

Location Address: 4825 Highway 41 South, Mullins,
SC/ 1008 South Main Street, Lake
View, SC/ 205 West Twelfth
Avenue, Lake View, SC
Mailing Address: P.O. Box 605, Lake View, SC
29563-0605
County: Marion/Dillon
Previous Orders: 06-0814-UST (\$4,000.00)
Permit/ID Number: 14280/15380/19016
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.65 and R.61-92.280.34(c) (Supp. 2010).

Summary: A.E. Carmichael, Jr., Individually, and A.E. Carmichael, Jr.
d.b.a. Coastal Oil and d.b.a. Carmichael Gas & Oil (Respondents) owned and
operated underground storage tanks, located in Mullins and Lake View, South
Carolina, and have violated 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 Respondents are required to: submit Tier II Assessment
Reports for each of the Facilities; and, pay a civil penalty in the amount of five
thousand dollars (**\$5,000.00**). An additional stipulated penalty in the amount of
forty-four thousand, six hundred fifty-six dollars and fifty cents (\$44,656.50) shall
be due and payable should the Respondents fail to comply with any terms of the
Order.

3) Order Type and Number: Consent Order 11-0051-UST
Order Date: August 12, 2011
Respondent: **Sadhani Krupa, LLC**
Facility: Maw's Grocery
Location: 2009 Six Mile Highway, Central, SC
29630
Mailing Address: 2009 Six Mile Highway, Central, SC
29630
County: Pickens
Previous Orders: 08-0138-UST (\$300.00)
Permit/ID Number: 12716
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.31(b), R.61-92.280.34(c), R.61-92.280.40(a) and R.61-
92.280.50(c) (Supp. 2010).

Summary: Sadhani Krupa, LLC (Respondent) owns and operates underground storage tanks (USTs) in Pickens County, South Carolina, and has violated 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 provide records to the Department upon request; failure to provide an adequate release detection method; and, failure to report a suspected release.

Action: The Respondent is required to submit: acceptable corrosion protection system test results for all USTs at the Facility; acceptable tank tightness, line tightness and line leak detector test results for the 8,000-gallon regular unleaded and 6,000-gallon premium USTs; and, payment of a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**).

- 4) Order Type and Number: Consent Order 11-0088-UST
Order Date: August 25, 2011
Respondent: **Five Rivers, Inc.**
Facility: AM PM Food Mart 5
Location: 2409 Percival Road, Columbia, SC
29206
Mailing Address: 37 Moonglo Circle, Columbia, SC
29223
County: Richland
Previous Orders: None
Permit/ID Number: 07890
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.31(a), R.61-92.280.34(c) and R.61-92.280.40(a) (Supp. 2010).

Summary: Five Rivers, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Richland County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously; failure to provide records to the Department upon request; and, failure to provide an adequate release detection method.

Action: The Respondent is required to pay a civil penalty in the amount of one thousand, four hundred seventy-five dollars (**\$1,475.00**).

- 5) Order Type and Number: Consent Order 11-0090-UST
Order Date: August 10, 2011
Respondent: **David Rodgers**

Facility: David's Grocery
Location Address: 600 South Main Street, McColl, SC
Mailing Address: 600 South Main Street, McColl, SC
29570
County: Marlboro
Previous Orders: None
Permit/ID Number: 11247
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.31(b) and R.61-92.280.34(c) (Supp. 2010).

Summary: David Rodgers (Respondent) owns and operates underground storage tanks, located in McColl, South Carolina, and has violated 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; and, failure to provide records to the Department upon request.

Action: The Respondent is required to pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

6) Order Type and Number: Consent Order 11-0104-UST
Order Date: August 25, 2011
Respondent: **Prospector Corporation**
Facility: Syed 3
Location: 5146 Calhoun Memorial Highway,
Easley, SC 29640
Mailing Address: P.O Box 1481, Pickens, SC 29671
County: Pickens
Previous Orders: None
Permit/ID Number: 12865
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.20(e) (Supp. 2010).

Summary: Prospector Corporation (Respondent) owns and operates underground storage tanks (USTs) in Pickens County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install tanks and piping in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with manufacturer's instructions.

Action: The Respondent is required to pay a civil penalty in the amount of five hundred sixty dollars (**\$560.00**).

- 7) Order Type and Number: Consent Order 11-0105-UST
Order Date: August 25, 2011
Respondent: **Orange Heaven, Inc.**
Facility: Orange Heaven, Inc. d.b.a. Jetco
Location: 106 East Cedar Rock Street, Pickens,
SC 29671
Mailing Address: 106 East Cedar Rock Street, Pickens,
SC 29671
County: Pickens
Previous Orders: None
Permit/ID Number: 07285
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.20(e), R.61-92.280.31(c) and R.61-92.280.34(c) (Supp. 2010).

Summary: Orange Heaven, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Pickens County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install tanks and piping in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with manufacturer's instructions; failure to inspect the impressed current system every sixty (60) days; and, failure to provide records to the Department upon request.

Action: The Respondent is required to pay a civil penalty in the amount of six hundred thirty dollars (**\$630.00**).

SOLID WASTE ENFORCEMENT

- 8) Order Type and Number: Consent Order 11-11-SW
Order Date: August 25, 2011
Respondents: **Temples Auto Parts, LLC**
Facility: None
Location: 2777 Griffin Creek Road, Eastover,
SC
Mailing Address: 7303 Two Notch Road, Batesburg,
SC
County: Richland
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy
and Management Act of 1991 (Rev. 2002), Solid Waste Management:

Used Oil Regulation 61-107.279, Subpart B, 279.12.g. and 279.12.h. and Subpart C, 279.22.d.(1), (2), and (3); and, Pollution Control Act (Rev.2008) Section 48-1-90(a).

Summary: Temples Auto Parts, LLC (Respondent) was contracted to perform car crushing operations at 2777 Griffin Creek Road in Eastover, South Carolina. The Respondent allowed used oil and automotive fluids to flow onto the ground during the car crushing operations, in violation of the Solid Waste Management: Used Oil Regulation which prohibits discharge of used oil onto the ground, and the Pollution Control Act, which prohibits direct or indirect discharge of waste to the environment.

Action: The Order requires the Respondent to: submit a Sampling, Analysis, and Remediation Plan (Plan) for Department approval; implement the approved Plan to completion; submit sampling results and disposal receipts for the contaminated soil; upon Department inspection and approval, backfill the excavated area with clean soil; and, pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**).

9) Order Type and Number: Consent Order 11-18-SW
Order Date: August 25, 2011
Respondents: **Don's Car Crushing, Inc.**
Facility: Don's Car Crushing, Inc.
Location: 310 Royal Road, Ladson, SC
Mailing Address: 310 Royal Road, Ladson, SC
County: Berkeley
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002), Solid Waste Management: Used Oil Regulation 61-107.279, Subpart B, 279.12.h. and Subpart C, 279.22.d.(1), (2), and (3); and, Pollution Control Act (Rev.2008) Section 48-1-90(a).

Summary: Don's Car Crushing, Inc. (Respondent) performs car crushing operations at the Facility in Ladson, South Carolina. The Respondent failed to employ Best Management Practices (BMPs) at the Facility and allowed a discharge of used oil and automotive fluids onto the ground during the car crushing operations, in violation of the Solid Waste Management: Used Oil Regulation which prohibits discharge of used oil onto the ground, and the Pollution Control Act, which prohibits direct or indirect discharge of waste to the environment.

Action: The Order requires the Respondent to: implement BMPs at the Facility to prevent the runoff of used oil and automotive fluids from the concrete

crusher pad to the ground, and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

- 10) Order Type and Number: Consent Order 11-23-SW
Order Date: August 10, 2011
Respondents: **James Womack, Individually and d.b.a. PJW Enterprises and Larry Ramsey**
Facility: None
Location: 598 Saluda Road, Chester, SC
Mailing Address: (James Womack) 113 S. Brockschmidt Road, Venedy, IL 62214/(Larry Ramsey) 113 Pinckney Street, Chester, SC 29706
County: Chester
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991(Rev.2002), Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, Part I.A.8 and Part I.B.53, and Pollution Control Act (Rev.2008) Section 48-1-90(a).

Summary: Larry Ramsey (Respondent) owns the property at 598 Saluda Road, Chester, South Carolina (Site). James Womack d.b.a. PJW Enterprises (Respondent), was contracted to perform demolition operations of the former Springs Eureka Mill (Mill) at the Site. The Respondents pushed bricks and concrete into the crawl space of the Mill following demolition of the Mill, in violation of the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation which prohibits open dumping, and the Pollution Control Act, which prohibits direct or indirect discharge of waste to the environment.

Action: The Order requires the Respondents to: record a notation on the deed for the Site that will in perpetuity notify any potential purchaser of the property that the land or a portion thereof has been used for the disposal of bricks and concrete and submit a copy of the document in which the deed notation has been placed; and, pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

- 11) Order Type and Number: Consent Order 11-029-DW
Order Date: August 10, 2011
Respondent **El Poblano Mexican Restaurant, LLC**
Facility: El Poblano Mexican Restaurant
Location: 2371 Dutch Fork Road
Chapin, SC 29036
Mailing Address 104 Old Chapin Road
Chapin, SC 29036
County: Richland
Previous Orders: None
Permit/ID Number: 4072009
Violations Cited: S.C Code Ann. Regs. 61-58.7

Summary: El Poblano Mexican Restaurant, LLC (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 concrete pad did not seal around the wellhead; there was an unapproved valve allowing the Respondent to switch back and forth between Well 2 and the City of Columbia water system; and there was not a flushing program, leak detection and repair program, system map, monitoring records, emergency plan, or procedures manual available for review.

Action: The Respondent is required to: disconnect Well 2 from the metered connection to the City of Columbia water system; properly abandon Well 1; submit a written request for the intended use of Well 2; 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.

- 12) Order Type and Number: Consent Order 11-030-DW
Order Date: August 25, 2011
Respondent: **Town of McColl**
Facility: Town of McColl
Location Address: 210 East Gibson Avenue
McCull, SC 29570
Mailing Address: Same
County: Marlboro
Previous Orders: None

Permit/ID Number: 3410003
Violations Cited: S.C. Code Ann. Regs. 61-58.5(H)
and 61-30.5(G)(2)(a)

Summary: The Town of McColl (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 and Environmental Protection Fees Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for combined radium 226/228 and failed to submit the required annual Safe Drinking Water Fees for fiscal year 2010.

Action: The Respondent is required to: submit for approval a corrective action plan with a detailed schedule of implementation and completion to resolve the combined radium 226/228 MCL exceedance; pay the annual Safe Drinking Water Fees for fiscal year 2010 totaling two thousand, eight hundred forty-two dollars and fifty cents (\$2,842.50); pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**); and pay a stipulated penalty in the amount of one thousand dollars (\$1,000.00) should the Respondent fail to meet any requirement of the Order. The civil penalty and drinking water fees have been paid.

13) Order Type and Number: Consent Order 11-031-DW
Order Date: August 18, 2011
Respondent: **New Bridge Polo Club, Inc.**
Facility: New Bridge Polo and Country Club
Location: 862 New Bridge Road
Aiken, SC 29805
Mailing Address: Same
County: Aiken
Previous Orders: None
Permit/ID Number: 02-1017-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: New Bridge Polo Club, 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 bound and numbered log book was not maintained on a daily basis; the gate did not self latch; a “No Lifeguard On Duty-Swim At Your Own Risk” sign was missing; and the cyanuric acid level was above the water quality standards acceptable limit.

Action: The Respondent is required to: correct the deficiencies and pay a civil penalty in the amount of four hundred twenty dollars (**\$420.00**). The civil penalty has been paid.

Water Pollution Enforcement

- 14) Order Type and Number: Consent Order 11-023-W
 Order Date: August 10, 2011
 Respondent: **Town of Estill**
 Facility: Estill WWTF
 Location: Railroad Avenue
 Estill, SC 29918

 Mailing Address: P.O. Box 415
 Estill, SC 29918

 County: Hampton
 Previous Orders: 09-018-W (\$28,800.00)
 Permit/ID Number: ND0069701
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008)
 and S.C. Code Ann. § 48-1-110(d) (2008); and, 24 S.C. Code Ann. Regs.
 61-9.505.41(e) (Supp. 2009).

Summary: The Town of Estill (Respondent), located in Hampton County, South Carolina, owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly operate and maintain all units of treatment and control and allowed the discharge of untreated wastewater into the environment in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit a summary of corrective actions on a quarterly basis beginning thirty (30) days after the date of execution outlining steps taken to ensure compliance; submit the last two years financial audits for the utility department; and pay a civil penalty in the amount of sixteen thousand dollars (**\$16,000.00**) in four (4) quarterly installments of four thousand dollars (\$4,000.00) each.

BUREAU OF AIR QUALITY

- 15) Order Type and Number: Consent Order 11-034-A
 Order Date: August 4, 2011
 Respondent: **Massenburg Construction, Inc.**
 Facility: Massenburg Construction, Inc.
 Location/Mailing Address: 3527 Kitford Road
 Johns Island, SC 29455

 County: Berkeley

Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, *Prohibition of Open Burning*

Summary: Massenburg Construction, Inc. (Respondent) is owned and operated by Mr. Ralph E. Massenburg, III (“Mr. Massenburg.”) According to records at the Berkeley County Assessor’s Office, Mr. Massenburg and C. Anthony Rhode own property described as Lot 1-15 BLK on Charity Church Road located in Wando, South Carolina (“Site.”) The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned materials other than those allowed by the regulation, specifically demolition debris; and burned land-clearing debris that was moved to the Site from another location.

Action: The Respondent is required to: cease open burning except as in compliance with the regulation; cease open burning at the Site; pay to the Department a civil penalty in the amount of seven hundred dollars (**\$700.00**); and pay a suspended penalty in the amount of six thousand, three hundred dollars (\$6,300.00) should the Respondent fail to meet any requirements of the Order.

16) Order Type and Number: Consent Order 11-037-A
Order Date: August 25, 2011
Respondent: **Chester Wood Products LLC**
Facility: Chester Wood Products LLC
Location/Mailing Address: 1445 Lancaster Hwy
Chester, SC 29706
County: Chester
Previous Orders: 08-049-A (\$10,000), 09-070-A (\$6,000), 10-040-A (\$37,500), 10-052-A (\$25,000)
Permit/ID Number: TV-0640-0013
Violations Cited: S.C.Code Ann § 48-1-90(a) and Consent Order 10-052-A

Summary: Chester Wood Products LLC (Respondent) owns and operates a softwood veneer and plywood manufacturing facility. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0640-0013 to the Respondent, effective September 25, 2007. The Respondent violated its Permit and Consent Order 10-052-A as follows: exceeded its particulate matter (PM) emission limit during a Department-approved source test.

Action: The Respondent is required to: comply with the PM emission limits of the Title V Permit; conduct a Department-approved source test on the hog fuel boiler no later than January 22, 2011, and semiannually thereafter; replace the scrubber and install a PM continuous emissions monitoring system or

discontinue operation of the boiler if upon the Department's determination that it exceeded the PM emission limit during subsequent source tests; conduct semiannual multiclone, boiler, and scrubber inspections; pay a civil penalty in the amount of seventy-five thousand dollars (**\$75,000.00**); and pay a stipulated civil penalty in the amount of twenty-five thousand dollars (\$25,000.00) if the PM emission limit is exceeded during the subsequent semiannual source tests.

- 17) Order Type and Number: Consent Order 11-038-A
Order Date: August 25, 2011
Respondent: **University of South Carolina**
Facility: Bates West Dormitory
Location: USC Campus, Columbia, SC
Mailing Address: 306 Benson School, Columbia, SC
29208
County: Richland
Previous Orders: 08-045-A (\$10,000.00); 10-019-A
(\$17,500.00); 10-064-A (\$36,000.00)
Permit/ID Number: N/A
Violations Cited: Regulation 61-86.1, *Standards of
Performance for Asbestos Projects*

Summary: The University of South Carolina (Respondent), located in Columbia, South Carolina, is a public higher-education institution. The Respondent violated State Asbestos Regulations and Consent Order 10-064-A as follows: failed to ensure that all asbestos-containing materials were removed in accordance with the applicable work practice requirements while engaged in a renovation project involving regulated asbestos-containing material; and, failed to ensure that each worker and supervisor met the applicable training and licensing requirements.

Action: The Respondent is required to: ensure that each worker and supervisor employed at an abatement project site meets the applicable training and licensing requirements; ensure that all future work practice requirements are followed and performed in accordance with state regulations; and, pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**).