

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

April 8, 2021

- () ACTION/DECISION
(X) INFORMATION

- I. TITLE:** Healthcare Quality Administrative and Consent Orders.
- II. SUBJECT:** Healthcare Quality Administrative Orders and Consent Orders for the period of February 1, 2021, through February 28, 2021.
- III. FACTS:** For the period of February 1, 2021 through February 28, 2021, Healthcare Quality reports one (1) Consent Order totaling \$300 in assessed monetary penalties and eighty-three (83) Notices of Violation and Civil Penalty totaling \$26,950 in assessed monetary penalties. No Administrative Orders were executed during the reporting period.

Name of Bureau	Facility, Service, Provider, or Equipment Type	Notices of Violation and Civil Penalty	Administrative Orders	Consent Orders	Assessed Penalties
Bureau of Facilities Oversight	Community Residential Care Facility	60	0	0	\$20,200
	Nursing Home	23	0	0	\$6,750
	Renal Dialysis Facility	0	0	1	\$300
TOTAL		83	0	1	\$27,250

Submitted By:

Gwendolyn C. Thompson

Gwen C. Thompson
Deputy Director
Healthcare Quality

HEALTHCARE QUALITY ENFORCEMENT REPORT
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

April 8, 2021

Bureau of Facilities Oversight

1. Facilities in Violation of Public Health Order No. COVID-19-5

Violations: The Department found that the sixty (60) community residential care facilities (CRCFs) and twenty-three (23) nursing homes listed below failed to submit a weekly visitation report to the Department by the mandatory deadline. Failure to submit the report by the deadline is in violation of the Department’s October 7, 2020, Public Health Order that requires all nursing homes and community residential care facilities (CRCFs) licensed by the Department to submit a weekly report on their visitation status.

Enforcement Action: In February 2021, the Department issued Notices of Violation and Civil Penalty against sixty (60) community residential care facilities (CRCFs) and twenty-three (23) nursing homes. All of the facilities listed below were required to pay the full amount of their accumulated penalties within twenty (20) days of the dated notices.

Name of Facility	Facility Type	Civil Penalty	Payment Received
Ashley Landing Assisted Living	CRCF	\$450	Yes
Bishopville Manor	CRCF	\$1,000	Yes
Blake At Carnes Crossroads	CRCF	\$1,000	No
Blake At Edgewater	CRCF	\$1,000	No
Broad Creek Care Center Assisted Living	CRCF	\$250	Yes
Brook Pine Community Residential Care Facility	CRCF	\$350	Yes
Brookdale Columbia	CRCF	\$250	Yes
Builders Care Home	CRCF	\$250	Yes
Cantrell's Residential Care Facility	CRCF	\$250	Yes
Carter-May Home	CRCF	\$350	Yes
Cottonwood Villas	CRCF	\$250	Yes
Countrywood Assisted Living	CRCF	\$250	Yes
Covenant Place	CRCF	\$350	Yes
Dillon Community Residence	CRCF	\$250	Yes
Dixon's Community Care Home	CRCF	\$250	Yes
Easley Retirement Center	CRCF	\$250	Yes
Emerald Gardens of Greenwood	CRCF	\$250	Yes
God's Haven of Rest	CRCF	\$250	Yes
Greenville Community Residence	CRCF	\$350	Yes
Greenville Glen Assisted Living	CRCF	\$250	Yes
Hannah Residential Manor	CRCF	\$250	Yes
Harmony House Residential Care	CRCF	\$250	Yes
Haven in The Village at Chanticleer	CRCF	\$250	Yes

Name of Facility	Facility Type	Civil Penalty	Payment Received
Heritage at Lowman Residential Care	CRCF	\$250	Yes
Hills of Cumberland Village	CRCF	\$250	Yes
Hilltop of Greenville Memory Care	CRCF	\$250	Yes
Indigo Hall	CRCF	\$250	Yes
Johnsonville Adult Care Services	CRCF	\$350	No
Kempton Of Greenville	CRCF	\$350	Yes
L & B Care Home	CRCF	\$350	Yes
Laurens Estates	CRCF	\$250	Yes
Midway Residential Care Facility #1	CRCF	\$250	Yes
Midway Residential Care Facility #1A	CRCF	\$250	Yes
Midway Residential Care Facility #2	CRCF	\$250	No
Midway Residential Care Facility #3	CRCF	\$350	No
Midway Residential Care Facility #4	CRCF	\$250	Yes
Midway Residential Care Facility #5	CRCF	\$250	Yes
Mill Creek Manor	CRCF	\$250	No
Morningside Of Anderson	CRCF	\$350	No
Morningside Of Sumter	CRCF	\$250	Yes
Oakview Park Assisted Living	CRCF	\$250	Yes
Pacifica Senior Living Skylyn	CRCF	\$250	Yes
Park Circle Home 1	CRCF	\$250	No
Park Circle Home 2	CRCF	\$250	Yes
Pearl at Port Royal	CRCF	\$450	Yes
Phoenix at Greer	CRCF	\$450	Yes
Place at Shadow Oaks	CRCF	\$450	Yes
Reese's Community Care Home #1	CRCF	\$450	Yes
Reese's Community Care Home #2	CRCF	\$350	Yes
Retreat at Carolina Bay	CRCF	\$450	Yes
Rosewood Assisted Living	CRCF	\$450	Yes
Springs at Simpsonville	CRCF	\$350	Yes
Summit Place of Anderson	CRCF	\$350	Yes
Upstate Residential Care	CRCF	\$350	Yes
Vanwyever Residential Care Facility	CRCF	\$350	Yes
Village Inn Community Care Home	CRCF	\$350	Yes
Walters Residential Care	CRCF	\$350	Yes
White Oak Estates Assisted Living	CRCF	\$350	Yes
Willies II RCH	CRCF	\$350	Yes
Broad Creek Care Center Skilled Nursing	Nursing Home	\$350	Yes
C M Tucker Jr Nursing Care Center Roddey Pavilion	Nursing Home	\$350	Yes
Condor Health - Anderson	Nursing Home	\$350	Yes
Dr Ronald E McNair Nursing and Rehabilitation Center	Nursing Home	\$250	Yes
Heartland Health and Rehabilitation Care Center-Hanahan	Nursing Home	\$250	Yes
Heartland Health Care Center-Greenville East	Nursing Home	\$250	Yes

Name of Facility	Facility Type	Civil Penalty	Payment Received
Heritage at Lowman Rehabilitation and Healthcare	Nursing Home	\$350	Yes
Inman Operations	Nursing Home	\$250	Yes
Lake Emory Post Acute Care	Nursing Home	\$250	Yes
Magnolia Manor-Greenville	Nursing Home	\$250	Yes
Magnolia Manor-Greenwood	Nursing Home	\$350	Yes
Midlands Health & Rehabilitation Center	Nursing Home	\$250	Yes
Millennium Post Acute Rehabilitation	Nursing Home	\$250	Yes
Opus Post Acute Rehabilitation	Nursing Home	\$250	Yes
Physical Rehabilitation and Wellness Center of Spartanburg	Nursing Home	\$250	Yes
Presbyterian Communities Of South Carolina-Florence	Nursing Home	\$250	Yes
PruittHealth - Estill	Nursing Home	\$350	Yes
PruittHealth-Blythewood	Nursing Home	\$250	Yes
Rock Hill Post Acute Care Center	Nursing Home	\$250	Yes
Sedgewood Manor Health Care Center	Nursing Home	\$250	Yes
Skylyn Nursing and Rehabilitation Center	Nursing Home	\$250	No
White Oak Estates	Nursing Home	\$450	Yes
Williston Healthcare and Rehab	Nursing Home	\$450	No

Facility Type	Total # of Licensed Facilities	Total # of Licensed Stations
Renal Dialysis Facility	167	6,649

2. Jedburg Dialysis – Summerville, SC

Inspections and Investigations: The Department conducted a routine inspection in October 2020 and discovered that the facility was in violation of regulatory standards.

Violations: The Department found the facility failed to comply with Regulation 61-97, *Standards for Licensing Renal Dialysis Facilities*, by failing to submit plans and specifications to the Department for review and approval prior to replacement. Specifically, the facility replaced the bicarbonate mixing tank prior to the Department’s review and approval.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of three hundred dollars (\$300) against the facility. The facility was required to pay the full amount of the penalty within thirty (30) days of executing the Consent Order.

Remedial Action: The facility has made the required payment.

Prior Enforcement Actions: None in the past five years.

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
April 8, 2021

_____ ACTION/DECISION

 X INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period February 1, 2021, through February 28, 2021.
3. **FACTS:** For the reporting period of February 1, 2021, through February 28, 2021, the Office of Environmental Affairs issued sixteen (16) Consent Orders with total assessed civil penalties in the amount of thirty-one thousand, one hundred sixty dollars (\$31,160.00). Also, nine (9) Administrative Orders with total assessed civil penalties in the amount of twenty-six thousand, eighty-three dollars (\$26,083.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	1	\$3,483.00	1	\$1,000.00
Aboveground Tanks	0	0	0	0
Solid Waste	2	\$22,600.00	0	0
Hazardous Waste	0	0	0	0
Infectious Waste	0	0	0	0
Mining	0	0	0	0
SUBTOTAL	3	\$26,083.00	1	\$1,000.00
Water				
Recreational Water	0	0	4	\$3,400.00
Drinking Water	0	0	4	\$5,890.00
Water Pollution	0	0	5	\$18,870.00
Dam Safety	0	0	0	0
SUBTOTAL	0	0	13	\$28,160.00
Air Quality	0	0	0	0
SUBTOTAL	0	0	0	0
Environmental Health Services				
Food Safety	0	0	0	0
Onsite Wastewater	6	0	2	\$2,000.00
SUBTOTAL	6	0	2	\$2,000.00
OCRM	0	0	0	0
SUBTOTAL	0	0	0	0
TOTAL	9	\$26,083.00	16	\$31,160.00

Submitted by:

Myra C. Reece
Myra C. Reece
Director of Environmental Affairs

Mailing Address: 1001 Idlewild Boulevard
Columbia, SC 29201
County: Lexington
Previous Orders: None
Permit/ID Number: 19237
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-140(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.10(d) (2012 & Supp 2019).

Summary: Tucker Oil Company, Inc. (Individual/Entity) is a fuel supply company in Richland County, South Carolina. A Notice of Alleged Violation was issued October 20, 2020. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: distributed petroleum products to an UST at a Facility which did not hold a current valid registration.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by April 5, 2021.

Updates: None.

Solid Waste Enforcement

3) Order Type and Number: Administrative Order 20-09-SW
Order Date: January 11, 2021
Individual/Entity: **John Wesley Outlaw**
Facility: TMS # 008-00-01-004
Location: 348 Family Road
McBee, SC 29101
Mailing Address: Same
County: Darlington
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018); Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, R.61-107.19, Part II.B.1 (Rev. 2008 and Supp. 2016).

Summary: John Wesley Outlaw (Individual/Entity), owns property located in Darlington County, South Carolina. An inspection was conducted on October 22, 2019 in response to a complaint. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act and the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, as follows: operated a Structural Fill without a Department issued permit.

Action: The Individual/Entity is required to: remove all solid waste debris present at the Site and submit disposal receipts as proof of proper disposal by May 8, 2021. The Department has assessed a total civil penalty in the amount of four thousand, three hundred seventy-five dollars (\$4,375.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, three hundred seventy-five dollars (**\$4,375.00**) by March 24,

2021.

Updates: No Request for Review was filed.

- 4) Order Type and Number: Administrative Order 20-30-SW
Order Date: February 8, 2021
Individual/Entity: **Karen Crowe**
Facility: Private Property
Location: 440 Crowes Roost Road
Walhalla, SC 29691
Mailing Address: 415 Stribbling Shoals Road
Walhalla, SC 29691
County: Oconee
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: Solid Waste Policy and Management Act of 1991, S.C. Code Ann. 44-96-10 et seq. (Rev. 2018 & Supp. 2019); Solid Waste Management: Solid Waste Landfills and Structural Fill Regulations, S.C. Code Ann., Regs 61-107.19, Part IV.A.3. (Supp. 2018)

Summary: Karen Crowe (Individual/Entity), owns property in Oconee County, South Carolina. The Department conducted inspections on July 16, 2020 and September 4, 2020. The Individual/Entity has violated the Solid Waste Policy and Management Act and the Solid Waste Management Regulations as follows: failed to obtain a permit to operate a Class II Solid Waste Landfill from the Department before disposing of solid waste on the property.

Action: The Individual/Entity is required to: remove and dispose of the solid waste on the property at a facility permitted by the Department to accept Class II solid waste and provide disposal receipts to the Department. The Department has assessed a total civil penalty in the amount of eighteen thousand, two hundred twenty-five dollars (\$18,225.00). The Individual/Entity shall pay a civil penalty in the amount of eighteen thousand, two hundred twenty-five dollars (**\$18,225.00**).

Updates: No Request for Review has been filed.

BUREAU OF WATER

Recreational Waters Enforcement

- 5) Order Type and Number: Consent Order 21-005-RW
Order Date: February 3, 2021
Individual/Entity: **SC Hotel Partners, LLC**
Facility: OYO Hotel
Location: 1811 West Lucas Street
Florence, SC 29501
Mailing Address: Same

County: Florence
Previous Orders: None
Permit/ID Number: 21-100-1
Violations Cited: S.C. Code Ann. Regs. 61-51.J.22

Summary: SC Hotel Partners, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Florence County, South Carolina. The Department issued a Notice of Enforcement Conference on November 12, 2020, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: correct all deficiencies and any upgrades required to bring the pool into compliance with Regulation 61-51 and contact the Department to schedule an inspection to verify the completed work by June 3, 2021. The Individual/Entity will be required to properly fill in or remove the pool by July 3, 2021, if the requirement to bring the pool into compliance with Regulation 61-51 is not met within the specified timeline. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Updates: On March 5, 2020, Department staff conducted a technical assistance inspection of the pool with the Individual/Entity to provide an inspection checklist of the deficiencies and required upgrades.

6) Order Type and Number: Consent Order 21-006-RW
Order Date: February 5, 2021
Individual/Entity: **HMV Hotels, LLC**
Facility: Holiday Inn & Suites
Location: 2225 Boundary Street
Beaufort, SC
Mailing Address: Same
County: Beaufort
Previous Orders: 18-167-RW (\$680.00)
Permit/ID Number: 07-1113B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: HMV Hotels, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on July 30, 2020, and November 3, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards and the cyanuric acid level was above the water quality standards acceptable limit.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, three hundred sixty dollars (\$1,360.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, three hundred sixty dollars (**\$1,360.00**) in three installments. Payments are due February 15, 2021, March 15, 2021, and April 15, 2021.

Updates: The first and second installments have been paid.

- 7) Order Type and Number: Consent Order 21-007-RW
Order Date: February 9, 2021
Individual/Entity: **Amit's, LLC**
Facility: Days Inn
Location: 823 Radford Boulevard
Dillon, SC 29536
Mailing Address: Same
County: Dillon
Previous Orders: None
Permit/ID Number: 17-025-1
Violations Cited: S.C. Code Ann. Regs. 61-51.J.22

Summary: Amit's, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dillon County, South Carolina. The Department issued a Notice of Enforcement Conference on January 8, 2021, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: correct all deficiencies and any upgrades required to bring the pool into compliance with Regulation 61-51 and contact the Department to schedule an inspection to verify the completed work by May 9, 2021. The Individual/Entity will be required to properly fill in or remove the pool by June 9, 2021, if the requirement to bring the pool into compliance with Regulation 61-51 is not met within the specified timeline. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Updates: On January 19, 2021, Department staff conducted a technical assistance inspection of the pool with the Individual/Entity to provide an inspection checklist of the deficiencies and required upgrades.

- 8) Order Type and Number: Consent Order 21-008-RW
Order Date: February 16, 2021
Individual/Entity: **Greenville Hospitality Holdings, LLC**
Facility: Crowne Plaza Hotel
Location: 850 Congaree Road
Greenville, SC 29607
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-260-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Greenville Hospitality Holdings, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Greenville County, South Carolina. The Department conducted inspections on March 12, 2020, July 10, 2020, and December 21, 2020, and violations were issued for failure to properly operate

and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not properly spaced on the first and second inspections and the lifeline was not attached to the pool wall on the third inspection; the deck depth marker tiles at the waterline were missing; the pool floor was not clean and plaster was chipped in some areas; there was standing water on the pool deck; the drinking water fountain was missing; the chlorine level was not within the acceptable range of water quality standards; the emergency notification device was not operational; the bound and numbered log book was not maintained on a daily basis, and was not maintained at least three times per week by the pool operator of record; the disinfection equipment was not operating; and the recirculation and filtration system was not operating properly.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand, forty dollars (\$2,040.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, forty dollars (**\$2,040.00**) in three installments. Payments are due February 22, 2021, March 22, 2021, and April 26, 2021.

Updates: The Individual/Entity has paid the first and second installments of the civil penalty.

Drinking Water Enforcement

9) <u>Order Type and Number:</u>	Consent Order 21-004-DW
<u>Order Date:</u>	February 9, 2021
<u>Individual/Entity:</u>	Hidden Marina at Myrtle Grove Plantation, LLC
<u>Facility:</u>	Hidden Marina & Campground
<u>Location:</u>	894 Trout Street Georgetown, SC 29440
<u>Mailing Address:</u>	Same
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2270921
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: Hidden Marina at Myrtle Grove Plantation, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Georgetown County, South Carolina. The Department conducted an inspection on October 8, 2020, and the PWS was rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the system map was not up to date; and the reliable capacity of the PWS could not be verified because the number of service connections had been increased.

Action: The Individual/Entity is required to: submit a complete application to obtain a construction permit to upgrade the PWS to address the reliable capacity deficiency by March 9, 2021; complete the upgrades and request an inspection to obtain written approval to operate within thirty days of the issuance of the permit; and submit an up-to-date system map within fifteen days of the issuance of the written approval to operate. The Department has assessed a total civil penalty in the amount of four thousand dollars

(\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Updates: An extension was granted until May 9, 2021, to submit an application to obtain a construction permit.

10) Order Type and Number: Consent Order 21-005-DW
Order Date: February 9, 2021
Individual/Entity: **Town of Summerton**
Facility: Town of Summerton
Location: 10 Main Street
Summerton, SC 29148
Mailing Address: Same
County: Clarendon
Previous Orders: None
Permit/ID Number: 1410003
Violations Cited: S.C. Code Ann. Regs. 61-58.7.E.1(b)

Summary: Town of Summerton (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Clarendon County, South Carolina. The Department issued a Notice of Alleged Violation on November 24, 2020, as a result of a review of inspection records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to designate an operator of the appropriate grade for the operation and maintenance of the distribution system.

Action: The Individual/Entity is required to: submit documentation verifying that an operator of the appropriate grade has been designated for the operation and maintenance of the distribution system by March 11, 2021. The Department has assessed a total civil penalty in the amount of three thousand, eight hundred ninety dollars (\$3,890.00). The Individual/Entity shall pay an assessed penalty in the amount of three thousand, eight hundred ninety dollars (**\$3,890.00**) in three installments. Payments are due March 1, 2021, June 1, 2021, and September 1, 2021.

Updates: The first installment of the civil penalty has been paid. On February 25, 2021, the Department received verification that an operator of the appropriate grade has been designated for the operation and maintenance of the distribution system.

11) Order Type and Number: Consent Order 21-006-DW
Order Date: February 19, 2021
Individual/Entity: **Edingsville Grocery, LLC**
Facility: Edingsville Grocery
Location: 1084 HWY 164
Edisto Island, SC 29438
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: 29869-WS
Violations Cited: S.C. Code Ann. Regs. 61-58.1.B(8)

Summary: Edingsville Grocery, LLC (Individual/Entity) owns and is responsible for obtaining the proper permitting of a new groundwater source and the associated appurtenances to serve the Edingsville Grocery located in Charleston County, South Carolina. The Department issued a Notice of Alleged Violation on January 13, 2021, as a result of review of inspection records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to obtain a permit to construct a new groundwater source and the associated appurtenances.

Action: The Individual/Entity is required to: submit to the Department an application to obtain a permit to construct by March 8, 2021, and contact the Department to request an inspection and obtain final approval to operate within thirty days of the issuance of the permit. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) by March 22, 2021.

Updates: The Individual/Entity has submitted an application, and it is currently under review. The civil penalty has been paid.

12) <u>Order Type and Number:</u>	Consent Order 21-007-DW
<u>Order Date:</u>	February 25, 2021
<u>Individual/Entity:</u>	Sandra Dempsey, Individually and d.b.a. Basin Rock Community
<u>Facility:</u>	Basin Rock Community
<u>Location:</u>	1189 Basin Rock Lane Lexington, SC 29073
<u>Mailing Address:</u>	5139 Edna Lanier Road Garfield, GA 30425
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3260164
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5.H(3)

Summary: Sandra Dempsey, Individually and d.b.a. Basin Rock Community (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. On January 7, 2021, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS exceeded the maximum contaminant level (MCL) for combined radium 226/228.

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to address the MCL violation by March 27, 2021. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Updates: None

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.21(d) (2011), and State Land Application Permit ND0063801

Summary: Beulah, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Florence County, South Carolina. On December 8, 2020, a Notice of Violation was issued as a result of the Individual/Entity's failure to reapply for permit coverage within one hundred eighty (180) days before the existing permit expires. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to submit an application for renewal of the State Land Application permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to continue operating the WWTF in accordance with the most recent State Land Application permit until a new permit becomes effective. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay an assessed civil penalty in the amount of one thousand dollars (**\$1,000.00**) by May 9, 2021.

Updates: The Individual/Entity has paid one installment in the amount of five hundred dollars (\$500.00).

15) Order Type and Number: Consent Order 21-006-W
Order Date: February 8, 2021
Individual/Entity: **Oakwood Construction Services, Inc.**
Facility: Midlands Solar Site
Location: 1145 Kennerly Road
Calhoun County, SC
Mailing Address: 1125 Executive Circle, Suite 130
Irving, TX 75038
County: Calhoun
Previous Orders: None
Permit/ID Number: SCR100Z3L5
Violations Cited: Pollution Control Act, S.C. Code Ann § 48-1-90(A) (Supp. 2019) and Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) and (e) (2011).

Summary: Oakwood Construction Services, Inc. (Individual/Entity) is responsible for land disturbing activity at property located in Calhoun County, South Carolina. On April 8, 2020, the Individual/Entity was issued an Inspection Report detailing deficiencies observed during a Department inspection. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to install and maintain storm water, sediment, and erosion control measures in accordance with the approved storm water pollution prevention plan (SWPPP), and discharged 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 Individual/Entity is required to submit as-built plans for the Site, including stormwater, sediment, and erosion control information by March 8, 2021. The Department has assessed a total civil penalty in the amount of eight thousand four hundred

dollars (\$8,400.00). The Individual/Entity shall pay a civil penalty in the amount of seven hundred dollars (**\$8,400.00**) by March 8, 2021.

Updates: The Individual/Entity has submitted the as-built plans and the penalty has been paid.

16) Order Type and Number: Consent Order 21-007-W
Order Date: February 19, 2021
Individual/Entity: **South Carolina Department of Corrections**
Facility: Wateree River WWTF
Location: 8200 State Farm Road
Rembert, SC 29128
Mailing Address: P.O. Box 21787
Columbia, SC 29221
County: Sumter County
Previous Orders: None
Permit/ID Number: SC0045349
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.21(d) (2011), and NPDES Permit SC0045349

Summary: South Carolina Department of Corrections (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Sumter County, South Carolina. On November 13, 2020, a Notice of Violation was issued for failure to reapply for permit coverage within one hundred eighty (180) days before the existing permit expires. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to submit an application for renewal of the NPDES permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to continue operating the WWTF in accordance with the most recent NPDES permit until a new permit becomes effective. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay in full a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by March 22, 2021.

Updates: The Individual/Entity has maintained contact with the Department regarding payment of the penalty and has requested an Interdepartmental Transfer Request be generated for completing payment.

17) Order Type and Number: Consent Order 21-008-W
Order Date: February 26, 2021
Individual/Entity: **4105 Liberty Highway, LLC**
Facility: Site
Location: TMS# 25201803031
Mailing Address: 4105 Liberty Highway
Anderson, SC 29621
County: Oconee
Previous Orders: None

Permit/ID Number: NPDES Permit N/A
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d) (2008 & Supp. 2019); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) and (d) (2011).

Summary: 4105 Liberty Highway, LLC (Individual/Entity) owns and is responsible for land disturbing activity at property in Oconee County, South Carolina. On March 2, 2020, a Notice of Violation was issued as a result of offsite sediment deposition. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: allowed sediment to be discharged into the environment other than in compliance with a permit issued by the Department.

Action: The Individual/Entity is required to: submit a Stormwater Pollution Prevention Plan (SWPPP) by March 28, 2021; submit confirmation that all necessary permit applications have been submitted to the appropriate regulatory agencies by March 28, 2021; submit an engineer's report confirming the Site is in compliance with the approved SWPPP and the associated permit requirements within thirty (30) days of the issuance of permit coverage; and, submit an approvable Notice of Termination (NOT) within ten (10) days of permanent stabilization of the Site. The Department has assessed a total civil penalty in the amount of four thousand, eight hundred seventy dollars (\$4,870.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, eight hundred seventy dollars (**\$4,870.00**) by March 28, 2021.

Updates: The Individual/Entity has paid the penalty. The Department is awaiting submittal of the required SWPPP and confirmation of necessary permit applications via first class mail.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

On Site Wastewater Enforcement

18) Order Type and Number: Administrative Order 21-003-OSWW
Order Date: February 2, 2021
Individual/Entity: **James Grimison and Joan Grimison**
Facility: James Grimison and Joan Grimison
Location: 181 Evergreen Drive
Branchville, SC 29432
Mailing Address: Same
County: Bamberg
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: James Grimison and Joan Grimison (Individual/Entity) own property located in Bamberg County, South Carolina. The Department conducted an investigation on November 2, 2021, and observed possible domestic wastewater discharging through a rainwater collection system. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank

effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Updates: The Department has issued a legal demand letter notifying the Individual/Entity of the Department's intent to file a complaint with the courts should they fail to correct the violations.

19)	<u>Order Type and Number:</u>	Administrative Order 21-002-OSWW
	<u>Order Date:</u>	February 9, 2021
	<u>Individual/Entity:</u>	Susan Hammett
	<u>Facility:</u>	Susan Hammett
	<u>Location:</u>	380 East Killarney Lake Moore, SC 29369
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Spartanburg
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	None
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Susan Hammett (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted an investigation on November 23, 2020, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Updates: None.

20)	<u>Order Type and Number:</u>	Administrative Order 21-004-OSWW
	<u>Order Date:</u>	February 9, 2021
	<u>Individual/Entity:</u>	Houston Shawn Reeves
	<u>Facility:</u>	Houston Shawn Reeves

Location: 143 Mallard Cove Road
Prosperity, SC 29127
Mailing Address: Same as Location
County: Newberry
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Houston Shawn Reeves (Individual/Entity) owns property located in Newberry County, South Carolina. The Department conducted an investigation on December 29, 2020, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity has retained a contractor to repair the OSWW system.

21) Order Type and Number: Administrative Order 21-005-OSWW
Order Date: February 11, 2021
Individual/Entity: **Harry Cline**
Facility: Harry Cline
Location: 110 Valeview Circle
Marietta, SC 29661
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Harry Cline (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on January 6, 2021, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total

civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity contacted Department personnel to inform them that they did not have the necessary funds and did not know when they would be able to have the repairs to the OSWW system. Department personnel provided contact information to an assistance group in the Individual/Entity's area.

22) Order Type and Number: Administrative Order 21-007-OSWW
Order Date: February 19, 2021
Individual/Entity: **Eric A. Nicolay and Polly A. Nicolay**
Facility: Eric A. Nicolay and Polly A. Nicolay
Location: 106 and 108 J. Cobb Drive
Seneca, SC 29678
Mailing Address: P.O. Box 638
West Union, SC 29696
County: Oconee
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Eric A. Nicolay and Polly A. Nicolay (Individual/Entity) own property located in Oconee County, South Carolina. The Department conducted an investigation on January 11, 2021, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity has fulfilled all requirements of the Order. This Order has been closed.

23) Order Type and Number: Administrative Order 21-008-OSWW
Order Date: February 19, 2021
Individual/Entity: **CKB, LLC**
Facility: CKB, LLC
Location: 448 Gurley Street
Mount Pleasant, SC 29464
Mailing Address: P.O. Box 482
Mount Pleasant, SC 29465
County: Charleston

Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: CKB, LLC (Individual/Entity) owns property located in Charleston County, South Carolina. The Department conducted an investigation on January 15, 2021, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Updates: Individual/Entity is working toward connecting to the public sewer available at the Site.

24) Order Type and Number: Consent Order 20-108-OSWW
Order Date: February 4, 2021
Individual/Entity: **Southeastern Holding, Inc.**
Facility: Southeastern Holding, Inc.
Location: 1791 Dutch Fork Road
Irmo, SC 29063
Mailing Address: 30 Manus Road
Irmo, SC 29063
County: Richland
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Southeastern Holdings, Inc. (Individual/Entity) owns property located in Richland County, South Carolina. The Department conducted an investigation on August 21, 2020 and observed an outhouse as the only form of restroom at the Site. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: allowing a dwelling unit, building, business, or other structure to be occupied more than two hours per day without an approved method for the treatment and disposal of domestic wastewater.

Action: The Individual/Entity is required to request and obtain from the Department's Bureau of Water approval for a temporary pump and haul operations for the portable toilet and all other sources of domestic wastewater at the Site; connect to public sewer; or apply for, and receive, a permit to construct an OSWW system and install the approved OSWW system on the Site within sixty (60) days of the order. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The

Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity has fulfilled all requirements of the Order. This Order has been closed.

25) <u>Order Type and Number:</u>	Consent Order 20-117-OSWW
<u>Order Date:</u>	February 9, 2021
<u>Individual/Entity:</u>	C&C Sewer & Construction, LLC and Ben Cothran
<u>Facility:</u>	C&C Sewer & Construction, LLC and Ben Cothran
<u>Location:</u>	Multiple Locations
<u>Mailing Address:</u>	253 Sherrard Road Belton, SC 29627
<u>County:</u>	Greenwood, Oconee, Abbeville, Anderson
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: C&C Sewer & Construction, LLC and Ben Cothran (Individual/Entity) hold a Department issued license to construct and repair OSWW systems. The Department began an investigation on July 10, 2020 and determined that the Individual/Entity had violated the Department issued permit or regulations when installing OSWW systems at four sites. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that all systems for which the licensee is responsible are constructed, repaired, and cleaned in accordance with S.C. Regulation 61-56 and permits issued by the Department.

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the parameters of the Department issued permit and S.C. Regulation 61-56. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

Updates: The Individual/Entity has submitted all requirements of the Order and paid the civil penalty. This Order has been closed.

* Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Affairs Programs within the last five (5) years.