

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
March 11, 2010

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Administrative Order 08-0218-UST
 Order Date: December 4, 2009
 Respondent: **Sam Sharpe**
 Facility: Shealy's PDQ
 Location/Mailing Address: 1251 Main Street, South Congaree,
 SC 29169/1534 Hazel Street, Cayce,
 SC 29033

 County: Lexington
 Previous Orders: None
 Permit/ID Number: 12515
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
 and the South Carolina Underground Storage Tank Control Regulation 61-
 92.280.20(e), R.61-92.280.30(a), R.61-92.280.34(c), and, R.61-
 92.280.52(b).

Summary: Sam Sharpe (Respondent) owns underground storage tanks (USTs) and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to install piping in accordance with accepted codes and standards; failure to maintain spill prevention equipment; failure to provide records to the Department upon request; and, failure to recheck for a leak after inconclusive line tightness test results.

Action: The Respondent is required to: submit proof that channel brackets have been installed to properly anchor the shear valves; submit proof that the premium and diesel spill buckets have been repaired/replaced; submit the results of the soil sample taken from the area under the premium spill bucket; and, pay a civil penalty in the amount of three thousand, one hundred forty-two dollars (**\$3,142.00**).

- 2) Order Type and Number: Administrative Order 08-0489-UST
 Order Date: November 24, 2009
 Respondent: **Miguel Adorno**
 Facility: Adorno Family Market
 Location/Mailing Address: 9821 South Highway 905, Longs, SC
 29568

County: Horry
Previous Orders: None
Permit/ID Number: 11431
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.93(a) and R.61-92.280.110(c).

Summary: Miguel Adorno (Respondent) owns underground storage tanks (USTs) and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility and failure to submit updated financial responsibility documentation.

Action: The Respondent is required to: submit proof of financial responsibility mechanism; submit a Certificate of Financial Responsibility; and, pay a civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**).

3) Order Type and Number: Consent Order 09-0164-UST
Order Date: January 4, 2010
Respondent: **Richland County School District**
Facility: Richland County School District #1-
Maintenance Facility
Location/ Mailing Address 220 Wayne Street, Columbia, SC,
29201
County: Richland County
Previous Orders: 05-155-W (\$6,800)
Permit/ID Number: 07345
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.20(c)(1)(ii).

Summary: Richland County School District (Respondent) owns and operates underground storage tanks and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in an underground storage tank.

Action: The Respondent is required to pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

- 4) Order Type and Number: Consent Order 09-0259-UST
Order Date: January 4, 2010
Respondent: **Ridge Gas & Oil Company**
Facility: Ridge Gas & Oil Company, Inc.
Location/Mailing Address: 319 Lee Street, Johnston, SC
29832/P.O. Box 311, Johnston, SC
29832
County: Edgefield
Previous Orders: None
Permit/ID Number: 10953
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.31(b)(1), R.61-92.280.31(c), and, R.61-92.280.34(c).

Summary: Ridge Gas & Oil Company (Respondent) owns underground storage tanks (USTs) and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to have the corrosion protection system inspected by a qualified tester every three (3) years; failure to inspect the impressed current system every sixty (60) days; and, failure to provide records to the Department upon request.

Action: The Respondent is required to: submit acceptable corrosion protection system test results for all USTs; submit a copy of a current rectifier log; and, pay a civil penalty in the amount of seven hundred seventy-five dollars (\$775.00). The penalty has been paid.

- 5) Order Type and Number: Consent Order 09-0281-UST
Order Date: January 4, 2010
Respondent: **Singh Manjit & Sandhu Gurmits**
Facility: Smitty's Country Store
Location/Mailing Address: 2035 Main Street, Silverstreet, SC
29145
County: Newberry
Previous Orders: None
Permit/ID Number: 06580
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), as amended,
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.20(e).

Summary: Singh Manjit & Sandhu Gurmits (Respondents) own underground storage tanks (USTs) and have violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to install USTs in accordance with accepted codes and standards.

Action: The Respondents are required to pay a civil penalty in the amount of four hundred fifty dollars (**\$450.00**). The USTs have been installed in accordance with accepted codes and standards.

- 6) Order Type and Number: Consent Order 09-0316-UST
Order Date: January 25, 2010
Respondent: **U. T. McDaniel**
Facility: Parklane Amoco
Location/Mailing Address: 7301 Parklane Road, Columbia, SC 29036/398 St. Thomas Church Rd., Chapin, SC 29036
County: Richland
Previous Orders: None
Permit/ID Number: 12405
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c) and R.61-92.280.40(a).

Summary: U. T. McDaniel (Respondent) owns underground storage tanks (USTs) and has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request and failure to provide an adequate release detection method.

Action: The Respondent is required to pay a civil penalty in the amount of nine hundred twenty-five dollars (**\$925.00**). A tank tightness test was conducted prior to issuance of the order.

Hazardous Waste Enforcement

- 7) Order Type and Number: Consent Order 09-30-HW
Order Date: January 7, 2010
Responsible Party: **Self Regional Healthcare**
Location/Mailing Address: 1325 Spring Street
Greenwood, South Carolina 29464
County: Greenwood
Previous Orders: N/A
Permit Number: SCR 000 005 751

Violations Cited: The South Carolina Hazardous Waste Management Act Section 44-56-130(2) and the South Carolina Hazardous Waste Management Regulation 61-79.262.34(a)(2); R.61-79.262.13(b); R.61-79.262.20(a)(1); R.61-79.265.174; and, R.61-79.265.15(d).

Summary: Self Regional Healthcare (Respondent) is a hospital located in Greenwood, SC. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to label drums located in the less than 180-day storage area with an accumulation start date; failure to file with the Department a revised or new Notification Form for each new hazardous waste within thirty (30) days after such waste is produced; failure to prepare a Manifest according to the instructions; failure to inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors; and, failure to record inspections in an inspection log or summary to include the time of the inspection.

Action: The Respondent has agreed to: now and in the future ensure compliance with the South Carolina Hazardous Waste Management Act and Regulations; ensure that containers of hazardous waste are labeled as required; ensure that a revised Notification Form is submitted when required; ensure that manifests are prepared according to the instructions; ensure that weekly inspections are conducted and documented as required; and, pay a civil penalty in the amount of one thousand, six hundred eighty dollars (**\$1,680.00**).

8) Order Type and Number: Consent Order 10-01-HW
Order Date: January 13, 2010
Responsible Party: **Harrell Industries, Inc.**
Location/Mailing Address: 2495 Commerce Drive
Rock Hill, South Carolina 29732
County: York
Previous Orders: None in the last 5 years
Permit Number: SCD 982 077 943
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulation 61-79.265.53(b), R.61-79.265.174, R.61-79.265.15(d), and R.61-79.265.173(d).

Summary: Harrell Industries, Inc. (Respondent) manufactures specialty chemicals. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to submit an updated copy of the contingency plan to all that may be called upon to provide emergency services; failure to inspect, at least weekly, areas where containers are stored; failure to record inspections in an inspection log or summary and include the name of the inspector and a notation of the observations made; and, failure to ensure that each container of hazardous waste is appropriately labeled with the EPA Hazardous Waste Number.

Action: The Respondent has agreed to: now and in the future, ensure that the facility maintains an updated copy of the contingency plan; ensure that all containers of hazardous waste are inspected weekly and that inspection logs include all required information; ensure that containers of hazardous waste are properly labeled; and, pay a civil penalty in the amount of six thousand, one hundred dollars (**\$6,100.00**).

- 9) Order Type and Number: Consent Order 10-02-HW
Order Date: January 25, 2010
Responsible Party: **CARC, Inc.**
Location/Mailing Address: 500 Downs Loop
Clemson, South Carolina 29631
County: Pickens
Previous Orders: None
Permit Number: SC39-0045G
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulations 61-105.J(2)(e) and R.61-105.J(2)(b).

Summary: CARC, Inc. (Respondent) is a retirement center that offers medically assisted living. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to ensure that containers of infectious waste offered for transport offsite labeled on outside surfaces so that the name or Department issued number of the generator as well as the date the container was placed in storage or sent offsite is readily visible.

Action: The Respondent has agreed to: now and in the future, ensure that all infectious wastes containers are labeled properly; and, pay a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**).

Solid Waste Enforcement

- 10) Order Type and Number: Consent Order 09-28-SW
Order Date: January 14, 2010
Respondent: **Lawrence Dowling**
Facility: D&D Auto Service
Location/Mailing Address: 905 Voorhees Road
Denmark, South Carolina, 29042
County: Bamberg
Previous Orders: None
Permit/ID Number: None

Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Waste Tires Regulation 61-107.3.E.1. and E.3., and Solid Waste Management: Used Oil Regulation 61-107.279.12.e., R. 61-107.279.12.g., R. 61-107.279.22.a., and R. 61-107.279.22.c.1., as amended.

Summary: Lawrence Dowling (Respondent) has violated the Solid Waste Management: Waste Tires Regulation as follows: failure to obtain a permit from the Department prior to the operation of two waste tire collection sites and failure to dispose of waste tires at a permitted facility. The Respondent has violated the Solid Waste Management: Used Oil Regulation as follows: failure to manage used oil in a manner that would prevent a discharge onto the ground.

Action: The Respondent is required to remove and properly dispose of all waste tires at a permitted facility; properly dispose of used oil; submit disposal receipts to the Department for the used oil and waste tires; and, pay a civil penalty of four hundred eighty-seven dollars (**\$487.00**) in four equal installments.

BUREAU OF WATER

Drinking Water Enforcement

11) Order Type and Number: Consent Order 09-057-DW
Order Date: January 11, 2010
Respondent: **Surfwatch Owners Association**
Facility: Marriott Surfwatch Resort
Location/Mailing Address: 1044 William Hilton Parkway
Hilton Head Island, S.C. 29928
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1079C and 07-1083C
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Surfwatch Owners Association (Respondent) owns and is responsible for the proper operation and maintenance of the two (2) pools. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pools.

Action: The Respondent is required to: pay a civil penalty in the amount of four thousand eighty dollars (**\$4,080.00**). The civil penalty has been paid.

12) Order Type and Number: Consent Order 10-001-DW

<u>Order Date:</u>	January 25, 2010
<u>Respondent:</u>	City of Denmark
<u>Facility:</u>	City of Denmark PWS
<u>Location/Mailing Address:</u>	4768 Carolina Highway Denmark, S.C. 29042
<u>County:</u>	Bamberg
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	0510002
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58.7

Summary: City of Denmark (Respondent) 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: failed to properly operate and maintain the PWS.

Action: The Respondent is required to: locate and maintain all the valves; develop a flushing program; perform a water audit; develop a procedures manual; install a storage tank overflow pipe; pay a civil penalty in the amount of one thousand two hundred dollars (**\$1,200.00**), and, pay a stipulated penalty in the amount of six thousand eight hundred dollars (\$6,800.00) should it fail to meet any requirement of this Order. The civil penalty has been paid.

13) <u>Order Type and Number:</u>	Consent Order 10-002-DW
<u>Order Date:</u>	January 19, 2010
<u>Respondent:</u>	Newberry County Water & Sewer Authority
<u>Facility:</u>	Newberry County Water & Sewer Authority
<u>Location/Mailing Address:</u>	13903 C.R. Koon Highway Newberry, S.C. 29108
<u>County:</u>	Newberry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3620002
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58.13
(F)(3)	

Summary: Newberry County Water & Sewer Authority (Respondent) 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: failed to achieve a Total Organic Carbon (TOC) removal ratio running annual average of at least 1.00.

Action: The Respondent is required to: submit to the Department for approval an Investigative Report to determine the causes of the low TOC removal ratio and a Corrective Action Plan (CAP) to include proposed steps to address

those causes; and, pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should it fail to meet any requirement of this Order.

- 14) Order Type and Number: Consent Order 10-003-DW
Order Date: January 15, 2010
Respondent: **Stop ‘N’ Save, Inc.**
Facility: El Cheapo Gas Station
Location/Mailing Address: 1715 Leesburg Rd
Columbia, S.C. 29209
County: Aiken
Previous Orders: None
Permit/ID Number: 0274000
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7

Summary: Stop ‘N’ Save, Inc. (Respondent) 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: failed to properly operate and maintain the PWS.

Action: The Respondent is required to: address wellhead piping deficiencies; source and storage security deficiencies; storage maintenance deficiencies; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should it fail to meet any requirement of this Order.

- 15) Order Type and Number: Consent Order 10-004-DW
Order Date: January 15, 2010
Respondent: **South Carolina Electric and Gas Company**
Facility: V.C. Summer Nuclear Station
Location/Mailing Address: P.O Box 88
Jenkinsville, S.C. 29065
County: Fairfield
Previous Orders: None
Permit/ID Number: 2030004
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.13
(F)(3)

Summary: South Carolina Electric and Gas Company (Respondent) 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: failed to achieve a Total Organic Carbon (TOC) removal ratio running annual average of at least 1.00.

Action: The Respondent is required to: submit to the Department for approval an Investigative Report to determine the causes of the low TOC removal ratio; submit a Corrective Action Plan (CAP) to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should it fail to comply with any requirement of this Order.

16) Order Type and Number: Consent Order 10-005-DW
Order Date: January 19, 2010
Respondent: **Hilton Head Island Recreation Association**
Facility: Island Recreation Center
Location/Mailing Address: P.O. Box 22593
Hilton Head Island, S.C. 29925
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-369-1A
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Hilton Head Island Recreation Association (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). The penalty has been paid.

17) Order Type and Number: Consent Order 10-006-DW
Order Date: January 19, 2010
Respondent: **Newberry Developments, LLC**
Facility: Holiday Inn Express
Location/Mailing Address: 330 Research Court Suite 200
Norcross, GA 30092
County: Newberry
Previous Orders: None
Permit/ID Number: 36-1002B and 36-1003D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Newberry Developments, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and spa. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool and spa.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand three hundred sixty dollars (**\$1,360.00**).

- 18) Order Type and Number: Consent Order 10-007-DW
Order Date: January 19, 2010
Respondent: **Pyramid Hotel Group, LLC**
Facility: Marriott Columbia
Location/Mailing Address: One Post Office Square, Suite 3100
Boston, MA 02109
County: Richland
Previous Orders: None
Permit/ID Number: 40-173B and 40-172D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Pyramid Hotel Group, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and spa. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool and spa.

Action: The Respondent is required to: submit a corrective action plan and schedule that addresses the water quality deficiencies to bring the pool into compliance; pay a civil penalty in the amount of seven hundred sixty-five dollars (**\$765.00**); and, pay a stipulated penalty in the amount of two thousand two hundred ninety-five dollars (\$2,295.00) if it fails to meet any requirement of this Order.

- 19) Order Type and Number: Consent Order 10-008-DW
Order Date: January 19, 2010
Respondent: **Newberry County Family YMCA**
Facility: Newberry County Family YMCA
Location/Mailing Address: 8220 Jollystreet Road
Newberry, S.C. 29108
County: Newberry
Previous Orders: None
Permit/ID Number: 36-026D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(c)

Summary: Newberry County Family YMCA (Respondent) owns and is responsible for the proper operation and maintenance of a spa. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa and failure to schedule a Department inspection of the spa prior to re-opening after Department closure.

Action: The Respondent is required to: pay a civil penalty in the amount of two thousand three hundred eighty dollars (**\$2,380.00**).

20) Order Type and Number: Consent Order 10-009-DW
Order Date: January 19, 2010
Respondent: **Parkers Island Property Owners Association**
Facility: Rivertowne Country Club
Location/Mailing Address: 2775 Carolina Isle Drive
Mount Pleasant, S.C. 29466
County: Charleston
Previous Orders: None
Permit/ID Number: 10-1119C
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Parkers Island Property Owners Association (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand two hundred sixty dollars (**\$1,260.00**).

21) Order Type and Number: Consent Order 10-010-DW
Order Date: January 19, 2010
Respondent: **Cane Patch Association of Myrtle Beach II**
Facility: Hampton Inn Myrtle Beach-
Broadway at the Beach
Location/Mailing Address: 1109 48th Avenue North
Myrtle Beach, S.C. 29577
County: Horry
Previous Orders: None
Permit/ID Number: 26-M79D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Cane Patch Association of Myrtle Beach II (Respondent) owns and is responsible for the proper operation and maintenance of a spa. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa.

Action: The Respondent is required to: pay a civil penalty in the amount of two thousand forty dollars (**\$2,040.00**). The civil penalty has been paid.

22) Order Type and Number: Consent Order 10-011-DW
Order Date: January 25, 2010
Respondent: **Joseph Sultan d/b/a Fox Lake Mobile Home Park**
Facility: Fox Lake Mobile Home Park
Location/Mailing Address: 2323 Lee Street
Cayce, S.C. 29033
County: Calhoun
Previous Orders: None
Permit/ID Number: 0960008
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7

Summary: Joseph Sultan (Respondent) d/b/a Fox Lake MHP is responsible for the proper operation of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to properly operate and maintain the PWS.

Action: The Respondent is required to: address wellhead piping; leak detection and repair; storage maintenance; 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.

23) Order Type and Number: Consent Order 10-012-DW
Order Date: January 25, 2010
Respondent: **Dogwood Hills Country Club, Inc.**
Facility: Dogwood Hills Country Club
Location/Mailing Address: P.O. Box 101
Walterboro, S.C. 29488
County: Colleton
Previous Orders: None
Permit/ID Number: 15-016B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J) and 61-15(K)(1)(c)

Summary: Dogwood Hills Country Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool; and failure to schedule a Department inspection of the pool prior to re-opening the pool after Department closure.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand nine hundred sixty dollars (**\$1,960.00**).

Water Pollution Enforcement

- 24) Order Type and Number: Consent Order 10-001-W
Order Date: January 4, 2010
Respondent: **Town of Blackville**
Facility: Blackville WWTF
Location/Mailing Address: 5983 L'Artique St.
Blackville, SC 29697
County: Barnwell
Previous Orders: 09-025-W (\$11,050); 07-144-W
(\$28,918)
Permit/ID Number: SC0026417
Violations Cited: S.C. Code Ann. § 48-1-110(d) and 24
S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2008)

Summary: The Town of Blackville (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) and has violated the Pollution Control Act and associated regulations as follows: failed to comply with all requirements of its National Pollutant Discharge Elimination System (NPDES) Permit in that it failed to comply with the permitted discharge limits for Copper.

Action: The Respondent is required to: submit a corrective action plan (CAP) addressing compliance with Copper limits; pay a civil penalty in the amount of three thousand six hundred dollars (**\$3,600.00**); and, pay a suspended penalty of four thousand dollars (\$4,000.00) should the Respondent fail to comply with Copper limits for six (6) months.

- 25) Order Type and Number: Consent Order 10-003-W
Order Date: January 11, 2010
Respondent: **Eagle Construction Co., Inc.**
Facility: Carl Parker Borrow Pit
Location/Mailing Address: P. O. Box 132
Newberry, SC 29108
County: York
Previous Orders: None at this Site
Permit/ID Number: SCG730865
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. 2008).

Summary: Eagle Construction Company, Inc. (Respondent) owns and is responsible for the operation and maintenance of the Carl Parker borrow pit (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permits Regulation as follows: discharged sediment into the environment, including into waters of the State, in a manner other than in

compliance with a permit issued by the Department and failed to install and maintain storm water management and erosion and sediment controls as required by its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: submit a corrective action plan (CAP), containing the measures to be implemented to ensure that sediment does not discharge from the Site; submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that the entire Site is stabilized and all storm water and sediment control devices are installed and functioning properly as specified in the Site's erosion and sediment control plan; conduct weekly storm water management and erosion and sediment control inspections of the Site, documenting deficiencies noted and corrective actions implemented; and, pay a civil penalty in the amount of nine thousand two hundred dollars (**\$9,200.00**).

26) Order Type and Number: Consent Order of Dismissal
10-004-W
Order Date: January 14, 2010
Respondent: **Mark and Pam Thompson**
Facility: Estates at Wood Valley
Location/Mailing Address: 120 Laurens Street, N.W.
Aiken, SC 29801
County: Aiken
Previous Orders: None in Last 5 Years
Permit/ID Number: NPDES # SCR10E061
Violations Cited: 24 S.C. Code Ann. Regs. 61-9.122.26(c)(1)(Supp. 2008); and S.C Code Ann. §48-1-90(a)(2008).

Summary: Mark and Pam Thompson (Respondents) own and are responsible for land disturbing activity on property located on Estates Street in Aiken County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: initiated land-disturbing activity on the property without first obtaining a National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit coverage and discharged sediment-laden storm water to waters of the State.

Action: The Respondents are required to: stabilize all previously disturbed areas of the site; submit a report, completed and stamped by a SC Registered Professional Engineer certifying compliance with the NPDES permit and Storm Water Pollution Prevention Plan; comply with permanent swale and pond maintenance agreements; and, pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**).

27) Order Type and Number: Consent Order 10-005-W

Order Date: January 27, 2010
Respondent: **Strawberry Investments, Inc.**
Facility: Strawberry Mobile Home Park
Location/Mailing Address: P.O. Box 758
Moncks Corner, SC 29461
County: Berkeley
Previous Orders: 07-153-DW (\$2,000 Stipulated)
Permit/ID Number: SC0032859
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008);
and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(Supp. 2009)

Summary: Strawberry Investments, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving residents of the Strawberry MHP and has violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to consistently comply with permitted effluent limits as contained in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: comply with a stipulated construction and WWTF closeout schedule and pay a **suspended penalty** in the amount of six thousand dollars (**\$6,000.00**) should the Respondent fail to complete the sewer line construction project and proper closeout of the WWTF in compliance with the Order.

28) Order Type and Number: Consent Order 10-006-W
Order Date: January 19, 2010
Respondent: **Los Mariachis Restaurante Mexicano, Inc.**
Facility: Los Mariachis Restaurante
Location/Mailing Address: 1217 Lancaster Bypass West
Lancaster, SC 29720
County: Lancaster
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008)

Summary: Los Mariachis Restaurante Mexicano, Inc. (Respondent) owns and is responsible for the operation of a restaurant and has violated the Pollution Control Act and associated regulations as follows: it discharged grease and food waste into the environment in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit a corrective action plan (CAP) addressing grease disposal and pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**).

BUREAU OF AIR QUALITY

29) Order Type and Number: Consent Order 10-004-A
 Order Date: January 25, 2010
 Respondent: **R.L. Jordan Oil Company of
North Carolina, Inc.**
 Facility: R.L. Jordan Oil Company of North
Carolina, Inc.
 Location/Mailing Address: P.O. Box 2527
Spartanburg, S.C. 29304
 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: U.S. EPA 40 CFR 61 and South
Carolina Air Pollution Control Regulation 61-86.1

Summary: R.L. Jordan Oil Company of North Carolina, Inc. (Respondent) owns and operates Hot Spot #2010 located in Spartanburg, South Carolina. The Respondent contracted Greer Roofing Company, Inc., to remove and replace 3,200 square feet of roofing material from Hot Spot. The Respondent violated US EPA Regulations and South Carolina Air Pollution Control Regulations in that it failed to: ensure that an asbestos building inspection was performed prior to renovation activities; provide the Department with notice at least ten (10) working days prior to beginning a regulated asbestos project; pay all applicable fees for a regulated asbestos project; and, obtain an asbestos project license.

Action: The Respondent is required to: obtain a license from the Department prior to engaging in any regulated asbestos project; ensure that an asbestos building inspection is performed prior to conducting renovation or demolition activities; ensure that all necessary permits and/or licenses are obtained and fees are paid for any regulated asbestos project; and pay a civil penalty of four thousand dollars (**\$4,000.00**). The penalty has been paid.

30) Order Type and Number: Consent Order 10-005-A
 Order Date: January 25, 2010
 Respondent: **Eagle Excavating, Inc.**
 Facility: Eagle Excavating, Inc.
 Location/Mailing Address: P.O. Box 1341
Lexington, S.C. 29071
 County: Richland
 Previous Orders: None
 Permit/ID Number: N/A

Violations Cited: U.S. EPA Regulations 40 CFR Part 61.145; South Carolina Air Pollution Control Regulation 61-86.1, Sections IV, V, VI, and XVI; and, Consent Order 04-051-A.

Summary: Eagle Excavating, Inc. (Respondent) is a grading and demolition contractor. The Respondent violated U.S. EPA Regulations, South Carolina Air Pollution Control Regulations, and Consent Order 04-051-A as follows: failed to ensure that a building inspection was performed prior to beginning demolition operations; failed to submit a written notice of intent to demolish to the Department; failed to ensure that all asbestos-containing materials were removed prior to engaging in a demolition asbestos project; failed to obtain a Department-issued asbestos project license prior to beginning demolition operations; and, failed to use workers licensed by the Department while engaging in an asbestos project involving RACM.

Action: The Respondent is required to: contract a Department-licensed asbestos abatement contractor to perform an asbestos survey and provide the Department with the survey results; ensure that all asbestos-containing material is properly removed and disposed of by a Department-licensed asbestos abatement contractor; pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) in 2 equal installments; and, pay a suspended penalty in the amount of six thousand dollars (\$6,000.00) should the Respondent fail to meet any requirement of the Order.

31) Order Type and Number: Consent Order 10-006-A
Order Date: January 27, 2010
Respondent: **Mr. Scott Few D/B/A Glassy Mountain Lumber**
Facility: Glassy Mountain Lumber
Location/Mailing Address: 13525 Hwy 11
Campobello, S.C. 29322
County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, *Prohibition of Open Burning*.

Summary: Mr. Scott Few D/B/A Glassy Mountain Lumber (Respondent) is a hardwood and softwood chipping sawmill operation located at 13525 Hwy 11 in Campobello, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations in that it burned materials prohibited by the regulations. Materials burned consisted primarily of debris generated by the chipping and sawmill operation and a small amount of household garbage.

Action: The Respondent is required to: cease all open burning except as in compliance with South Carolina Air Pollution Control Regulation 61-62.2; pay a civil penalty in the amount of six hundred dollars (**\$600.00**); and, pay a suspended penalty in the amount of five thousand four hundred dollars (\$5,400.00) should the Respondent fail to meet any requirements of the order. The penalty has been paid.

32) Order Type and Number: Consent Order 10-007-A
Order Date: January 27, 2010
Respondent: **Louis E. Davis D/B/A 3 D Construction**
Facility: Louis E Davis D/B/A 3 D Construction
Location/Mailing Address: 2475 Walterboro Hwy.
Varnville, S.C. 29944
County: Hampton
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA Regulations at 40 CFR 61.145, South Carolina Air Pollution Control Regulation 61-86.1.

Summary: Louis E. Davis D/B/A 3 D Construction (Respondent) owns the Brunson Depot, a former ginning facility located at 11 Tin Street, in Brunson, South Carolina. The Respondent violated US EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failure to submit a Demolition Project license application to the Department; and failure to pay applicable fees for a Demolition Project license before performing a demolition to a regulated structure.

Action: The Respondent is required to: comply with Federal and State Asbestos Regulations when performing any future demolition/renovation activities including: submit an application for a Department Demolition Project license; pay all applicable fees; pay a civil penalty in the amount of four hundred dollars (**\$400.00**); and, pay a suspended penalty in the amount of three thousand six hundred dollars (\$3,600.00) should the Respondent fail to meet any requirements of the order.