

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 10, 2015**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 15-0047-UST
 Order Date: July 13, 2015
 Individual/Entity: **Balbir Singh**
 Facility: Musgrove Express
 Location: 613 Musgrove Street
 Clinton, SC

 Mailing Address: Same
 County: Laurens
 *Previous Orders: AO 14-0036-UST (\$8,350.00)
 Permit/ID Number: 19079
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-60(A) (2002 and Supp. 2013), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.23(h) (Supp. 2012).

Summary: Balbir Singh (Individual/Entity) owns and operates underground storage tanks (USTs) located in Clinton, South Carolina. On January 12, 2015, the Department conducted an inspection of the Facility and issued a Notice of Alleged Violation because there was no list of C operators available at the time of the inspection and a delivery of product had been accepted. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulation as follows: accepted a delivery of product while under Delivery Prohibition.

Action: Mr. Singh is required to: pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

- 2) Order Type and Number: Administrative Order 15-0018-UST
 Order Date: July 13, 2015
 Individual/Entity: **Willie Jennings**
 Facility: Jennings Property
 Location: 1160 Magnolia Street
 Orangeburg, SC

 Mailing Address: 1192 Magnolia Street

Orangeburg, SC 29115
County: Orangeburg
Previous Orders: None
Permit/ID Number: 19305
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-60(A) (2002 and Supp. 2013), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.93(a), 280.111(a), and 280.113 (Supp. 2012).

Summary: Willie Jennings (Individual/Entity) owned underground storage tanks (USTs) located in Orangeburg, South Carolina. On December 9, 2014, the Department issued a Notice of Alleged Violation because there was no current financial responsibility on file with the Department. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulation as follows: failed to demonstrate financial responsibility for a UST system upon request by the Department; failed to maintain evidence of all financial assurance mechanisms used to demonstrate financial responsibility until released from the requirements of this subpart; and, failed to maintain financial responsibility after the UST had been properly closed and corrective action required.

Action: The Individual/Entity is required to: submit a completed Certificate of Financial Responsibility and proof of financial mechanism; and, pay a civil penalty in the amount of three thousand, two fifty hundred dollars (**\$3,250.00**).

3) Order Type and Number: Administrative Order 15-0030-UST
Order Date: July 1, 2015
Respondent: **1 Stop, LLC**
Facility: One Stop
Location: 912 Kendall Road
Newberry, SC 29108
Mailing Address: P.O. Box 103
Newberry, SC 29108-0103
County: Newberry
Previous Orders: 12-0492-UST (\$3,725.00)
Permit/ID Number: 06512
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) 44-2-60(A) (Supp. 2014) and the South Carolina Underground Storage Tank Control Regulation 61-92.280.70(c), R.61-92.280.93(a), and R.61-92.280.110(c) (2012).

Summary: 1 Stop, LLC (Individual/Entity) owns underground storage tanks (USTs) in Newberry County, South Carolina. A Notice of Alleged

Violation issued on November 17, 2014. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to pay to the Department annual tank registration fees; failed to permanently close a UST system that has been temporarily closed for greater than twelve months; failed to demonstrate financial responsibility; and, failed to provide financial responsibility documentation to the Department upon request.

Action: The Individual/Entity is required to: submit a current Certificate of Financial Responsibility and proof of financial responsibility mechanism; submit a completed Tank/Sludge Disposal Form, and upon the Department's approval, permanently close the USTs by removing the USTs from the ground or by filling the USTs with an inert foam; submit a UST Closure and Assessment Report; pay annual tank registration fees and associated late fees in the amount of four thousand, two hundred thirty-five dollars (\$4,235.00); and, pay a civil penalty in the amount of twenty-one thousand, eight hundred dollars (\$21,800.00).

4) Order Type and Number: Administrative Order 15-0057-UST
Order Date: July 1, 2015
Individual/Entity: **Rashmiben Patel**
Facility: Quick Stop 2
Location: 103 East Home Avenue
Hartsville, SC 29550-3711
Mailing Address: 1058 Shortleaf Drive
Manning, SC 29102-2276
County: Darlington
Previous Orders: None
Permit/ID Number: 02763
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (Supp. 2014) and the South Carolina Underground Storage Tank Control Regulation 61-92.280.10(e), R.61-92.280.31(b)(1), R.61-92.280.34(c), R.61-92.280.40(a), R.61-92.280.40(a)(2), R.61-92.280.41(b)(1)(ii), R.61-92.280.43(d), R.61-92.280.44(a), R.61-92.280.45(b)(1), R.61-92.280.93(a), and R.61-92.280.110(c) (2012).

Summary: Rashmiben Patel (Individual/Entity) owns underground storage tanks (USTs) in Darlington County, South Carolina. A Notice of Alleged Violation was issued on November 17, 2014, and an inspection was conducted on January 7, 2015. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulations as follows: introduction of petroleum into a UST for which the owner does not hold a current registration certificate; failed to have the corrosion protection system tested every 3 years; failed to provide records to the Department upon request; failed to provide an adequate release detection method; failed to properly maintain release detection

equipment; failed to conduct an annual tightness test on pressurized lines; failed to conduct adequate release detection using an automatic tank gauge; failed to conduct an annual test of automatic line leak detectors; failed to maintain monitoring records for one year; failed to demonstrate financial responsibility; and, failed to provide financial responsibility documentation to the Department upon request.

Action: The Individual/Entity is required to: submit a current Certificate of Financial Responsibility and proof of financial responsibility mechanism; submit a test of the corrosion protection system; submit tank tightness, line tightness, and line leak detector test results for the E-85 UST; submit proof that the automatic tank gauge system is operating correctly; and, pay a civil penalty in the amount of fourteen thousand, four hundred dollars (**\$14,400.00**).

5) Order Type and Number: Administrative Order 15-0064-UST
Order Date: July 13, 2015
Individual/Entity: **Richmond Halls**
Facility: Halls of Cross Trucking, Inc.
Location: 730 County Line Road
Cross, SC 29436
Mailing Address: P.O. Box 249
Cross, SC 29436-9102
County: Orangeburg
Previous Orders: None
Permit/ID Number: 14971
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-
60(A) (2002 and Supp. 2013), and the South Carolina Underground
Storage Tank Control Regulation 61-92.280.93(a) and 280.110(c) (Supp.
2012).

Summary: Richmond Halls (Individual/Entity) owns underground storage tanks (USTs) located in Cross, South Carolina. On January 13, 2015, the Department issued a Notice of Alleged Violation because there was no current financial responsibility on file with the Department. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulation as follows: failed to provide financial responsibility and failed to demonstrate financial responsibility for a UST system upon request by the Department.

Action: The Individual/Entity is required to: submit a completed Certificate of Financial Responsibility and proof of financial mechanism; and, pay a civil penalty in the amount of three thousand, five hundred dollars (**\$3,500.00**).

6) Order Type and Number: Administrative Order 15-0075-UST

Order Date: July 13, 2015
Individual/Entity: **Daufuskie Embarkment, LLC**
Facility: Daufuskie Landing
Location: 38 Melrose Landing
Daufuskie Island, SC
Mailing Address: 1240 Main Street, Suite 700
Columbia, SC 29201
County: Beaufort
Previous Orders: None
Permit/ID Number: 10732
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-60(A) (2002 and Supp. 2013), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.70(c), 280.93(a), 280.110(c) (Supp. 2012).

Summary: Daufuskie Embarkment, LLC (Individual/Entity) owns underground storage tanks (USTs) located in Daufuskie Island, South Carolina. On February 3, 2015, the Department issued a Notice of Alleged Violation as a result of a file review. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulation as follows: failed to permanently close USTs that do not meet corrosion protection standards; failed to provide financial responsibility and failed to demonstrate financial responsibility for a UST system upon request by the Department; and, failed to pay annual tank registration fees.

Action: The Individual/Entity is required to: submit a completed Tank/Sludge Disposal Form; upon the Department's approval, permanently close the USTs; submit a UST Closure and Assessment Report within sixty days after the USTs have been permanently closed; submit a completed Certificate of Financial Responsibility and proof of financial mechanism; pay annual tank registration fees in the amount of two thousand, two hundred fifty-two dollars (\$2,252.00); and, pay a civil penalty in the amount of thirty-five thousand, three hundred fifty dollars (**\$35,350.00**).

7) Order Type and Number: Administrative Order 15-0086-UST
Order Date: July 1, 2015
Individual/Entity: **Carlos Adams**
Facility: Pageland Automotive
Location: 120 West McGregor Street
Pageland, SC 29728
Mailing Address: 1016 Pondella Drive
Charlotte, NC 28213-5937
County: Chesterfield
Previous Orders: None

Permit/ID Number: 11848
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) 44-2-60(A) (Supp. 2014) and the South Carolina Underground Storage Tank Control Regulation 61-92.280.70(a), R.61-92.280.93(a), and R.61-92.280.110(c) (2012).

Summary: Carlos Adams (Individual/Entity) owns underground storage tanks (USTs) in Chesterfield County, South Carolina. An inspection on October 27, 2014, and Notices of Alleged Violations were issued on December 16, 2014, and February 13, 2015. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to pay to the Department annual tank registration fees; failed to maintain release detection on a temporarily closed UST; failed to demonstrate financial responsibility; and, failed to provide financial responsibility documentation to the Department upon request.

Action: The Individual/Entity is required to: submit a current Certificate of Financial Responsibility and proof of financial responsibility mechanism; submit proof that the USTs contain less than one inch of residue; pay annual tank registration fees and associated late fees in the amount of two thousand, five hundred forty-one dollars (\$2,541.00); and, pay a civil penalty in the amount of three thousand, four hundred dollars (**\$3,400.00**).

8) Order Type and Number: Consent Order 14-0235-UST
Order Date: July 10, 2015
Individual/Entity: **Thomas Blake**
Facility: Blakes Texaco Station
Location: 8423 Savannah Highway
Norway, SC 29113
Mailing Address: P.O. Box 32
Norway, SC 29113
County: Orangeburg
Previous Orders: AO 14-0054-UST, AO 13-0365-UST
Permit/ID Number: 06966
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-60(A) (2002 and Supp. 2013).

Summary: Thomas Blake (Individual/Entity) owns underground storage tanks (USTs) located in Norway, South Carolina. On August 4, 2014, the Department issued a Notice of Alleged Violation because annual underground storage tank fees and associated late fees for fiscal year 2015 had not been paid to the Department. The Individual/Entity has violated the SUPERB Act as follows: failure to pay annual underground storage tank fees.

Action: The Individual/Entity is required to: pay annual tank registration fees and associated late fees for fiscal year 2015 in the amount of two thousand, nine hundred four dollars (\$2,904.00) in accordance with the terms of a promissory note.

- 9) Order Type and Number: Consent Order 15-0158-UST
Order Date: July 17, 2015
Individual/Entity: **Bostick, Bowers, Padgett, LTD**
Facility: Bobops 1
Location: 358 East Railroad Avenue North
Estill, SC 29918-0460
Mailing Address: P.O. Box 460
Estill, SC 29918-0460
County: Hampton
Previous Orders: None
Permit/ID Number: 10222
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Supp. 2014)
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.20(c)(1)(ii) (2012).

Summary: Bostick, Bowers, Padgett, LTD (Individual/Entity) owns and operates underground storage tanks (USTs) in Hampton County, South Carolina. An inspection was conducted on June 4, 2015. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to equip an underground storage tank system with adequate overfill protection.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill protection was installed prior to the issuance of the Order.

Aboveground Storage Tank Enforcement

- 10) Order Type and Number: Administrative Order 15-03-AST
Order Date: July 10, 2015
Individual/Entity: **G.J. Creel & Sons, Inc.**
Facility: Former Creel Oil Bulk Storage
Facility
Location: 204 North Hazard Street
Georgetown, SC
Mailing Address: P.O. Box 289
Conway, SC 29528

County: Georgetown
Previous Orders: None.
Permit/ID Number: 03164
Violations Cited: Pollution Control Act (Rev. 2008 and Supp. 2014).

Summary: G.J. Creel & Sons, Inc., current property owner of record, owned aboveground storage tanks (ASTs) located in Georgetown, South Carolina. On October 30, 2013, the Department issued a directive to G.J. Creel & Sons, Inc. requiring a Tier II Assessment Report be completed and submitted to the Department with regards to a petroleum release from ASTs. G.J. Creel & Sons, Inc., has violated the Pollution Control Act as follows: failure to assess the release of petroleum to the environment as evidenced by the presence of free phase petroleum product.

Action: G.J. Creel & Sons, Inc. is required to: submit a Tier II Assessment Report; and, pay a civil penalty in the amount of eleven thousand, two hundred dollars (**\$11,200.00**).

Solid Waste Enforcement

11) Order Type and Number: Consent Order 14-48-SW
Order Date: July 24, 2015
Individual/Entity: **Waste Management of S.C., Inc.**
Facility: Palmetto Landfill and Recycling Center
Location: 251 New Hope Road
Wellford, South Carolina
Mailing Address: 1850 Parkway Place, Suite 600
Marietta, Georgia 30067
County: Spartanburg
Previous Orders: None
Permit/ID Number: 422401-1101
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (Act) (2002), Solid Waste Management: Waste Tires Regulation 61-107.3, Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, and Solid Waste Class Three Landfill Permit 422401-1101.

Summary: Waste Management of S. C., Inc. (Individual/Entity) operates a Class Three landfill located in Wellford, South Carolina. On April 30, 2014, May 7, 2014, and May 14, 2014, the Department conducted routine compliance inspections. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act of 1991, the Solid Waste Management: Waste Tires

Regulation, and the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, and Permit 422401-1101 as follows: whole waste tires were observed in the working face of the landfill during a pre-operations inspection; the required 6 inches of earthen material was not placed over the solid waste in the working face; sludge was not covered after receipt; asbestos containing material was not covered with soil; wet sludge with liquid from the previous day was uncovered; and, excessive flagging was around the working face.

Action: The Individual/Entity is required to: ensure the landfill is in compliance with the Permit and the Special Waste Analysis and Implementation Plan (SWAIP), as approved by the Department; specifically, ensure that whole waste tires are removed from the working face of the landfill; ensure that the required six inches of earthen material is placed over the active working face at the end of each working day; and, pay a civil penalty in the amount of eleven thousand, eight hundred dollars (**\$11,800.00**).

12) Order Type and Number: Consent Order 15-16-SW
Order Date: July 1, 2015
Individual/Entity: **L & L Disposal, LLC**
Facility: L & L Class Two Landfill
Location: 1703 Screaming Eagle Road
Lugoff, SC 29078
Mailing Address: Same
County: Richland and Kershaw
Previous Orders: None
Permit/ID Number: 282428-1201
Violations Cited: The South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002); and, South Carolina Solid Waste Management: Solid Waste Landfills and Structural Fill, R. 61-107.19 (Supp. 2012).

Summary: L & L Disposal, LLC (Individual/Entity) operates a Class Two Landfill located in Lugoff, South Carolina. Inspections were conducted by the Department on November 14, 2014, December 10, 2014, January 13, 2015, and February 26 2015. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the South Carolina Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation as follows: failed to place a uniform compacted layer of clean earth cover or other suitable cover material acceptable to the Department, no less than six (6) inches in depth, over all exposed waste material at least every 30 days; and, failed to effectively control dust, odors, fire hazards, litter and vectors so they do not constitute nuisances or hazards.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of six thousand, nine hundred dollars (**\$6,900.00**). All violations were corrected prior to the issuance of the Order.

Hazardous Waste Enforcement

- 13) Order Type and Number: Consent Order 15-21-HW
Order Date: July 10, 2015
Individual/Entity: **Booth Electrosystems, Inc.**
Facility: Booth Electrosystems, Inc.
Location: 30 Bypass 25 North
Greenville, SC 29611
Mailing Address: P.O. Box 15030
Greenville, SC 29610
County: Greenville
Previous Orders: None
Permit/ID Number: SCD 058 184 730
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2); The South Carolina Hazardous Waste Management Regulation 61-79.262.34(f), R. 61-79.262.11, R. 61-79.265.171, R. 61-79.262.34(c)(1)(ii), R. 61-79.265.173(a), R. 61-79.262.90; and, R. 61-79.262.40(c).

Summary: Booth Electrosystems, Inc. (Individual/Entity) operates a plating facility in Anderson, South Carolina. On January 14, 2015, and January 16, 2015, the Department conducted inspections. The Individual/Entity has violated the Hazardous Waste Management Regulation as follows: failed to request and obtain an extension to the 180-day storage limit, and therefore was operating a storage facility without a permit; failed to have an accurate hazardous waste determination; failed to ensure that containers holding hazardous waste are in good condition and transfer hazardous waste in containers in poor condition to a container in god condition; failed to mark satellite accumulation containers with the words “Hazardous Waste;” failed to ensure that a container holding hazardous waste is closed except to add or remove waste; failed to clean up hazardous waste discharges; and, failed to keep hazardous waste determinations on site for at least three years.

Action: The Individual/Entity has agreed to: ensure hazardous waste containers are managed according to the regulations; ensure that records are managed in accordance with the regulations; and, pay a civil penalty in the amount of three thousand, two hundred ninety-nine dollars (**\$3,299.00**).

Joint Orders

- 14) Order Type and Number: Consent Order 15-22-HW,SW,
15-13-SW, HW
Order Date: July 10, 2015
Individual/Entity: **Anderson Industries, LLC**
Facility: Anderson Industries, LLC
Location: 5201 Old Pearman Dairy Road,
Anderson, SC 29625
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: SCD 086 376 472
Violations Cited: The South Carolina Hazardous
Waste Management Act §44-56-130(2); The South Carolina Hazardous
Waste Management Regulation 61-79.262.11, R. 61-79.273.13(d)(1), R.
61-79.273.14(e), R. 61-79.273.15(a); The South Carolina Used Oil
Regulation 61-107.279.22(c)(1), R. 61-107.279.22(d)(3), and R. 61-
107.279.22(e).

Summary: Anderson Industries, LLC (Individual/Entity) manufactures garden hoses at a facility in Anderson, South Carolina. On September 3, 2014, September 4, 2014, and September 29, 2014, the Department conducted inspections. The Individual/Entity violated the Hazardous Waste Management Regulation and Used Oil Regulation as follows: failed to have an accurate hazardous waste determination; failed to contain universal waste lamps in containers or packages that are structurally sound and adequate to prevent breakage, remain closed, and lack evidence of leakage; failed to ensure that universal waste lamps are labeled with the words “Universal Waste – Lamp(s),” “Waste Lamp(s),” or “Used Lamp(s);” failed to accumulate universal waste for no more than one year after the waste is generated; failed to label containers of used oil with the words “Used Oil;” failed to clean up and properly manage released used oil; and, failed to have an applicable Spill Prevention, Control and Countermeasures plan.

Action: The Individual/Entity has agreed to: ensure hazardous waste containers are managed according to the regulations; ensure universal waste is managed in accordance with the regulations; ensure that used oil is managed in accordance with the regulations; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

BUREAU OF WATER

Recreational Water Enforcement

- 15) Order Type and Number: Consent Order 15-013-RW
Order Date: July 1, 2015
Individual/Entity: **Stoney Creek Villas**
Facility: Stoney Creek Villas
Location: 2 Corpus Christi, Suite 302
Hilton Head Island, SC 29928
Mailing Address: Same
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-059-1
Violations Cited: S.C. Code Ann. Regs. 61-51(C)(11)

Summary: Stoney Creek Villas (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 5, 2015, the pool was inspected and a violation was issued. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to provide a drinking water fountain within fifty feet of the pool.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiency; and, pay a civil penalty in the amount of one hundred seventy dollars (**\$170.00**). The civil penalty has been paid.

- 16) Order Type and Number: Consent Order 15-014-RW
Order Date: July 7, 2015
Individual/Entity: **Candlewood Suites**
Facility: Candlewood Suites
Location: 921 Atlas Road
Columbia, SC 29209
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-1086B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Candlewood Suites (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 17, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: algae was present on the pool walls; a skimmer was

missing a weir; the drinking water fountain was not operating properly; the pH level was not within the acceptable range of water quality standards; the life ring was deteriorated; the pool rules sign did not have all of the required rules; only one "Shallow Water – No Diving Allowed" sign was posted; there were no "No Lifeguard On Duty – Swim At Your Own Risk" signs posted; the current pool operator of record information was not posted; the bound and numbered log book was not available for Department review; and, there were chlorine sticks in the skimmer baskets.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**).

17)	<u>Order Type and Number:</u>	Consent Order 15-015-RW
	<u>Order Date:</u>	July 7, 2015
	<u>Individual/Entity:</u>	CHRU, LLC
	<u>Facility:</u>	Lawton Station
	<u>Location:</u>	14 Lakes Crossing Bluffton, SC 29910
	<u>Mailing Address:</u>	169 Bluffton Road, Suite H Bluffton, SC 29910
	<u>County:</u>	Beaufort
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	07-1142B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61- 51(K)(1)(c)

Summary: CHRU, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 9, 2015, the pool was inspected and a violation was issued. On June 10, 2015, the pool was inspected and a violation was issued for re-opening the pool prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulations as follows: the emergency notification device was not operating properly.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of one hundred seventy dollars (**\$170.00**). The civil penalty has been paid. All violations were corrected prior to the issuance of the Order.

18)	<u>Order Type and Number:</u>	Consent Order 15-016-RW
	<u>Order Date:</u>	July 7, 2015
	<u>Individual/Entity:</u>	Southwood Realty Company
	<u>Facility:</u>	Copperfield Apartments

Location: 200 Saluda River Road
Columbia, SC 29210
Mailing Address: 165 South York Street
Gastonia, NC 28053
County: Richland
Previous Orders: None
Permit/ID Number: 40-053-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Southwood Realty Company (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 11, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a handrail and a ladder were not tight and secure; the pool walls were not clean; pool furniture was blocking lifesaving equipment; a skimmer was missing a weir; the gate did not self close and latch; the chlorine level was not within the acceptable range of water quality standards; the life ring diameter was shorter than twenty inches; the emergency notification device was not operational; both of the “Shallow Water – No Diving Allowed” signs were defective in that the lettering was not the appropriate size; and, both of the “No Lifeguard On Duty – Swim At Your Own Risk” signs were defective in that the wording was incorrect and the lettering was not the appropriate size.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

19) Order Type and Number: Consent Order 15-017-RW
Order Date: July 13, 2015
Individual/Entity: **Stoney Pointe Homeowners Association**
Facility: Stoney Pointe
Location: 150 Stoney Pointe Drive
Chapin, SC 29036
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 32-1001B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Stoney Pointe Homeowners Association (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 26, 2015, the pool was inspected and a violation was issued for failure to

properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a handrail and ladder were not tight and secure; the pool wall tiles were dirty; the pool furniture was blocking the safety equipment; the skimmers were missing weirs, and some of the skimmer lids were cracked; the foot rinse shower and the drinking water fountain were not operating; there were cracks across the pool steps; two of the return inlets were missing the eyeball fitting; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; one of the “Shallow Water – No Diving Allowed” signs did not have the correct lettering; both of the “No Lifeguard On Duty – Swim At Your Own Risk” signs did not have the correct lettering; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; and, the flow meter was not operating properly.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). All violations were corrected prior to the issuance of the Order. The civil penalty has been paid.

20) <u>Order Type and Number:</u>	Consent Order 15-018-RW
<u>Order Date:</u>	July 13, 2015
<u>Individual/Entity:</u>	Landmark at Pine Court, LLC
<u>Facility:</u>	Landmark at Pine Court Apartments
<u>Location:</u>	200 Saluda River Road Columbia, SC 29210
<u>Mailing Address:</u>	Same
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-288-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Landmark at Pine Court, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 15, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; the pool walls were not clean; the pool furniture was not at least four feet from the pool edge; a section of perimeter fencing had openings greater than four inches; the foot rinse shower was missing; the life ring did not have a permanently attached rope; the pool rules sign did not have all the required rules; the “Shallow Water – No Diving Allowed” and “No Lifeguard On Duty – Swim At Your Own Risk” signs were defective in that the lettering was not the appropriate size; the current pool operator of record information was not posted; and, the log book was not properly bound or numbered.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). The Individual/Entity submitted a corrective action plan and corrected the deficiencies.

21) Order Type and Number: Consent Order 15-019-RW
Order Date: July 15, 2015
Individual/Entity: **Place at the Beach—Myrtle Beach No. 4 Homeowners Association, Inc.**
Facility: A Place at the Beach IV
Location: 9670 Shore Drive
Myrtle Beach, SC 29572
Mailing Address: P.O. Box 1004
North Myrtle Beach, SC 29598
County: Horry
Previous Orders: None
Permit/ID Number: 26-595-1 & 26-595-2
Violations Cited: S.C. Code Ann. Regs. 61-51(K)(1)(c)

Summary: Place at the Beach—Myrtle Beach No. 4 Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and kiddie pool. On June 19, 2015, the pool and kiddie pool were inspected and a violation was issued. On June 23, 2015, the pool and kiddie pool were inspected and violations were issued for re-opening the pool and kiddie pool prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the emergency notification device was not operating properly and the chlorine level was not within the acceptable range of water quality standards.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). All violations were corrected prior to the issuance of the Order. The civil penalty has been paid.

22) Order Type and Number: Consent Order 15-020-RW
Order Date: July 16, 2015
Individual/Entity: **RVM, LLC**
Facility: Ridgeview Manor Apartments
Location: 419 Bradleyville Road
North Augusta, SC 29841
Mailing Address: 100 Rogers Terrace
Aiken, SC 29801

County: Aiken
Previous Orders: None
Permit/ID Number: 02-073-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: RVM, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 17, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the gate did not self close and latch; the pool wall tiles were dirty; the chlorine level was not within the acceptable range of water quality standards; the life ring rope was too short; the shepherd's crook handle was not the approved length; the pool rules sign was not completely filled out; only one of the "Shallow Water – No Diving Allowed" signs was posted; the "No Lifeguard On Duty – Swim At Your Own Risk" signs did not have the correct lettering; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; and, the flow meter was not operating properly.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**).

23) Order Type and Number: Consent Order 15-021-RW
Order Date: July 16, 2015
Individual/Entity: **Old Woodlands**
Facility: Old Woodlands
Location: 160 Island Drive
Hilton Head Island, SC 29926
Mailing Address: P.O. Box 4897
Hilton Head Island, SC 29938
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-166-1
Violations Cited: S.C. Code Ann. Regs. 61-51(C)(6)(g)

Summary: Old Woodlands (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 11, 2015, the pool was inspected and a violation was issued. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to provide a foot rinse shower within twenty feet of the major entrance points to the pool.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiency; and, pay a civil

penalty in the amount of three hundred forty dollars (**\$340.00**). The civil penalty has been paid. The Individual/Entity submitted a corrective action plan and corrected the deficiency.

24) Order Type and Number: Consent Order 15-022-RW
Order Date: July 16, 2015
Individual/Entity: **Bent Tree Acquisition Corporation**
Facility: Bent Tree Apartments
Location: 1000 Bent Tree Lane
Columbia, SC 29210
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-234-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Bent Tree Acquisition Corporation (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 10, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool walls were not clean; the pool furniture was not at least four feet from the pool edge; the skimmer lids were cracked; the gate did not self close and latch; the step edge stripe was not within one inch of the edge of the steps; the life ring grab handles and rope were broken and fraying; the emergency notification device was not operational; and, the wording on the “Shallow Water – No Diving Allowed” and “No Lifeguard On Duty – Swim At Your Own Risk” signs was incorrect and the lettering was not the appropriate size.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). All violations were corrected prior to the issuance of the Order.

25) Order Type and Number: Consent Order 15-023-RW
Order Date: July 24, 2015
Individual/Entity: **CF FWB Longcreek I, LLC**
Facility: The Views on Longcreek
Location: 1600 Riverwind Drive
Columbia, SC 29210
Mailing Address: Same
County: Richland
Previous Orders: 14-237-DW (\$400.00)
Permit/ID Number: 40-157-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: CF FWB Longcreek I, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 9, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was not attached to the pool wall; a ladder was not tight and secure; a ladder was missing a bumper; the pool floor and walls were not clean; there was a hose on the deck; skimmers were missing weirs; the gate did not self-close and latch; a section of perimeter fencing was broken; the foot rinse shower was missing; the water level was too low; the step edge stripe was not within one inch of the edge of the step; the emergency telephone was not operational; the “Shallow Water – No Diving Allowed” signs and the “No Lifeguard On Duty – Swim At Your Own Risk” signs did not have the correct wording, and the signs were obstructed; the current pool operator of record information was not posted; and, the bound and numbered log book was not available for Department review.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

26) <u>Order Type and Number:</u>	Consent Order 15-024-RW
<u>Order Date:</u>	July 24, 2015
<u>Individual/Entity:</u>	Om Shera of MB, LLC
<u>Facility:</u>	Sun-N-Sand Resort
<u>Location:</u>	2701 South Ocean Boulevard North Myrtle Beach, SC 29582
<u>Mailing Address:</u>	13860 Ballantyne Corporate Place, Suite 240 Charlotte, NC 28777
<u>County:</u>	Horry
<u>Previous Orders:</u>	14-067-DW (\$800.00)
<u>Permit/ID Number:</u>	26-C76-1 & 26-E12-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Om Shera of MB, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and spa. On June 8, 2015, the pool and spa were inspected 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 and pH levels were not within the acceptable range of water quality standards; the life ring was deteriorated; the pool rules sign was not completely filled out; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; and, there were chlorine pucks in the skimmer baskets.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand twenty dollars (**\$1,020.00**). The civil penalty has been paid.

27) Order Type and Number: Consent Order 15-025-RW
Order Date: July 24, 2015
Individual/Entity: **Tabby Walk Owners' Association, Inc.**
Facility: Tabby Walk Apartments
Location: 30 Mathews Drive
Hilton Head Island, SC 29928
Mailing Address: P.O. Box 7665
Hilton Head Island, SC 29938
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-273-1
Violations Cited: S.C. Code Ann. Regs.61-51(C)(11)
& 61-51(C)(6)(g)

Summary: Tabby Walk Owners' Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On July 6, 2015, the pool was inspected and a violation was issued. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: for failure to provide a drinking water fountain within fifty feet of the pool, and for failure to provide a foot rinse shower within twenty feet of the major entrance points to the pool.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The civil penalty has been paid.

28) Order Type and Number: Consent Order 15-026-RW
Order Date: July 24, 2015
Individual/Entity: **HAS of Aiken, Inc.**
Facility: Days Inn Downtown
Location: 1204 Richland Ave West
Aiken, SC 29801
Mailing Address: Same
County: Aiken
Previous Orders: None
Permit/ID Number: 02-064-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: HAS of Aiken, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 26, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was not attached to the pool wall; the required universal “no diving” tiles were missing; the water level was too low; the gate did not self-close and latch; the drinking water fountain was missing; the chlorine level was not within the water quality standards acceptable range; the main drain grates were not visible; the shepherd’s crook handle was attached to a telescoping pole; the bound and numbered log book was not maintained on a daily basis; and, the flow meter was not operating properly.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**).

29) <u>Order Type and Number:</u>	Consent Order 15-027-RW
<u>Order Date:</u>	July 24, 2015
<u>Individual/Entity:</u>	Myrtle Beach Villas Homeowner’s Association, Inc.
<u>Facility:</u>	Myrtle Beach Villas
<u>Location:</u>	402 70 th Ave North Myrtle Beach, SC 29577
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-B84-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Myrtle Beach Villas Homeowner’s Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 4, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pH and chlorine levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign was not completely filled out; the current pool operator of record information was not posted; and, the bound and numbered log book was not available for Department review.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**).

30)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u> <u>Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u> <u>Violations Cited:</u>	Consent Order 15-029-RW July 24, 2015 CF FWB Quail Hollow, LLC Quail Hollow Apartments 2700 Feather Run Trail West Columbia, SC 29841 2 Office Park Columbia, SC 29223 Lexington None 32-062-1 S.C. Code Ann. Regs. 61-51(J)
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Summary: CF FWB Quail Hollow, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 22, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a lifeline was not attached to the pool wall; the depth marker tiles were not the appropriate sized letters and numbers; the waterline tiles were dirty; the pool furniture was not at least four feet from the edge of the pool; the skimmers were missing weirs, and the skimmer baskets were not the right size and did not fit in the skimmers; the gate did not self close and latch; the bathrooms did not have toilet paper, soap, or paper towels; there was no drinking water fountain; there was no foot rinse shower; the water level was too low; the pump room door was broken; the step edge stripe was not within one inch of the edge of the step; the chlorine level was not within the acceptable range of water quality standards; the life ring rope was not permanently attached; the pool rules sign was not completely filled out; the “No Lifeguard On Duty – Swim At Your Own Risk” signs did not have the appropriate sized lettering; the pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis, and was not maintained a minimum of three times per week by a certified pool operator.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; contact Department staff to schedule a re-inspection prior to re-opening the Pool; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). The civil penalty has been paid.

31)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u>	Consent Order 15-030-RW July 24, 2015 Palmetto Commons Partners, LLC Palmetto Commons Condominiums 141 LaMotte Drive
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Mailing Address: Hilton Head Island, SC 29926
County: Same
Previous Orders: Beaufort
Permit/ID Number: None
Violations Cited: 07-272-1
S.C. Code Ann. Regs.61-51(C)(11)

Summary: Palmetto Commons Partners, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On July 2, 2015, the pool was inspected and a violation was issued. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to provide a drinking water fountain within fifty feet of the pool.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). The civil penalty has been paid. On July 7, 2015, a follow-up inspection was conducted and it was determined that the deficiency had been addressed.

32) Order Type and Number: Consent Order 15-031-RW
Order Date: July 24, 2015
Individual/Entity: **Town Center Inn, LLC**
Facility: Quality Inn at Town Center
Location: 2001 Boundary Street
Beaufort, SC 29902
Mailing Address: 2015 Boundary Street, Suite 300
Beaufort, SC 29902
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-200-1
Violations Cited: S.C. Code Ann. Regs. 61-51(C)(6)(g)

Summary: Town Center Inn, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On July 10, 2015, the pool was inspected and a violation was issued. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to provide a foot rinse shower within twenty feet of the major entrance points to the pool.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiency; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). The civil penalty has been paid.

33) Order Type and Number: Consent Order 15-032-RW

Order Date: July 24, 2015
Individual/Entity: **Paradise Resort Homeowner's Association, Inc.**
Facility: Paradise Resort
Location: 2201 South Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-1832B, 26-1508D, & 26-1840D
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: Paradise Resort Homeowner's Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and two spas. On May 4, 2015, the pool and spas were inspected and violations were issued for failure to properly operate and maintain; and, on June 3, 2015, the pool and spas were inspected and violations were issued for failure to properly operate and maintain and for re-opening the pool and spas prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the ladders were not tight and secure and were missing bumpers; a handrail was not tight and secure; the skimmers were not operating properly; the gate did not self close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; the automatic controller was not operating properly; the spa rules sign was not completely filled out; and, the pool and spas were operating prior to receiving Department approval.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of three thousand sixty dollars (**\$3,060.00**).

34) Order Type and Number: Consent Order 15-033-RW
Order Date: July 24, 2015
Individual/Entity: **Queen's Grant Regime III, Inc.**
Facility: Queen's Grant III
Location: Palmetto Dunes
Hilton Head Island, SC 29928
Mailing Address: P.O. Box 7431
Hilton Head Island, SC 29938
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-064-1

Violations Cited:
& 61-51(C)(6)(g)

S.C. Code Ann. Regs. 61-51(C)(11)

Summary: Queen's Grant Regime III, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 4, 2015, the pool was inspected and a violation was issued. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to provide a drinking water fountain within fifty feet of the pool and failed to provide a foot rinse shower within twenty feet of the major entrance points to the pool.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**); and, pay a stipulated penalty in the amount of three hundred forty dollars (\$340.00) should any requirement of the Order not be met. The civil penalty has been paid.

35) <u>Order Type and Number:</u>	Consent Order 15-034-RW
<u>Order Date:</u>	July 24, 2015
<u>Individual/Entity:</u>	Point Arcadia Horizontal Property Regime, Inc.
<u>Facility:</u>	Point Arcadia Townhouses
<u>Location:</u>	6905 Cleaton Drive Columbia, SC 29206
<u>Mailing Address:</u>	Same
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-084-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Point Arcadia Horizontal Property Regime, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On July 13, 2015, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; a ladder was not tight and secure and was missing bumpers; the gate did not self-close and latch; the foot rinse shower was missing; the pH and chlorine levels were not within the acceptable range of water quality standards; the life ring grab lines were broken; the "Shallow Water – No Diving Allowed" signs did not have the appropriate size lettering; the current pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis and, was not maintained a minimum of three times per week by the pool operator of record.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**).

36) Order Type and Number: Consent Order 15-035-RW
Order Date: July 27, 2015
Individual/Entity: **Weatherstone Homeowners Association of Greenville, Inc.**
Facility: Weatherstone
Location: 2 Weatherstone Lane
Simpsonville, SC 29680
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-1047B and 23-1048C
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: Weatherstone Homeowners Association of Greenville, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and kiddie pool. On June 2, 2015, the pool and kiddie pool were inspected and a violation was issued for failure to properly operate and maintain; and, on June 12, 2015, the pool and kiddie pool were inspected and a violation was issued for failure to properly operate and maintain, and for re-opening prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure, and did not have a bolt cover; there was debris in the skimmer baskets; skimmers were missing weirs; the water level was too low; the bathrooms were not accessible; the chlorine and pH levels were not within the acceptable range of water quality standards; the life ring was not clear of obstructions; the emergency notification device was not accessible; the “No Lifeguard On Duty – Swim At Your Own Risk” signs were incorrect and the lettering was not the appropriate size; only one “Shallow Water – No Diving Allowed” sign was posted; the current pool operator of record information was not posted; the bound and numbered log book was not available for Department review, and was not maintained daily; the disinfection equipment and the recirculation and filtration system were not accessible; and, the pool and kiddie pool were operating prior to receiving Department approval.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of two thousand forty dollars (**\$2,040.00**).

37) Order Type and Number: Consent Order 15-036-RW

<u>Order Date:</u>	July 28, 2015
<u>Individual/Entity:</u>	Affordable Family Resort, L.L.C.
<u>Facility:</u>	Affordable Family Resort Cottages
<u>Location:</u>	2300 South Ocean Blvd. Myrtle Beach, SC 29577
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-J51-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Affordable Family Resort, L.L.C. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool. On June 15, 2015, and July 7, 2015, the kiddie pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool walls were not clean; the pH and chlorine levels were not within the acceptable range of water quality standards; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

38) <u>Order Type and Number:</u>	Consent Order 15-037-RW
<u>Order Date:</u>	July 31, 2015
<u>Individual/Entity:</u>	Arcadia Ridge Property Owners Association, Inc.
<u>Facility:</u>	Arcadia Ridge
<u>Location:</u>	9775 Chestnut Ridge Drive Myrtle Beach, SC 29572
<u>Mailing Address:</u>	9601 Seagull Court Myrtle Beach, SC 29572
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-H33-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(K)(1)(c)

Summary: Arcadia Ridge Property Owners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On July 2, 2015, the pool was inspected and a violation was issued. On July 6, 2015, a follow-up inspection was conducted at the pool, and a violation was issued for re-opening the pool prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools

Regulation as follows: the emergency notification device was not operating properly and the bound and numbered log book was not available for Department review.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of one hundred seventy dollars (**\$170.00**). The civil penalty has been paid. The Individual/Entity has corrected the deficiencies.

Drinking Water Enforcement

39) Order Type and Number: Administrative Order 15-035-DW
Order Date: July 13, 2015
Individual/Entity: **Nevia June, Individually and d.b.a. Nevia June Day Care**
Facility: Nevia June Day Care
Location: 32 Salters Road
Andrews, SC 29510
Mailing Address: Same
Previous Orders: None
Permit/ID Number: 4570138
Violations Cited: S.C. Code Ann. Regs. 61-30(G)(2)(a)

Summary: Nevia June, Individually and d.b.a. Nevia June Day Care (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system. On October 22, 2014, the Department sent final notice to the Individual/Entity requiring payment of the annual Safe Drinking Water Act fee for fiscal year 2015. The Individual/Entity has violated the Environmental Protection Fees Regulation as follows: failed to pay to the Department the annual Safe Drinking Water Act fee for fiscal Year 2015.

Action: The Individual/Entity is required to: pay to the Department the annual Safe Drinking Water Act fee for fiscal year 2015 and associated late fees in the amount of one hundred seventy-one dollars and eighty-eight cents (\$171.88).

40) Order Type and Number: Consent Order 15-033-DW
Order Date: July 10, 2015
Individual/Entity: **SouthCable Services, LLC**
Facility: Hickory Hill Mobile Home Park
Location: 142 Industrial Drive
Lexington, SC 29071
Mailing Address: P.O. Box 2106

Lexington, SC 29071
County: Lexington
Previous Orders: 13-028-DW (\$4,000.00 stipulated)
Permit/ID Number: 3260115
Violations Cited: S.C. Code Ann. Regs. 61-58.5.B(2)(g)

Summary: SouthCable Services, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On June 12, 2015, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for mercury.

Action: The Individual/Entity is required to: implement a corrective action approved and permitted by the Department designed to achieve and maintain compliance with the MCL for mercury; and, pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**) should any requirement of the Order not be met.

41) Order Type and Number: Consent Order 15-036-DW
Order Date: July 24, 2015
Individual/Entity: **Lyerly Sales & Rentals, LLC**
Facility: A&L MHP #3 & A&L MHP #5
Location: 331 Firestation Road
Johnsonville, SC 29555
Mailing Address: 2211 Hanna Lake Road
Johnsonville, SC 29555
County: Florence
Previous Orders: None
Permit/ID Number: 2160124 & 2160122
Violations Cited: S.C. Code Ann. Regs. 61-30(G)(2)(a)

Summary: Lyerly Sales & Rentals, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of two public water systems. On October 22, 2014, the Department sent final notice to the Individual/Entity requiring payment of the annual Safe Drinking Water Act fee for fiscal year 2015. The Individual/Entity has violated the Environmental Protection Fees Regulation as follows: failure to pay to the Department the annual Safe Drinking Water Act fee for fiscal Year 2015.

Action: The Individual/Entity is required to: pay to the Department the annual Safe Drinking Water Act fee for fiscal year 2015 and associated late fees in the amount of four hundred eighty-one dollars and twenty-six cents (\$481.26).

42) Order Type and Number: Consent Order 15-037-DW
Order Date: July 30, 2015
Individual/Entity: **Joseph L. Burgess and Kathy Burgess, Individually and d.b.a. Pumpkintown General Store**
Facility: Pumpkintown General Store
Location: 3837 Pumpkintown Highway
Pickens, SC 29671
Mailing Address: 440 Old Cedar Rock Road
Easley, SC 29640
County: Pickens
Previous Orders: None
Permit/ID Number: 3970203
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Joseph L. Burgess and Kathy Burgess, Individually and d.b.a. Pumpkintown General Store (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On May 15, 2015, and June 29, 2015, violations were issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to address the MCL violations; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

BUREAU OF AIR QUALITY

43) Order Type and Number: Consent Order 15-027-A
Order Date: July 8, 2015
Individual/Entity: **Eastman Chemical Company**
Facility: Eastman Chemical Company
Location: 500 K Avenue
Gaston, SC 29053
Mailing Address: Same
County: Calhoun
Previous Orders: None
Permit/ID Number: 0460-0030
Violations Cited: U.S. EPA 40 CFR 63.1330(b) and 5
S.C. Code Ann. Regs. 61-62.63, Subpart JJJ

Summary: Eastman Chemical Company (Individual/Entity) produces polyethylene terephthalate (PET). The Department issued Part 70 (Title V) Air Quality Permit 0460-0030 (Title V Permit) effective July 1, 2012. On October 3, 2014, the Department received revised periodic reports and a Notice of Alleged Violation was issued as a result. The Individual/Entity violated U.S. EPA Regulations at 40 CFR and South Carolina Air Pollution Control Regulations as follows: failed to control hazardous air pollutant (HAP) emissions from Group 1 wastewater streams as required or have an approved alternative control plan.

Action: The Individual/Entity is required to: ensure that emissions from Group 1 wastewater streams are controlled in accordance with the regulations or a Department-approved alternative control plan; and, pay a civil penalty in the amount of six thousand four hundred dollars (**\$6,400.00**).

44) <u>Order Type and Number:</u>	Consent Order 15-028-A
<u>Order Date:</u>	July 17, 2015
<u>Individual/Entity:</u>	Interfor U.S. Inc.
<u>Facility:</u>	Interfor U.S. Inc.
<u>Location:</u>	2701 Indian Hut Road Georgetown , SC 29442
<u>Mailing Address:</u>	Same
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	11-005-A (\$9,000.00)
<u>Permit/ID Number:</u>	1140-0008
<u>Violations Cited:</u>	5 S.C. Code Ann. Regs. 61-62.5, Standard No. 1, and 5 S.C. Code Ann. Regs. 61-62.1, Section II, Permit Requirements

Summary: Interfor U.S. Inc. (Individual/Entity) operates a whole log processing sawmill operation. The Department issued Part 70 (Title V) Air Quality Permit 1140-0008 (Title V Permit) to the Individual/Entity, effective April 1, 2007. On January 14, 2015, and February 10, 2015, the Individual/Entity conducted a Department-approved source test and re-test (respectively) and on April 23, 2015, the Department issued a Notice of Alleged Violation and Notice of Enforcement Conference. The Individual/Entity violated South Carolina Air Pollution Control Regulations and the Permit as follows: failed to limit PM emissions from ID 02 to 0.6 lb/MMBtu during a Department-approved source test.

Action: The Individual/Entity is required to: henceforth limit PM emissions from ID 02 to 0.6 lb/MMBtu, in accordance with Standard No. 1 and the Title V Permit; and pay to the Department a civil penalty in the amount of six thousand five hundred dollars (**\$6,500.00**).

45) Order Type and Number: Consent Order 15-029-A
Order Date: July 17, 2015
Individual/Entity: **Huntington Foam, LLC**
Facility: Huntington Foam, LLC
Location: 125 Caliber Ridge Drive
Greer, S.C. 29651
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: 2060-0507
Violations Cited: U.S. EPA Regulations at 40 CFR 70.5(a)(1)(i), and 5 S.C. Code Ann. Regs. 61-62.70.5(a)(1)(i), 40 CFR 60.48c and 5 S.C. Code Ann. Regs. 61-62.60, Subpart Dc, and 5 S.C. Code Ann. Regs. 61-62.1, Sections II.A.1.a. and II.A.3., II.F.1., and II.B.2.h.

Summary: Huntington Foam, LLC (Individual/Entity) manufactures custom molded foam packaging materials. On April 11, 2011, the Department issued Bureau of Air Quality State Operating Permit 2060-0507 to the Individual/Entity. On January 13, 2014, the Department conducted a comprehensive inspection. The Individual/Entity violated South Carolina Air Pollution Control Regulations as follows: failed to submit to the Department an application for a Title V Operating Permit or accept federally-enforceable limits to avoid the requirements of Title V prior to operating air emission sources which are subject to the regulation; failed to apply for and obtain construction and operating permits prior to installing and operating a polystyrene expander and a 16.37 MMBtu/hr boiler; failed to determine whether its sources of air contaminants met the applicable exemption requirements prior to installing and operating those sources.

Action: The Individual/Entity is required to: comply with all terms and conditions of its air quality state operating permit, until such time as the Department takes final action on the application for a synthetic minor construction permit and request for conditional major operating permit; henceforth apply for and obtain Department-issued permits prior to constructing, altering, or adding to any source of air contaminants; and, pay a civil penalty in the amount of twenty-six thousand dollars (**\$26,000.00**).

46) Order Type and Number: Consent Order 15-030-A
Order Date: July 30, 2015
Individual/Entity: **North Lake Construction Co., Inc.**
Facility: Commercial Structure
Location: 5102 Augusta Road
Lexington, SC 29072
Mailing Address: P.O. Box 1456
Lexington, SC 29071

County: Lexington
Previous Orders: None
Permit/ID Number: U1410238
Violations Cited: U.S. EPA Regulations at 40 CFR
61.145(a)

Summary: North Lake Construction Co., Inc. (Individual/Entity) is a general construction contractor. The Individual/Entity was hired to perform renovation activities at a commercial building located at 5102 Augusta Road in Lexington, S.C. (Site). On October 3, 2014, the Department conducted an investigation at the Site. The Individual/Entity violated Federal Standards of Performance for Asbestos Projects in that it failed to conduct an asbestos building inspection prior to the start of a renovation.

Action: The Individual/Entity is required to: ensure that an asbestos building inspection is conducted prior to the start of a renovation project in a regulated structure and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

47) Order Type and Number: Consent Order 2015-206-06-009
Order Date: July 7, 2015
Individual/Entity: **Denny's #8072**
Facility: Denny's #8072
Location: 124 Loyola Drive
Myrtle Beach, SC 29588
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-11041
Violations Cited: S.C. Code Ann. Regs. 61-25,
3-501.16(A)(1) and (2)

Summary: Denny's #8072 (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted inspections on December 8, 2014, and April 7, 2015. The Individual/Entity violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for potentially hazardous foods.

Action: The Individual/Entity is required to: maintain proper holding temperatures of time/temperature control and a time/temperature control log for potentially hazardous foods; operate and maintain the facility in accordance with

the requirements of all applicable regulations; and, pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

- 48) Order Type and Number: Consent Order 2014-206-04-030
Order Date: July 7, 2015
Individual/Entity: **Golden Crown Restaurant Inc.**
Facility: Golden Crown Restaurant Inc.
Location: 300 Whitman Avenue
Florence, SC 29501
Mailing Address: Same
County: Florence
Previous Orders: None
Permit Number: 21-206-02474
Violations Cited: 4 S.C. Code Ann. Regs. 61-25
Chapter II, Section B.1 (previous regulation); S.C. Code Ann. Regs. 61-25, 3-501.16(A)(1) and (2) (revised regulation)

Summary: Golden Crown Restaurant Inc. (Individual/Entity) is a restaurant located in Florence, South Carolina. The Department conducted inspections on August 14, 2013 and August 14, 2014. The Individual/Entity violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for potentially hazardous foods.

Action: The Individual/Entity is required to: maintain proper holding temperatures of time/temperature control for potentially hazardous foods; operate and maintain the facility in accordance with the requirements of all applicable regulations; complete a food protection manager certification program; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the required food protection manager certification program not be completed.

- 49) Order Type and Number: Consent Order 2014-206-06-005
Order Date: July 10, 2015
Individual/Entity: **Jimmyz Original Hibachi House**
Facility: Jimmyz Original Hibachi House
Location: 4011 Deville Street
Myrtle Beach, SC 29588
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-10698
Violations Cited: 4 S.C. Code Ann. Regs. 61-25
Chapter II, Section D.4

Summary: Jimmyz Original Hibachi House (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted inspections on May 7, 2013, and December 2, 2013. The Individual/Entity violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that potentially hazardous foods, such as poultry, is cooked to heat all parts to an internal temperature of at least 165°F (74°C), with no interruption of the cooking process.

Action: The Individual/Entity is required to: establish monitoring procedures for checking cooked chicken temperatures; operate and maintain the facility in accordance with the requirements of all applicable regulations; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

50)	<u>Order Type and Number:</u>	Consent Order 2013-206-06-027
	<u>Order Date:</u>	July 21, 2015
	<u>Individual/Entity:</u>	Travinia Italian Kitchen
	<u>Facility:</u>	Travinia Italian Kitchen
	<u>Location:</u>	4011 Deville Street Myrtle Beach, SC 29588
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	26-206-10698
	<u>Violations Cited:</u>	4 S.C. Code Ann. Regs. 61-25 Chapter IV, Section A.4.b.

Summary: Travinia Italian Kitchen (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted inspections on May 7, 2013, and December 2, 2013. The Individual/Entity violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that the dish machine and its auxiliary components were operated in accordance with the machine's data plate and other manufacturer's instructions.

Action: The Individual/Entity is required to: establish operation monitoring procedures for checking the dish machine; operate and maintain the facility in accordance with the requirements of all applicable regulations; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

51)	<u>Order Type and Number:</u>	Consent Order 2014-206-07-028
	<u>Order Date:</u>	July 30, 2015
	<u>Individual/Entity:</u>	Triangle Char & Bar
	<u>Facility:</u>	Triangle Char & Bar
	<u>Location:</u>	828 Savannah Highway

Charleston, SC 29407
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit Number: 10-206-05078
Violations Cited: 4 S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1 (previous regulation) and S.C. Code Ann. Regs. 61-25, 3-501.16(A)(1) and (2) (revised regulation)

Summary: Triangle Char & Bar (Individual/Entity) is a restaurant located in Charleston, South Carolina. The Department conducted inspections on August 28, 2013 and August 18, 2014. The Individual/Entity violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for potentially hazardous foods.

Action: The Individual/Entity is required to: maintain proper holding temperatures of time/temperature control for potentially hazardous foods; operate and maintain the facility in accordance with the requirements of all applicable regulations; complete a food protection manager certification program; pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the required food protection manager certification program not be completed.

52) Order Type and Number: Consent Order 2014-206-06-038
Order Date: July 30, 2015
Individual/Entity: **Good Time Charlie's**
Facility: Good Time Charlie's
Location: 1302 Celebrity Circle # 160
Myrtle Beach SC 29577
Mailing Address: Same
County: Horry
Previous Orders: 2014-206-06-002 (\$750.00)
Permit Number: 26-206-11709
Violations Cited: 4 S.C. Code Ann. Regs. 61-25
Chapter II, Section B.1

Summary: Good Time Charlie's (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted inspections on April 10, 2014 and June 25, 2014. The Individual/Entity violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for safety foods (potentially hazardous foods).

Action: The Individual/Entity is required to: maintain proper holding temperatures of time/temperature control for safety foods (potentially hazardous

foods); operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25; and pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**).

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

53) Order Type and Number: Consent Order 15C-007F
Order Date: July 13, 2015
Individual/Entity: **Magwood Dock, LLC**
Location: 110 Haddrell Street
Mount Pleasant, SC
Mailing Address: 1204 Orange Street
Hanahan, SC 29410
County: Charleston
Previous Orders: None
Permit/ID Number: 2005-2W-307-P
Violations Cited: S.C. Code Ann. §48-39-130(A) and
23A S.C. Code Ann. Regs. 30-2(B).

Summary: Magwood Dock, LLC (Individual/Entity) is the owner of certain property abutting the tidelands critical area. An inspection was conducted on April 16, 2015. The Individual/Entity has violated the Coastal Zone Management Act and Critical Area Permitting Regulations as follows: removed and replaced a 6' x 50' portion of an unauthorized floating dock in the tidelands critical area without a Department permit.

Action: The Individual/Entity is required to: remove any unauthorized portion of the floating dock should the after-the-fact permit previously submitted to the Department be denied and pay a civil penalty of six thousand, four hundred dollars (**\$6,400.00**).

54) Order Type and Number: Consent Order 08M-019SRF
Order Date: July 29, 2015
Individual/Entity: **Joanna Heaton**
Location: 2030 South Waccamaw Drive
Georgetown, SC
Mailing Address: 1717 Fair Street
Camden, SC 29020
County: Georgetown
Previous Orders: None
Permit/ID Number: OCRM-04-533

Violations Cited: S.C. Code Ann. §48-39-130(A) and 23A S.C. Code Ann. Regs. 30-2(B). Critical Area Permit OCRM-04-533, Special Condition #2.

Summary: Joanna Heaton (Individual/Entity) is the owner of certain property abutting the tidelands critical area. An inspection was conducted on October 22, 2008, and a Notice of Violation/Admission Letter was issued on October 30, 2009. On February 11, 2015, Department staff conducted a follow-up inspection and confirmed that the violations observed during the October 22, 2008 inspection remained. The Individual/Entity has violated the Coastal Zone Management Act and Critical Area Permitting Regulations as follows: installed a boat ramp, rip rap toe protection along the bulkhead and sides of the boat ramp, a second floating dock and a landing without authorization from the Department. The Individual/Entity has also violated Special Condition #2 of Critical Area Permit OCRM-04-533 as follows: enlarged the fixed pierhead and the floating dock without authorization from the Department.

Action: The Individual/Entity is required to: reduce the total square footage of the fixed and floating dock structures to no greater than 600 square feet and reduce the width of the boat ramp to no greater than 12 feet; and, following modification of the dock and boat ramp, submit an administratively complete after-the-fact permit application to the Department.

55) Order Type and Number: Consent Order 15C-004F
Order Date: July 31, 2015
Individual/Entity: **Michael A. Safdi and Rosemary G. Safdi**
Location: 17 Beachwood East
Isle of Palms, SC
Mailing Address: 2836 Losantiridge Ave.
Cincinnati, OH 45213
County: Charleston
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. §48-39-130(A) and 23A S.C. Code Ann. Regs. 30-2(B). S.C. Code Ann. §48-39-290(B)(2)(a) and 23A S.C. Code Ann. Regs. 30-13(N)(3)(a).

Summary: Dr. Michael A. Safdi and Mrs. Rosemary G. Safdi (Individuals/Entities) are the owners of certain property seaward of the baseline and abutting the beaches critical area. An inspection was conducted on April 20, 2015 and a Notice of Violation/Admission Letter was issued on April 30, 2015. The Individuals/Entities have violated the Coastal Zone Management Act and Critical Area Permitting Regulations as follows: responsible for a rock revetment

constructed seaward of the baseline in the beaches critical area without a Department permit.

Action: The Individuals/Entities are required to: submit a corrective action plan (CAP) to address removal of the unauthorized rock revetment; upon review and approval of the CAP by the Department, remove the unauthorized rock revetment and associated filter fabric in accordance with the CAP; notify the Department of the removal of the rock revetment and associated filter fabric within 7 days of completion; and, pay a **stipulated penalty** in the amount of two thousand dollars (**\$2,000.00**) should any requirement of the Order not be met.

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