

**EQC ENFORCEMENT REPORT**  
**BOARD OF HEALTH AND ENVIRONMENTAL CONTROL**  
**July 8, 2010**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**UST Enforcement**

- 1)     Order Type and Number:                     Consent Order 09-0148-UST  
       Order Date:                                 May 4, 2010  
       Respondent:                                 **Kalpesh K. Patel**  
       Facility:                                     Pavan Food Store 103  
       Location/Mailing Address:             104 Main St., Due West, SC/310 E.  
   Butler Rd., Mauldin, SC 29662  
  
       County:                                     Abbeville  
       Previous Orders:                             None  
       Permit/ID Number:                         00038  
       Violations Cited:                         State     Underground     Petroleum  
   Environmental Response Bank Act of 1988, as amended, and the South  
   Carolina Underground Storage Tank Control Regulation 61-  
   92.280.20(c)(1)(ii), R.61-92.280.52, and R.61-92.280.34(c).

Summary:     Kalpesh K. Patel (Respondent) owns and operates underground storage tanks (UST) and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in an UST; failure to investigate and confirm a suspected release within a reasonable time period; and, failure to provide records to the Department upon request.

Action:     The Respondent is required to: submit sampling results for the soil samples taken from beneath the repaired premium spill bucket and pay a civil penalty in the amount of one thousand, one hundred dollars (**\$1,100.00**) in accordance with a Promissory Note.

- 2)     Order Type and Number:                     Consent Order 09-0347-UST  
       Order Date:                                 May 20, 2010  
       Respondent:                                 **Wal-Mart Stores, Inc.**  
       Facility:                                     Wal-Mart Distribution Centers 14 &  
   15  
       Location/Mailing Address:             1050 Vern Cora Rd., Laurens, SC  
   29360/2101 SE Simple Savings Dr.,  
   Bentonville, AZ 72716-0745  
  
       County:                                     Laurens

Previous Orders: None  
Permit/ID Number: 10608  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(c)(1)(ii).

Summary: Wal-Mart Stores, Inc. (Respondent) owns and operates underground storage tanks (UST) and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in a UST.

Action: The Respondent is required to pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill prevention system was corrected prior to the issuance of the Order.

3) Order Type and Number: Consent Order 10-0007-UST  
Order Date: May 4, 2010  
Respondent: **Corner Mart, Inc.**  
Facility: Corner Mart  
Location/Mailing Address: 2769 Trask Pkwy., Beaufort, SC/4855 Occidental Rd., Santa Rosa, CA 95401  
County: Beaufort  
Previous Orders: AO 07-0185-UST (\$7,400.00)  
Permit/ID Number: 10242  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.93(a), and R.61-92.280.110(c).

Summary: Corner Mart, Inc. (Respondent) owns and operates underground storage tanks (UST) and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide financial responsibility for an underground storage tank system and failure to provide financial responsibility records to the Department upon request.

Action: The Respondent is required to: submit a Certificate of Financial Responsibility; proof of financial mechanism; and, pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**) in accordance with a Promissory Note.

4) Order Type and Number: Consent Order 10-0030-UST  
Order Date: May 20, 2010

Respondent: **Destiny Corporation of SC**  
Facility: Royal Food Stores 8  
Location/Mailing Address: 2701 Siloam Church Rd.,  
Greenwood, SC 29646/P.O. Box  
556, Lavonia, GA 30553  
County: Greenwood  
Previous Orders: None  
Permit/ID Number: 18927  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988, as amended, and the South  
Carolina Underground Storage Tank Control Regulation 61-92.280.34(c),  
R.61-92.280.41(b)(1)(ii), and R.61-92.280.44(a).

Summary: Destiny Corporation of SC (Respondent) owns and operates underground storage tanks (UST) and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request; failure to conduct an annual tightness test on pressurized lines or have monthly monitoring; and, failure to check the line leak detector function annually.

Action: The Respondent is required to: submit acceptable line leak detector test results for the 5,000-gallon diesel tank and pay a civil penalty in the amount of six hundred thirty dollars (**\$630.00**).

5) Order Type and Number: Consent Order 10-0040-UST  
Order Date: May 14, 2010  
Respondent: **Lucky Strike Investments, Inc.**  
Facility: Quick Pantry 27  
Location/Mailing Address: 2504 Montague Ext., Greenwood,  
SC 29646/1116 Cherokee Ave.,  
Suite 3, Gaffney, SC 29341  
County: Greenwood  
Previous Orders: None  
Permit/ID Number: 04780  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988, as amended, and the South  
Carolina Underground Storage Tank Control Regulation 61-  
92.280.20(c)(1)(ii).

Summary: Lucky Strike Investments, Inc. (Respondent) owns and operates underground storage tanks (UST) and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in a UST.

Action: The Respondent is required to pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill prevention system was corrected prior to the issuance of the Order.

- 6) Order Type and Number: Consent Order 10-0069-UST  
Order Date: May 14, 2010  
Respondent: **Anderson Oil Company, Inc.**  
Facility: Quick Pantry 36  
Location/Mailing Address: 1212 Main St., Barnwell, SC  
29812/P.O. Box 1285, Barnwell, SC  
29812  
County: Barnwell  
Previous Orders: None  
Permit/ID Number: 00856  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988, as amended, and the South  
Carolina Underground Storage Tank Control Regulation 61-92.280.20(e),  
R.61-92.280.40(a), R.61-92.280.41(b)(1)(ii), R.61-92.280.44(a), and  
R.61-92.280.34(c).

Summary: Anderson Oil Company, Inc. (Respondent) owns and operates underground storage tanks (UST) and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install the UST system in accordance with accepted codes and standards; failure to provide an adequate release detection method; failure to conduct an annual tightness test on pressurized lines or have monthly monitoring; failure to check the line leak detector function annually; and, failure to provide records to the Department upon request.

Action: The Respondent is required to pay a civil penalty in the amount of two thousand, three hundred dollars (**\$2,300.00**). All deficiencies were corrected prior to the issuance of the Order.

### **Solid Waste Enforcement**

- 7) Order Type and Number: Consent Order 10-03-SW  
Order Date: May 13, 2010  
Respondent: **Town of Timmons ville**  
Facility: Town of Timmons ville  
Location/Mailing Address: West McLendon Street/P.O. Box  
447 Timmons ville, South Carolina  
29161  
County: Florence

Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, Part I.A.8.

Summary: Town of Timmons ville (Respondent) is responsible for the proper disposal of land-clearing debris, construction and demolition debris and municipal solid waste. The Respondent failed to comply with the South Carolina Solid Waste Policy and Management Act of 1991 (Act), Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19 by failing to properly dispose of solid waste at a permitted facility.

Action: The Respondent is required to: submit receipts for the removal and proper disposal of all solid waste that remains at the Site, including but not limited to a large pile of land-clearing debris comingled with municipal solid waste at the Site; and, pay a civil penalty in the amount of five thousand, one hundred seventy-five dollars (**\$5,175.00**) in accordance with a Promissory Installment Note.

## **BUREAU OF WATER**

### **Drinking Water Enforcement**

8) Order Type and Number: Consent Order 10-028-DW  
Order Date: May 6, 2010  
Respondent **D.R. Aiken Properties, LLC**  
Facility: Hillsvie w Mobile Home Park  
Location/Mailing Address: 126 Brogdon Branch Rd., Aiken, SC  
29801/P.O. Box 7227, Aiken, SC  
29804  
County: Aiken  
Previous Orders: None  
Permit/ID Number: 0260016  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7

Summary: D.R. Aiken Properties, 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

storage tank's exterior was rusted and the storage capacity was not adequate.

Action: The Respondent is required to: install a new storage tank with adequate capacity and pay a **stipulated penalty** in the amount of eight thousand five hundred eighty-five dollars (**\$8,585.00**) should the Respondent fail to meet any requirement of the Order.

- 9)     Order Type and Number:                     Consent Order 10-035-DW  
       Order Date:                                 May 6, 2010  
       Respondent                                     **U.S. Department of the Air Force**  
       Facility:                                     Shaw Air Force Base  
       Location/Mailing Address:             428 Chapin Street  
   Shaw AFB, S.C. 29201  
  
       County:                                     Sumter  
       Previous Orders:                         None  
       Permit/ID Number:                     4310501  
       Violations Cited:                     24A S.C. Code Ann. Regs. 61-58.5(N)(2)(e)

Summary: The U.S. Department of the Air Force (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level for trichloroethylene (TCE).

Action: The Respondent is required to: submit for approval an investigative report and a corrective action plan to include proposed steps to address the TCE exceedance; conduct monthly sampling of the influent and effluent at both air strippers for six (6) months from June 2010 to December 2010; and, pay a civil penalty in the amount of three thousand six hundred ten dollars (**\$3,610.00**).

- 10)    Order Type and Number:                     Consent Order 10-041-DW  
       Order Date:                                 May 6, 2010  
       Respondent:                                 **Coley, Inc.**  
       Facility:                                     Coley C-Store  
       Location/Mailing Address:             1135 Durham Rd., Blackstock, SC  
   29014/P.O. Box 85, Blackstock, SC  
   29014  
  
       County:                                     Chester  
       Previous Orders:                         None  
       Permit/ID Number:                     27288-WS  
       Violations Cited:                     24A S.C. Code Ann. Regs. 61-58.1(B)(8), and 61-58.1(K)(1)

Summary: Coley, Inc. (Respondent) owns and is responsible for the proper construction and operation of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to obtain a follow-up construction permit prior to constructing a PWS and final approval to operate prior to placing the PWS into operation.

Action: The Respondent is required to: obtain a follow-up construction permit and final approval to operate and pay a civil penalty in the amount of two thousand five hundred fifty dollars (**\$2,550.00**). The civil penalty has been paid.

- 11) Order Type and Number: Consent Order 10-042-DW  
Order Date: May 6, 2010  
Respondent: **Phyllis Grant individually and d/b/a Sheldon Convenience Store**  
Facility: Sheldon Convenience Store  
Location/Mailing Address: 32 Horsetail Road  
Yemassee, SC 29945  
County: Beaufort  
Previous Orders: None  
Permit/ID Number: 0770927  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5 (F)

Summary: Phyllis Grant (Respondent) individually and d/b/a Sheldon Convenience Store owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level for total coliform.

Action: The Respondent is required to: submit to the Department for approval an investigative report and a corrective action plan to include proposed steps to address the total coliform exceedance; 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 10-043-DW  
Order Date: May 6, 2010  
Respondent: **Chris Sutton, individually and d/b/a Sutton's Landing**  
Facility: Sutton's Landing  
Location/Mailing Address: 408 Langford Road  
Blythewood, S.C. 29016  
County: Fairfield  
Previous Orders: None

Permit/ID Number: 2070852  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(F), 61-58.6(E) and 61-58.7

Summary: Chris Sutton (Respondent) individually and d/b/a Sutton's Landing 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 well casing was too low to the ground and the electrical wire was not in conduit; there was not a valve program, flushing program, leak detection and repair program and emergency plan available for review; the PWS exceeded the maximum contaminant level for total coliform; and, public notice was not issued for the total coliform violation.

Action: The Respondent is required to: submit for approval an investigative report and a corrective action plan to include proposed steps to address the total coliform exceedance; extend the well casing to at least twelve (12) feet above the concrete pad and encase the electrical wiring in conduit; create and maintain a valve maintenance program, flushing program, leak detection and repair program, emergency plan and procedures manual; and, pay a **stipulated penalty** in the amount of eleven thousand dollars (**\$11,000.00**) should the Respondent fail to meet any requirement of the Order.

13) Order Type and Number: Consent Order 10-044-DW  
Order Date: May 6, 2010  
Respondent: **Bucksport Water System, Inc.**  
Facility: Bucksport Water System  
Location/Mailing Address: 2809 4<sup>th</sup> Ave., Conway, SC  
29526/P.O Box 1032  
Conway, SC 29528  
County: Horry  
Previous Orders: None  
Permit/ID Number: 2620003  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(B)(2)(f)

Summary: Bucksport Water System, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level for Fluoride.

Action: The Respondent is required to: submit for approval a corrective action plan to include proposed steps to address the Fluoride exceedance and pay



a **stipulated penalty** in the amount of two thousand dollars (**\$2,000.00**) should the Respondent fail to meet any requirement of the Order.

- 14) Order Type and Number: Consent Order 10-045-DW  
Order Date: May 6, 2010  
Respondent **Saluda River Resort, LLC**  
Facility: Saluda River Resort  
Location/Mailing Address: 1283 Saluda River Road  
Silverstreet, SC 29145  
County: Newberry  
Previous Orders: None  
Permit/ID Number: 3670800  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(F)

Summary: Saluda River Resort, 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 as follows: the PWS exceeded the maximum contaminant level for total coliform.

Action: The Respondent is required to: submit for approval an investigative report and a corrective action plan to include proposed steps to address the total coliform exceedance and pay a **stipulated penalty** in the amount of six thousand dollars (**\$6,000.00**) should the Respondent fail to meet any requirement of the Order.

- 15) Order Type and Number: Consent Order 10-046-DW  
Order Date: May 6, 2010  
Respondent: **Stacy's, Inc.**  
Facility: Stacy's Garden Center  
Location/Mailing Address: 2009 Hwy 321 N, York, SC  
29745/P.O. Box 709,  
York, SC 29745  
County: York  
Previous Orders: None  
Permit/ID Number: 4670988  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(F) and 61-58.6(B)(5)

Summary: Stacy's, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level for total coliform

and failed to submit a copy of the public notice to the Department within ten (10) days of notifying its customers of the exceedance.

Action: The Respondent is required to: submit for approval an investigative report and a corrective action plan to include proposed steps to address the total coliform exceedance and pay a **stipulated penalty** in the amount of seven thousand dollars (**\$7,000.00**) should the Respondent fail to meet any requirement of the Order.

16) Order Type and Number: Consent Order 10-047-DW  
Order Date: May 6, 2010  
Respondent **Daufuskie Island Utility Company, Inc.**  
Facility: Haig Point  
Location/Mailing Address: 10 Haig Point Ct., Hilton Head Is., SC, 29928/10 Liberty Street, Edison, NJ 08837  
County: Beaufort  
Previous Orders: None  
Permit/ID Number: 0750036  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7

Summary: Daufuskie Island Utility Company, Inc. (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 December 2009 total coliform samples were not taken; the appurtenances on the elevated storage tank were not tested annually; the cross connection control devices were not tested annually; the flushing program and emergency preparedness program were not available for review; and the pneumatic storage tanks were in need of painting.

Action: The Respondent is required to: correct all deficiencies 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.

17) Order Type and Number: Consent Order 10-048-DW  
Order Date: May 6, 2010  
Respondent **Gilbert Summit Rural Water District**  
Facility: Gilbert Summit  
Location/Mailing Address: 136 Hampton St., Gilbert, SC 29054/P.O. Box 172, Gilbert, SC 29054

County: Lexington  
Previous Orders: 06-079-DW (\$2,800.00 stipulated)  
Permit/ID Number: 3220001  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(H)

Summary: Gilbert Summit Rural Water District (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: Well G32677 exceeded the maximum contaminant level for combined radium 226/228.

Action: The Respondent is required to: submit for approval a corrective action plan to include proposed steps to address the combined radium 226/228 exceedance and pay a **stipulated penalty** in the amount of two thousand eight hundred dollars (**\$2,800.00**) should the Respondent fail to meet any requirement of the Order.

18) Order Type and Number: Consent Order 10-049-DW  
Order Date: May 18, 2010  
Respondent: **Waterstone Development, LLC**  
Facility: Waterstone Development, LLC  
Location/Mailing Address: 270 Hands Mill Hwy  
Rock Hill, S.C. 29732  
County: York  
Previous Orders: None  
Permit/ID Number: 4630056  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(F) and 61-58.6(E)

Summary: Waterstone Development, 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 as follows: the PWS exceeded the maximum contaminant level for total coliform and failed to issue a completed public notice.

Action: The Respondent is required to: submit for approval an investigative report and a corrective action plan to include proposed steps to address the total coliform exceedance and pay a **stipulated penalty** in the amount of seven thousand dollars (**\$7,000.00**) should the Respondent fail to meet any requirement of the Order.

## Water Pollution Enforcement

- 19) Order Type and Number: Consent Order 10-019-W  
Order Date: April 30, 2009  
Respondent: **Brown Packing Company, Inc.**  
Facility: Brown Packing Co., Inc Composting Facility  
Location/Mailing Address: 116 Willis Street  
Gaffney, S.C. 29485  
County: Cherokee  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: S.C. Code Ann. §48-1-90 (a) (2008)

Summary: Brown Packing Company, Inc. (Respondent) owns and is responsible for composting activity at its composting facility located in Goucher in Cherokee County. The Respondent has violated the Pollution Control Act by allowing the run-off of contaminated water to the environment from the composting activity and compost piles containing paunch material from the Respondent's meat packing company.

Action: The Respondent is required to: submit information and documents required for securing the necessary Department approvals and permits in order to comply with Department regulation; pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) in four (4) equal installments; and, pay a suspended penalty in the amount of two thousand dollars (\$2,000.00) should the Respondent fail to meet any requirements of the Order.

- 20) Order Type and Number: Consent Order 10-023-W  
Order Date: May 20, 2010  
Respondent: **Pharr Yarns, Inc.**  
Facility: Pharr Yarns, Inc.-Clover Division  
Location/Mailing Address: Hwy 557 & Kingsbury Rd, Clover,  
SC 29710/P.O. Box 1939  
McAdenville, NC 28101  
County: York  
Previous Orders: None  
Permit/ID Number: SC0028321  
Violations Cited: S.C. Code Ann. § 48-1-110(d)  
(2008); S.C. Reg. 61-9.122.21 (d) (Supp. 2009)

Summary: Pharr Yarns, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving its Clover Division facility. The Respondent has violated the Pollution

Control Act and Water Pollution Control Permits Regulation in that it failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) permit at least 180 days prior to the expiration date of the permit.

Action: The Respondent is required to: submit an administratively complete application for renewal of its NPDES permit; continue to operate the WWTF in accordance with the most recently issued NPDES permit until a new permit becomes effective; and, pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

- 21) Order Type and Number: Consent Order 10-024-W  
Order Date: May 11, 2010  
Respondent: **Ameresco Federal Solutions, Inc.**  
Facility: SRS Biomass Facility  
Location/Mailing Address: SRS Road 1 Building 773-68a  
Aiken, SC 29808  
County: Aiken  
Previous Orders: None  
Permit/ID Number: SCR10L626  
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008);  
and, 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2009)

Summary: Ameresco Federal Solutions, Inc. (Respondent) owns and is responsible for land-clearing and construction activity associated with the Savannah River Site Biomass Facility. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly install, operate and maintain storm water, sediment and erosion control devices in accordance with the Department approved Site plan; and allowed the discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit an engineer's report certifying the installation and operation of all storm water controls and pay a civil penalty in the amount of twelve thousand eight hundred dollars (**\$12,800.00**).

### **BUREAU OF AIR QUALITY**

- 22) Order Type and Number: Consent Order 10-032-A  
Order Date: April 20, 2010  
Respondent: **Greenspace, Inc.**

Facility: Greenspace, Inc.  
Location/Mailing Address: 1055 Strobhardt Lane  
Ridgeland, SC 29936  
County: Jasper  
Previous Orders: None  
Permit/ID Number: 1360-0036  
Violations Cited: U.S. EPA 40 CFR 60, subpart  
AAAA, §60.1445; South Carolina Air Pollution Control Regulation  
61.62.1; South Carolina Air Pollution Control Regulation 61.62.5,  
Standard 2 and Standard 7; and S.C. Code Ann. Sections 48-1-90(a) and  
48-1-110(d).

Summary: Greenspace, Inc. (Respondent) operates an air curtain incinerator (ACI) at its facility located in Ridgeland, South Carolina. The Department issued NSPS Construction Permit 1360-0036-CA to the Respondent effective November 28, 2006. The Respondent submitted a timely application for a Part 70 (Title V) Air Quality Operating Permit (Operating Permit) on June 23, 2008, and an application shield was granted, effective August 21, 2008. The Respondent violated U.S. EPA Regulations and the South Carolina Air Pollution Control Regulations as follows: failed to show compliance with particulate matter (PM) and PM with a mean aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) emission limits during a Department-approved source test; failed to show compliance with PM<sub>10</sub> emission limits during a Department-approved re-test; failed to show compliance with opacity limits; and failed to report the results of source tests to the Department within 30 days of completion as required by the Operating Permit and the regulations.

Action: The Respondent is required to: discontinue use of the ACI until approval is granted for its operation; submit for approval a plan which outlines the corrective actions to be taken which will achieve and/or demonstrate compliance with the ambient air quality standards for PM and PM<sub>10</sub>; comply with the permitted opacity limits and ambient air quality standards; submit source test results within thirty (30) days of source test completion; and, pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**) in two equal installments.