samples during the permit year; and, allowed the discharge of pollutants 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: submit an engineer's report certifying the installation and operation of all storm water controls; submit a Macro-invertebrate Study Plan for Richland Creek; submit a stabilization plan for a ravine located on the Site; submit a Site Assessment of the entire Site; submit an update of the Storm Water Pollution Prevention Plan; submit the Certified Erosion Prevention and Sediment Control Inspector credentials for the on-site inspector(s); and, pay a civil penalty in the amount of nine thousand eight hundred dollars (**\$9,800.00**).

42) Order Type and Number: Consent Order 10-015-W
Order Date: March 15, 2010
Respondent: **Jesse Sheppard**
Facility: Blackwater Trail Property
Location/Mailing Address: P.O. Box 315
Ehrhardt, S. C. 29081
County: Colleton
Previous Orders: None
Permit/ID Number(s): N/A
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
(2008) and S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2009).

Summary: Jesse Sheppard (Respondent) owns and is responsible for land-disturbing activities at property located on Blackwater Trail (Site), in Colleton County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by initiating land-disturbing activities prior to obtaining coverage under National Pollutant Discharge Elimination System (NPDES) General Permit SCR100000.

Action: The Respondent is required to: submit a Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) for the purpose of obtaining NPDES Permit coverage for the Site; submit a report, completed by a S.C. Registered Professional Engineer, certifying that all sediment and erosion control devices are installed and functioning properly as specified by the approved SWPPP; pay a civil penalty in the amount of two thousand one hundred dollars (**\$2,100.00**); and, pay a stipulated penalty in the amount of two thousand five hundred dollars (\$2,500.00) should the Respondent fail to meet any requirement of the Order.

BUREAU OF AIR QUALITY

43) Order Type and Number: Consent Order 10-008-A
Order Date: February 10, 2010
Respondent: **GTP Greenville, Inc.**
Facility: GTP Greenville, Inc.
Location/Mailing Address: 1801 Rutherford Road, Greenville,
S.C.29609/P.O.Box1867,
Greenville, S.C. 29602
County: Greenville
Previous Orders: N/A
Permit/ID Number: 1200-0008
Violations Cited: U.S. EPA 40 CFR 63.342(c) (1)(ii)
and South Carolina Air Pollution Control Regulation 61-62.63, Subpart N

Summary: GTP Greenville, Inc. (Respondent) owns and operates a textile-machinery accessories-manufacturing operation, including a chrome plating line. On April 1, 2009, the Department issued Conditional Major Air Quality Operating Permit CM-1200-0008 to Respondent. The Respondent violated U.S. Environmental Protection Agency and South Carolina Air Pollution Control Regulations in that it failed to meet the emission limitation for chromium during a Department-approved source test.

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

- 44) Order Type and Number: Consent Order 10-009-A
Order Date: February 18, 2010
Respondent: **Kentucky-Tennessee Clay Co.**
Facility: Kentucky-Tennessee Clay Co.
Location/Mailing Address: 385 Huber Clay Road., P.O. Box 1370, Langley, S.C.
County: Aiken
Previous Orders: 05-037-A (\$12,000)
Permit/ID Number: TV-0080-0003
Violations Cited: S.C. Code Ann. Section 48-1-110(d) and South Carolina Air Pollution Control Regulation 61-62.1, Section III

Summary: Kentucky-Tennessee Clay Company (Respondent) mines and processes kaolin clay. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0080-0003 to the Respondent, effective April 1, 2007 (Title V Permit). The Respondent violated the Pollution Control Act, South Carolina Air Pollution Control Regulations, Consent Order 05-037-A, and its Title V Permit, as follows: failure to submit quarterly reports of calculated values for volatile organic compounds and methanol emissions and twelve-month rolling sum to the Department; and failure to submit its 2008 emissions inventory report to the Department by March 31, 2009.

Action: The Respondent is required to: complete its 2010 Title V Annual Compliance Certification and include intermittent compliance for all applicable late reports; henceforth submit to the Department all applicable periodic reports as required by its Permit and this Order; submit to the Department timely emissions inventory reports; and, pay a civil penalty of six thousand dollars (**\$6,000.00**).

- 45) Order Type and Number: Consent Order 10-010-A
Order Date: February 18, 2010
Respondent: **Greer Roofing Company, Inc.**

Facility: Greer Roofing Company, Inc.
Location/Mailing Address: 209 Tandem Drive
Greer, S.C. 29652
County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61 and South Carolina Air Pollution Control Regulation 61-86.1

Summary: Greer Roofing Company, Inc. (Respondent) is a roofing contractor. The Respondent was contracted by R.L. Jordan Oil Company of North Carolina, Inc., to remove and replace 3,200 square feet of roofing material at Hot Spot #2010 located in Spartanburg, South Carolina. The Respondent violated US EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failure to ensure that an asbestos building inspection was performed prior to renovation activities; failure to provide the Department with at least ten (10) working days prior to beginning a regulated asbestos project; pay all applicable fees; failure to ensure that no workers engage in a regulated asbestos project unless licensed by the Department; failure to obtain an asbestos project license; and, failure to properly store and dispose of regulated asbestos containing material.

Action: The Respondent is required to: henceforth not engage in any regulated asbestos project unless licensed to do so by the Department; comply with all prescribed standards for work practices and other requirements for any regulated asbestos project; and, pay a civil penalty of four thousand dollars (**\$4,000.00**).

46) Order Type and Number: Consent Order 10-011-A
Order Date: February 18, 2010
Respondent: **Coastal Debris, LLC**
Facility: Coastal Debris, LLC
Location/Mailing Address: 161 Whispering Pines Lane
Ridgeland, S.C. 29936
County: Jasper
Previous Orders: N/A
Permit/ID Number: 1360-0037
Violations Cited: U.S. EPA 40 CFR 60.11, subpart AAAA; U.S. EPA 40 CFR 70.59(a)(1); South Carolina Air Pollution Control Regulation 61.62-60, subpart AAAA; South Carolina Air Pollution Control Regulation 61-62.70.5; and S.C. Code Ann. Section 48-1-110(d).

Summary: Coastal Debris, LLC (Respondent) operates an air curtain incinerator at its facility located at 543 Glover Road in Ridgeland, South

Carolina. The Department issued Synthetic Minor and NSPS Construction Permit 1360-0037-CA ("Construction Permit") to the Respondent effective January 27, 2007. The Respondent violated the US EPA Standards of Performance for New Source Standards; US. EPA State Operating Permit Programs and the South Carolina Air Pollution Control Regulations in that it failed to perform a Department-approved source test within 180 days of start-up; failed to submit an application for a Title V Operating Permit or accept federally enforceable limits to avoid the Title V requirements within 12 months of becoming subject to the regulation; and that it failed to submit semi-annual reports, and conduct annual opacity tests as required by the Construction Permit and the regulations.

Action: The Respondent is required to: submit a written request for a new or revised operating permit to cover any new or altered source no later than 15 days after the actual date of initial startup of each new or altered source; and, pay a civil penalty in the amount of eight thousand one hundred dollars (**\$8,100.00**) to be paid in 6 equal installments of one thousand three hundred and fifty dollars (\$1,350.00).

47) Order Type and Number: Consent Order 10-012-A
Order Date: March 9, 2010
Respondent: **Mr. Danny W. Holt d/b/a Holt's Construction**
Facility: Mr. Danny W. Holt d/b/a Holt's Construction
Location/Mailing Address: 264 Fagan Road
Winnsboro, S.C. 29180
County: Fairfield
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. Danny W. Holt d/b/a Holt's Construction (Respondent) is a general construction contractor. The Respondent violated South Carolina Air Pollution Control Regulations in that he burned land-clearing debris that was generated off-site and within 1000 feet from a public roadway.

Action: The Respondent is required to: cease open burning except as in compliance with regulations; and, pay a civil penalty in the amount of four thousand eight hundred dollars (**\$4,800.00**) in 3 equal installments.

48) Order Type and Number: Consent Order 10-013-A
Order Date: March 8, 2010

Respondent: **Mr. Craig Banks d/b/a Banks Brothers Asphalt Paving**
Facility: Mr. Craig Banks d/b/a Banks Brothers Asphalt Paving
Location/Mailing Address: 1460 N. Highway 25
Travelers Rest, S.C. 29690
County: Greenville
Previous Orders: 05-053-A (\$3,000); 07-050-A (\$1,500); 08-035-A (\$8,000)
Permit/ID Number: 9900-0454
Violations Cited: U.S. EPA 40 CFR 60.92(a)(1); S. C. Code Ann. § 48-1-90(a); and South Carolina Air Pollution Control Regulation 61-62.60, Subpart I.

Summary: Mr. Craig Banks d/b/a Banks Brothers Asphalt Paving (Respondent), located in Travelers Rest, South Carolina, owns and operates an asphalt paving company. The Department issued General Conditional Major Operating Permit for Hot Mix Asphalt Plants GCMP-03-9900-0454 to Respondent, effective July 1, 2009, for an asphalt plant. The Respondent violated Federal and State Regulations and its Permit as follows: exceeded a particulate matter (PM) emission limit during a September 3, 2009, source test.

Action: The Respondent has agreed to: limit PM emissions in the future and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

49) Order Type and Number: Consent Order 10-014-A
Order Date: March 9, 2010
Respondent: **Reeves Group, LLC**
Facility: Reeves Group, LLC
Location/Mailing Address: 1650 Kennerly Road
Irmo, S.C. 29071
County: Lexington
Previous Orders: N/A
Permit/ID Number: N/A
Violations Cited: U.S. EPA Regulations 40 CFR Part 61.145; and South Carolina Air Pollution Control Regulation 61-86.1, Sections IV, V, VI, and XVI.

Summary: Reeves Group, LLC (Respondent) is a land-clearing, grading and demolition contractor. The Respondent violated U.S. EPA Regulations at 40 CFR Part 61, and South Carolina Air Pollution Control Regulations as follows: failed to ensure that a building inspection was performed prior to beginning demolition operations; failed to submit a written notice of intent to demolish to the Department; failed to ensure that all asbestos-containing materials were removed prior to engaging in a demolition asbestos project; failed to obtain a

Department-issued asbestos project license prior to beginning demolition operations; and, failed to use workers licensed by the Department while engaging in an asbestos project involving regulated asbestos-containing material.

Action: The Respondent is required to: ensure that a building inspection is performed prior to engaging in any future renovation or demolition operations; submit all applicable notifications to the Department in accordance with the state and federal regulations; cease all projects involving RACM unless licensed by the Department to do so; pay a civil penalty in the amount of nine hundred dollars (**\$900.00**) in 3 equal installments; and, pay a suspended penalty in the amount of eight thousand one hundred dollars (\$8,100.00) should the Respondent fail to meet any requirement of the Order.

50) Order Type and Number: Consent Order 10-015-A
Order Date: March 25, 2010
Respondent: **Harsco Corporation d/b/a Harsco Rail**
Facility: Harsco Corporation d/b/a Harsco Rail
Location/Mailing Address: 2401 Edmund Road.
West Columbia, S.C. 29171
County: Lexington
Previous Orders: N/A
Permit/ID Number: 1560-0186
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.1, Section II.C.3(i).

Summary: Harsco Corporation d/b/a Harsco Rail (Respondent) manufactures track construction and maintenance equipment for railways and transit systems. The Respondent violated South Carolina Air Pollution Control Regulations in that it failed to provide accurate mass emission data and calculations for each applicable air contaminant that would be emitted from each source covered by the construction permit application.

Action: The Respondent is required to: apply for and obtain Department-issued permits prior to constructing, altering, or adding to any source of air contaminants, including the installation of control devices; pay the applicable permit fees for fiscal years 2007, 2008, and 2009 in the amount of (\$369.18), (\$377.64), and (\$393.75) respectively, for a total of one thousand one hundred forty dollars and fifty-seven cents (\$1,140.57); and, pay a civil penalty in the amount of nine thousand five hundred dollars (**\$9,500.00**).

51) Order Type and Number: Consent Order 10-016-A
Order Date: March 26, 2010

Respondent: **Reflective Recycling of S.C. LLC**
Facility: Reflective Recycling of S.C. LLC
Location/Mailing Address: 520 Calico Drive,
Pacolet, S.C. 29372
County: Spartanburg
Previous Orders: N/A
Permit/ID Number: 2060-0025
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.; South Carolina Air Pollution Control Regulation 61-62.1,
Section II.A.1.b.; and South Carolina Air Pollution Control Regulation
61-62.1, Section II.F.1.

Summary: Reflective Recycling of SC LLC (Respondent), owns and operates a facility that recycles glass. The Department issued Conditional Major Air Quality Operating Permit CM-2060-0025 to the Respondent, effective October 1, 2004. The Respondent violated its permit (Pollution Control Act) and South Carolina Air Pollution Control Regulations, as follows: failed to maintain a log to determine periods of startup and shutdown; failed to record daily liquid flow rate and pressure drop readings; failed to establish the operational ranges for liquid flow rate and pressure drop; failed to record each monitoring and maintenance activity; failed to conduct operation and maintenance checks for its baghouses; failed to implement a program for the routine inspection and subsequent maintenance of all equipment; operated two sources of air contaminants without each respective baghouse on-line and operational; and failed to obtain Department-issued permits prior to constructing and operating five new sources.

Action: The Respondent is required to: obtain Department-issued permits prior to constructing, operating, altering or adding to a source of air contaminants, including installation of any device for the control of air contaminant discharges and comply with the aforementioned permit and regulatory requirements in the future; and pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**) in four equal installments.