

SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 May 13, 2010

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period February 1, 2010 – March 31, 2010.
- III. **FACTS:** For the periods February 1, 2010 through March 31, 2010 EQC issued forty-four (44) Consent Orders with total assessed civil penalties in the amount of \$183,752.00. Seven (7) Administrative Orders were also reported during this period with total assessed penalties in the amount of \$161,435.00.

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

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
UST Program	4	\$ 25,160.00	5	\$ 3,000.00
Hazardous Waste	0	0	2	32,000.00
Infectious Waste	0	0	1	5,100.00
Solid Waste	0	0	4	22,500.00
SUBTOTAL	4	25,160.00	12	\$ 62,600.00
Water				
Drinking Water	0	\$ 0	16	\$ 28,320.00
Water Pollution	3	\$ 136,275.00	7	29,532.00
SUBTOTAL	3	\$ 136,275.00	23	\$ 57,852.00
Air Quality				
SUBTOTAL	0	\$ 0	9	\$ 63,300.00
TOTAL	7	\$ 161,435.00	44	\$ 183,752.00

ANALYSIS: During the reporting period, UST Enforcement entered into five (5) Consent Orders of which four (4) were for failure to have the proper overfill prevention equipment installed on an underground storage tank. Total civil penalties for the overfill

prevention equipment violations were assessed in the amount of two thousand dollars (\$2,000.00).

Drinking Water Enforcement entered into sixteen (16) Consent Orders of which eight (8) were for violations of the Public Swimming Pool Regulations. Total civil penalties for the Public Swimming Pool Regulation violations were assessed in the amount of nineteen thousand five hundred seventy dollars (\$19,570.00).

Water Pollution Enforcement issued an Administrative Order against Ralph E. Massenburg and Anthony Rhodes (Respondents), the owners of R&M Homes located in Berkeley County. The Respondents were responsible for land-clearing and construction activities associated with R&M Homes. Violations of the Pollution Control Act and Water Pollution Control Permits Regulation include failure to properly install, operate and maintain storm water, sediment and erosion control devices; discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with their permit; and, initiated land-disturbing activities without the appropriate permits or approvals. To comply with the Order, the Respondents must submit an engineer's report certifying storm water, erosion and sediment devices have been properly installed and are functioning properly. A civil penalty in the amount of ninety-six thousand two hundred seventy-five dollars (\$96,275.00) was assessed.

Air Quality Enforcement entered into a Consent Order with Reflective Recycling of SC, LLC (Respondent) the operator of a glass recycling facility. The Respondent is in violation of the Pollution Control Act and the South Carolina Air Pollution Control Regulations for failure to maintain a log to determine periods of startup and shutdown; failure to record daily liquid flow rate and pressure drop readings; failure to establish the operational ranges for liquid flow rate and pressure drop; failure to record each monitoring and maintenance activity; failure to conduct operation and maintenance checks for its baghouses; failure to implement a program for the routine inspection and subsequent maintenance of all equipment; operating two sources of air contaminants without each respective baghouse online and operational; and failure to obtain permits prior to constructing and operating five new sources. To comply with the Order, the Respondent must obtain a permit prior to constructing, operating, altering or adding an air contaminant source to include installation of any device for the control of air contaminant discharges. A civil penalty in the amount of twenty thousand dollars (\$20,000.00) was assessed.

Submitted by:

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Environmental Quality Control