

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

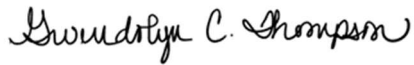
March 10, 2022

- () ACTION/DECISION
(X) INFORMATION

- I. TITLE:** Healthcare Quality Administrative and Consent Orders.
- II. SUBJECT:** Healthcare Quality Administrative Orders and Consent Orders for the period of January 1, 2022, through January 31, 2022.
- III. FACTS:** For the period of January 1, 2022, through January 31, 2022, Healthcare Quality reports five (5) Consent Orders totaling \$22,100 in assessed monetary penalties.

Name of Bureau	Facility, Service, Provider, or Equipment Type	Administrative Orders	Consent Orders	Assessed Penalties	Required Payment
Community Care	Community Residential Care Facility (CRCF)	0	2	\$20,200	\$14,120
Healthcare Systems and Services	Paramedic	0	3	\$1,900	\$1,900
TOTAL		0	5	\$22,100	\$16,020

Submitted By:



Gwen C. Thompson
Deputy Director
Healthcare Quality

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

March 10, 2022

Bureau of Community Care

Facility Type	Total Number of Licensed Facilities	Total Number of Licensed Beds
Community Residential Care Facility (CRCF)	482	22,122

1. Waterstone on Augusta – Greenville, SC

Inspections and Investigations: The Department conducted a complaint investigation in August 2021 and found the facility violated a regulatory requirement.

Violations: The Department found the facility violated Regulation 61-84, *Standards for Licensing Community Residential Care Facilities*, by failing to ensure a resident was free of verbal and emotional abuse pursuant to the Bill of Rights for Residents of Long-Term Care Facilities, S.C. Code Section 44-81-40(G).

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of \$5,000 against the facility. The facility was required to pay the full amount of the assessed monetary penalty within thirty (30) days of the execution of the Consent Order. The facility also agreed to schedule and attend a compliance assistance meeting with the Department within forty-five (45) days of executing the Consent Order.

Remedial Action: The facility has paid the full amount of the assessed monetary penalty, totaling \$5,000. The compliance assistance meeting was held on February 7, 2022.

Prior Actions: None in the past five (5) years.

2. Twilite Manor Adult Residential Care – Cayce, SC

Inspections and Investigations: The Department conducted several complaint investigations in May 2021, July 2021, and August 2021, a routine inspection in May 2021, routine follow-up inspections in November 2019 and March 2020, and issued citations-by-mail to the facility in November 2020, March 2021, and April 2021.

Violations: The Department found the facility violated Regulation 61-84, *Standards for Licensing Community Residential Care Facilities*, by failing to submit two (2) acceptable plans of corrections. The Department further found the facility failed to:

- Implement its written policies and procedures and to have them available for Department review;

- Employ a licensed administrator;
- Have sufficient staff or direct care volunteers on duty during peak hours;
- Have documentation of initial and/or annual medication management training;
- Provide the Department within 10 days the name of the newly appointed administrator, effective date of the appointment, and a copy of the administrator’s license and working hours;
- Have monthly notes of observation for residents;
- Review and/or revise a resident’s Individual Care Plan at least semi-annually;
- Coordinate a resident’s care as ordered by a physician;
- Render care and services in accordance with physicians’ orders;
- Have an accurate accounting of a resident’s personal monies;
- Provide residents with quarterly reports with the balances of their personal monies and have the available for Department review;
- Have documentation of residents’ current physical examination;
- Properly initial residents’ medication administration records (MARs) as the medications were administered;
- Have documented reviews of the MARs at each shift change;
- Maintain records of controlled substances in sufficient detail to enable an accurate reconciliation;
- Have documented reviews of the controlled substance sheets at each shift change; and
- Ensure medications were secure and inaccessible in a resident’s room.

Moreover, the facility failed to ensure that food prepared on-site met the requirements of Regulation 61-25, failed to maintain on-site a one-week supply of staple foods and a two-day supply of perishable foods, and failed to maintain hot water supplied to residents to a temperature of at least 100° F and not to exceed 120° F.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty of \$15,200 against the facility. The facility was required to pay \$9,120 of the assessed monetary penalty in four (4) monthly payments of \$2,280 each. The remaining \$6,080 will be held in abeyance upon a six-month substantial compliance period. The facility also agreed to schedule and attend a compliance assistance meeting with the Department within forty-five (45) days of executing the Consent Order.

Remedial Action: The facility paid the first monthly payment, totaling \$2,280. The compliance assistance meeting was held on February 15, 2022.

Prior Actions: The Department took enforcement action against the facility in July 2019. The parties agreed to resolve the matter with a consent order imposing a monetary penalty of \$19,600. The facility agreed to pay \$9,600 in four installments of \$2,450. The remaining \$10,000 was held in abeyance upon a six-month substantial compliance period. The facility attended a compliance assistance meeting with the Department.

Bureau of Healthcare Systems and Services

Level of Certification	Total Number of Certified Paramedics
Paramedic	4,106

3. Michael Sherman – Paramedic

Inspections and Investigations: The Department conducted an investigation in August 2021, and found that the paramedic was in violation of regulatory requirements.

Violations: The Department determined that the paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, by violating S.C. Code Section 44-61-60(A) by performing patient care within the scope of an Emergency Medical Technician (EMT) for a total of fifty (54) ambulance runs without obtaining proper certification from the Department.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of \$300 against the paramedic. The paramedic is required to pay the full amount of the assessed monetary penalty within thirty (30) days of execution of the Consent Order.

Remedial Action: The paramedic paid the full amount of the assessed monetary penalty, totaling \$300.

Prior Actions: None in past five (5) years.

4. Wesley Duckett – Paramedic

Inspections and Investigations: The Department received a complaint in November 2021, and after conducting an investigation, found that the paramedic was in violation of regulatory requirements.

Violations: The Department determined that the paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, for committing misconduct as defined in S.C. Code Section 44-61-80(F)(10), by action or omission and without mitigating circumstance, contributed to or furthered the injury or illness of a patient under his care, by turning the cardiac monitor on and off four (4) times until asystole was observed and resuscitation effort stopped. The paramedic committed misconduct as defined in S.C. Code Section 44-61-80(F)(14) by his actions or inactions, created a substantial possibility that death or serious physical harm could result by not following American Heart Association Advanced Cardiac Life Support (ACLS) Guidelines and Honea Path EMS Protocols for a patient in pulseless electrical activity (PEA). Moreover, the paramedic committed misconduct as defined in S.C. Code Section 44-61-80(F)(16) for falsification of documentation by documenting the patient’s cardiac rhythm indication as PEA and the cardiac arrest was terminated.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of \$1,000 against the paramedic. The paramedic was required to pay the full amount of the assessed monetary penalty within thirty (30) days of execution of the Consent Order. The paramedic agreed to successfully complete a Professional Ethics and Personal Leadership (PEPL) class as determined by the Department, within twelve (12) months of execution of the Consent Order. The paramedic’s certification was suspended for two (2) years upon execution of the Consent Order, and he has been issued an EMT-basic certification.

Remedial Action: Mr. Duckett paid the full amount of the assessed monetary penalty, totaling \$1,000. Mr. Duckett has not yet completed the PEPL class.

Prior Actions: None in past five (5) years.

5. Walter Hornsby – Paramedic

Inspections and Investigations: The Department conducted an investigation in March 2021, and found that the paramedic was in violation of regulatory requirements.

Violations: The Department determined that the paramedic was in violation of Regulation 61-7, *Emergency Medical Services*, by violating S.C. Code Section 44-61-60(A) by performing patient care within the scope of an EMT for a total of seventy-two (72) ambulance runs without obtaining proper certification from the Department.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a monetary penalty of \$600 against the paramedic. The paramedic is required to pay the assessed monetary penalty in two payments of \$300. The first payment was due within thirty (30) days of the execution of the Consent Order and the second payment is due within sixty (60) days of the execution of the Consent Order.

Remedial Action: The paramedic has not made the first payment of \$300.

Prior Actions: None in past five (5) years.

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
March 10, 2022

_____ ACTION/DECISION

 X INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period January 1, 2022, through January 31, 2022.
3. **FACTS:** For the reporting period of January 1, 2022, through January 31, 2022, the Office of Environmental Affairs issued thirty-three (33) Consent Orders with total assessed civil penalties in the amount of one hundred fifty-nine thousand, three hundred ninety dollars (\$159,390.00). Also, seven (7) Administrative Order with total assessed civil penalties in the amount of fifty-eight thousand, seven hundred thirty-nine dollars (\$58,739.00) was reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	5	\$55,239.00	2	\$1,000.00
Aboveground Tanks	0	0	0	0
Solid Waste	0	0	3	\$32,790.00
Hazardous Waste	0	0	2	\$32,000.00
Infectious Waste	0	0	1	\$13,900.00
Mining	0	0	0	0
SUBTOTAL	5	\$55,239.00	8	\$79,690.00
Water				
Recreational Water	0	0	9	\$41,800.00
Drinking Water	0	0	3	\$3,000.00
Water Pollution	1	\$2,000.00	5	\$20,500.00
Dam Safety	0	0	0	0
SUBTOTAL	1	\$2,000.00	17	\$65,300.00
Air Quality				
SUBTOTAL	1	\$1,500.00	1	\$7,500.00
Environmental Health Services				
Food Safety	0	0	7	\$6,900.00
Onsite Wastewater	0	0	0	0
SUBTOTAL	0	0	7	\$6,900.00
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	7	\$58,739.00	33	\$159,390.00

Submitted by:

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

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
March 10, 2022**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 21-0098-UST
 Order Date: December 8, 2021
 Individual/Entity: **SuryaDev, LLC**
 Facility: Ben's Country Store
 Location: 1857 Lincoln Road
 York, SC 29745
 Mailing Address: Same
 County: York
 Previous Orders: None
 Permit/ID Number: 09382
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988, S.C. Code Ann. §§ 44-2-10 et seq.
 (2018) (SUPERB Act); and South Carolina Underground Storage Tank Control
 Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.34(c), 280.35(a)(1)(i),
 280.35(a)(2), 280.36(a)(1)(ii), 280.40(a), 280.40(a)(3), 280.41(b)(1)(i)(B),
 280.44(a), 280.45(b)(1), 280.242(b)(3), 280.242(b)(4), and 280.234(a) (2012 and
 Supp. 2020).

Summary: SuryaDev, LLC (Individual/Entity) owns and operates a compartmented underground storage tank (UST) in York County, South Carolina. On January 25, 2021, the Department conducted an inspection of the Facility and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to provide records to the Department upon request; failed to periodically monitor containment sumps used for interstitial monitoring every thirty (30) days; failed to test overfill prevention equipment at least once every three (3) years; failed to check and document annually required equipment walkthrough inspections; failed to provide an adequate release detection method; failed to annually test release detection equipment for proper operation; failed to conduct an annual line tightness test or monitor pressurized piping monthly; failed to check line leak detector function annually; failed to maintain results of annual operation tests for three (3) years; failed to validate that monthly requirements have been met; failed to physically visit each assigned facility once a quarter; and failed to complete supplemental Class A/B operator training by May 26, 2020.

Action: The Individual/Entity is required to submit: proof Class A/B operator supplemental training has been completed; spill bucket integrity test results for all spill buckets at the Facility; overfill prevention equipment operability test results for both compartments of the UST; release detection operability test results for both compartments of the UST; line tightness test results for both compartments of the UST; line leak detector function check test results for both compartments of the UST; proof a Class A/B operator walkthrough inspection log is being maintained; and photos of the

submersible turbine pump sump as proof that all metal components are isolated from water and/or soil by March 3, 2022. The Department has assessed a total civil penalty in the amount of eleven thousand, three hundred ten dollars (\$11,310.00). The Individual/Entity shall pay a civil penalty in the amount of eleven thousand, three hundred ten dollars (**\$11,310.00**) by March 3, 2022.

Update: The Individual/Entity did not file a request for review.

2) Order Type and Number: Administrative Order 21-0123-UST
Order Date: December 8, 2021
Individual/Entity: **Pavan Parth, LLC**
Facilities: Pavan Food Store 105
Pavan Food Store 106
Locations: 502 North Harper Street
906 North Harper Street
Laurens, SC 29360
Mailing Address: 115 Lavender Hill Court
Simpsonville, SC 29681
County: Laurens
Previous Orders: AO 19-0362-UST (\$3,483.00)
Permits/ID Number: 05686 & 05713, respectively
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988, S.C. Code Ann. §§ 44-2-10 et seq. (2018) (SUPERB Act); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.30(a), 280.31(a), 280.34(c), 280.35(a)(1)(ii), 280.35(a)(2), 280.36(a)(1)(i), 280.36(a)(1)(ii), 280.40(a), 280.40(a)(2), 280.40(a)(3), 280.41(b)(1)(i)(B), 280.43(d), 280.43(h), 280.44(a), 280.45(b)(1), 280.52, 280.70(a), 280.242(b)(3), 280.242(b)(4), 280.243(c) and 280.245 (2012 and Supp. 2020).

Summary: Pavan Parth, LLC (Individual/Entity) owns and operates underground storage tank (USTs) in Laurens County, South Carolina. On January 5, 2021, the Department conducted an inspection of Pavan Food Store 105 and Pavan Food Store 106 and issued a Notice of Alleged Violation for both Facilities. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to ensure releases due to spilling or overfilling do not occur; failed to maintain and operate a corrosion protection system continuously; failed to provide records to the Department upon request; failed to test spill prevention equipment and/or containment sumps used for interstitial monitoring once every three (3) years; failed to conduct and document monthly required equipment walkthrough inspections; failed to check and document annually required equipment walkthrough inspections; failed to provide an adequate release detection method; failed to properly install, calibrate, operate, and maintain release detection equipment; failed to annually test release detection equipment for proper operation; failed to conduct annual line tightness test or monitor lines monthly; failed to conduct proper release detection using statistical inventory reconciliation; failed to check line leak detector function annually; failed to maintain results of annual operation test for three (3) years; failed to investigate and confirm a suspected release within a reasonable time period; failed to maintain corrosion protection and/or release detection for a temporarily closed UST; failed to validate that monthly requirements have been met; failed to physically visit each assigned facility once a quarter; failed to train Class C operators before they assume responsibility for the UST at the facility; and failed to designate in writing Class C operators and keep a list at the

Facility.

Action: The Individual/Entity is required to submit for Pavan Food Store 105: spill bucket integrity test results for the 6,000-gallon kerosene UST; overfill prevention equipment operability test results for the 6,000-gallon kerosene UST; release detection operability test results for the 6,000-gallon kerosene UST; current passing automatic tank gauge record as proof that a valid release detection method is in place for the 6,000-gallon kerosene UST; and proof the 6,000-gallon diesel UST contains less than one (1) inch of residue by March 3, 2022. The Individual/Entity is required to submit for Pavan Food Store 106: proof the spill bucket for the 8,000-gallon regular UST has been repaired and/or replaced and subsequent spill bucket integrity test results for the 8,000-gallon regular spill bucket; overfill prevention equipment operability test results for the 8,000-gallon regular and 8,000-gallon premium USTs; release detection operability test results for the 8,000-gallon premium UST; line leak detector function check test results for the 8,000-gallon regular and 8,000-gallon premium USTs; either the most recent twelve (12) months of ATG records or tank tightness test results for the 8,000-gallon regular UST; either the most recent twelve (12) months of SIR records or tank tightness and line tightness test results for the 8,000-gallon premium UST; proof the 8,000-gallon diesel UST contains less than one (1) inch of residue; proof all liquid observed in dispenser 1/2 UDC sump has been removed and disposed of properly; a list of Class C operators trained and designated for the facility; proof a Class A/B operator log is being maintained; proof a Class A/B operator walkthrough inspection log is being maintained; and proof the Facility has obtained a new UST gauging stick by March 3, 2022. The Department has assessed a total civil penalty in the amount of twenty-six thousand, nine hundred fifty dollars (\$26,950.00), for both Facilities. The Individual/Entity shall pay a civil penalty in the amount of twenty-six thousand, nine hundred fifty dollars (\$26,950.00) by March 3, 2022.

Update: The Individual/Entity did not file a request for review.

3) Order Type and Number: Administrative Order 21-0225-UST
Order Date: December 8, 2021
Individual/Entity: **Pavan Parth, LLC**
Facilities: Pavan Food Store 102
Pavan Food Store 104
Locations: 1048 South Main Street
212 72 Bypass NW
Greenwood, SC 29646
Mailing Address: 115 Lavender Hill Court
Simpsonville, SC 29681
County: Greenwood
Previous Orders: None
Permits/ID Number: 04734 & 04735 respectively
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988, S.C. Code Ann. §§ 44-2-10 et seq. (2018) (SUPERB Act); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.30(a), 280.31(b)(1), 280.33(f), 280.34(c), 280.35(a)(1)(ii), 280.35(a)(2), 280.40(a)(3), and 280.70(a) (2012 and Supp. 2020).

Summary: Pavan Parth, LLC (Individual/Entity) owns and operates underground storage tank (USTs) in Greenwood County, South Carolina. On March 19, 2021, the

Department conducted an inspection of Pavan Food Store 102 and issued a Notice of Alleged Violation. On April 29, 2021, the Department conducted an inspection of Pavan Food Store 104 and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to ensure releases due to spilling or overfilling do not occur; failed to have the cathodic protection system inspected by a qualified tester every three (3) years; failed to test or inspect repaired spill or overfill prevention equipment within thirty (30) days; failed to provide records to the Department upon request; failed to test spill prevention equipment and/or containment sumps used for interstitial monitoring once every three (3) years; failed to test overfill prevention equipment at least every three (3) years; failed to annually test release detection equipment for proper operation; and failed to maintain corrosion protection and/or release detection for a temporarily closed UST.

Action: The Individual/Entity is required to submit for Pavan Food Store 102: Cathodic protection system test results for all USTs; proof the overfill prevention equipment on Tanks #1 and #2 have been repaired and/or replaced and passing follow-up overfill prevention equipment operability test results for Tanks #1 and #2; overfill prevention equipment operability test results for the 4,000-gallon kerosene UST; release detection operability test results for the 4,000-gallon kerosene UST and Tank #1; proof the spill bucket for Tank #2 has been repaired and/or replaced and passing follow-up spill bucket integrity test results for Tank #2; and results of a site check conducted in the area underneath Tank #2's spill bucket by March 3, 2022. The Department has assessed a total civil penalty in the amount of seven thousand, two hundred dollars (\$7,200.00), for both facilities. The Individual/Entity shall pay a civil penalty in the amount of seven thousand, two hundred dollars (**\$7,200.00**) by March 3, 2022.

Update: Pavan Food Store 104 resolved the violations prior to the Administrative Order being executed. The Individual/Entity did not file a request for review. This Order has been closed. Pavan Food Store 102 has not complied, and a new Order will be issued.

4) Order Type and Number: Administrative Order 21-0236-UST
Order Date: December 8, 2021
Individual/Entity: **Pavan Parth, LLC**
Facility: Pavan Food Store
Locations: 310 East Butler Road
Mauldin, SC 29646
Mailing Address: 115 Lavender Hill Court
Simpsonville, SC 29662
County: Greenville
Previous Orders: None
Permit/ID Number: 18162
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988, S.C. Code Ann. §§ 44-2-10 et seq. (2018) (SUPERB Act); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.35(a)(2), 280.36(a)(1)(i), and 280.36(a)(1)(ii) (2012 and Supp. 2020).

Summary: Pavan Parth, LLC (Individual/Entity) owns and operates underground storage tank (USTs) in Greenville County, South Carolina. On April 2, 2021, the Department conducted an inspection of the Facility and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina

Underground Storage Tank Control Regulation as follows: failed to test overfill prevention equipment at least once every three (3) years; failed to check and document monthly required equipment walkthrough inspections; and failed to check and document annually required equipment walkthrough inspections.

Action: The Individual/Entity is required to: submit proof the nonfunctioning and/or malfunctioning overfill prevention equipment for the 12,000-gallon regular and 8,000-gallon premium USTs have been repaired and/or replaced; submit passing overfill prevention equipment operability test results for both USTs; and submit a completed Class A/B operator walkthrough log by March 3, 2022. The Department has assessed a total civil penalty in the amount of two thousand, nine hundred seventy-six dollars (\$2,976.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, nine hundred seventy-six dollars (**\$2,976.00**) by March 3, 2022.

Update: The Individual/Entity did not file a request for review.

- 5) Order Type and Number: Administrative Order 21-0421-UST
Order Date: December 8, 2021
Individual/Entity: **Southern Living, LLC**
Facility: Rivers Refuel, LLC
Locations: 5830 Rivers Avenue
Charleston, SC 29406
Mailing Address: 4325 Patricia Street
North Charleston, SC 29418
County: Charleston
Previous Orders: None
Permit/ID Number: 01525
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988, S.C. Code Ann. §§ 44-2-10 et seq. (2018) (SUPERB Act); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.65 (2012 and Supp. 2020).

Summary: Southern Living, LLC (Individual/Entity) owned and operated underground storage tank (USTs) in Charleston County, South Carolina. On June 11, 2021, the Department conducted file review and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to determine the full extent of a release in accordance with a schedule established by the Department.

Action: The Individual/Entity is required to submit: a Site-Specific Work Plan (SSWP) for an Initial Groundwater Assessment (IGWA) report by March 3, 2022; and within sixty (60) days of the Department's approval of the SSWP, a completed IGWA report. The Department has assessed a total civil penalty in the amount of six thousand, eight hundred three dollars (\$6,803.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand, eight hundred three dollars (**\$6,803.00**) by March 3, 2022.

Update: The Individual/Entity did not file a request for review.

- 6) Order Type and Number: Consent Order 20-0181-UST
Order Date: January 10, 2022

Individual/Entity: **South Carolina Department of Corrections**
Facility: Evans Correctional Institution
Location: 610 Highway 9 West
Bennettsville, SC 29512
Mailing Address: P.O. Box 21787
Columbia, SC 29221
County: Marlboro
Previous Orders: None
Permit/ID Number: 11166
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-60(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.40(a), 280.40(a)(3), and 280.41(a)(1) (2012 & Supp 2020).

Summary: South Carolina Department of Corrections (Individual/Entity) owns and operates underground storage tanks in Marlboro County, South Carolina. The Department conducted an inspection and issued a Notice of Alleged Violation on July 20, 2020. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide adequate release detection method; failed to conduct tank release detection operability test annually; and failed to conduct monthly release detection monitoring on an emergency generator UST installed on or before May 23, 2008.

Action: The Individual/Entity is required to: submit proof that monthly release detection monitoring for the diesel UST is being maintained and submit release detection operability test results by February 24, 2022. The Department has assessed a total civil penalty in the amount of one thousand, three hundred dollars (\$1,300.00). The Individual/Entity shall pay a **suspended penalty** in the amount of one thousand, three hundred dollars (**\$1,300.00**) should any requirement of the Order not be met.

Update: None.

7) Order Type and Number: Consent Order 21-0546-UST
Order Date: January 10, 2022
Individual/Entity: **GPM Southeast, LLC**
Facility: Scotchman 3222
Location: 100 North Strand Parkway
Myrtle Beach, SC 29588
Mailing Address: 8565 Magellan Parkway, Suite 400
Richmond, VA 23227
County: Horry
Previous Orders: None
Permit/ID Number: 18682
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-60(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2020).

Summary: GPM Southeast, LLC (Individual/Entity) operates underground storage tanks in Horry County, South Carolina. The Department conducted an inspection

on October 14, 2021 and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by February 24, 2022.

Update: None.

Solid Waste Enforcement

8) Order Type and Number: Consent Order 21-10-SW
Order Date: January 10, 2022
Individual/Entity: **Kevin L. Rosier**
Facility: TMS # 052-00-00-072.02
Location: 967 Chinaberry Road
Barnwell, SC 29101
Mailing Address: Same
County: Barnwell
Previous Orders: None
Permit/ID Number: None
Violations Cited: The South Carolina Solid Waste Policy and Management Act of 1991 (Rev.2018 & Supp. 2019), and South Carolina Solid Waste Management: Waste Tires, 8 S.C. Code Ann. Regs., R. 61-107.3 Part III.A.1 (Rev. 2015).

Summary: Kevin L. Rosier (Individual/Entity) owns property located in Barnwell County, South Carolina. Based on a complaint, the Department conducted an inspection on August 10, 2020. The Individual/Entity has violated the Solid Waste and Management Act and the South Carolina Solid Waste Management: Waste Tires Regulations as follows: operated a waste tire collection facility without a Department issued permit.

Action: The Individual/Entity is required to: remove and properly dispose of the waste tires exceeding the amount of one hundred twenty (120) and provide disposal receipts to the Department by April 11, 2022. The Department has assessed a total civil penalty in the amount of two thousand, nine hundred dollars (\$2,900.00). The Individual/Entity shall pay a civil penalty in the amount of two hundred dollars (**\$200.00**) by February 14, 2022 and pay a stipulated penalty in the amount of two thousand, seven hundred dollars (\$2,700.00) should any requirement of the Order not be met.

Update: None.

9) Order Type and Number: Consent Order 21-15-SW
Order Date: January 10, 2022
Individual/Entity: **Carolina Processing and Recycling, LLC**
Facility: Carolina Waste & Recycling, LLC
Location: 4285 Pace Street

Mailing Address: North Charleston, SC 29405
4185 Pace Street
North Charleston, SC 29405

County: Charleston

Previous Orders: None

Permit/ID Number: 102797-6001

Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018); Solid Waste Management: Transfer of Solid Waste Regulation, C.2., C.4., E.9., E.10., F.1., F.2., and F.7. (2012); and the Permit #102797-6001, Section A.3. and A.6.

Summary: Carolina Processing and Recycling, LLC (Individual/Entity), operates a Transfer Station located in Charleston County, South Carolina. Based on monthly routine inspections of the Facility, the Department issued a Notice of Alleged Violations. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, the Solid Waste Management: Transfer of Solid Waste Regulation, and the Permit, in that the Individual/Entity: failed to contain waste to the site; failed to ensure the tipping area was covered and ensure all waste was contained to that covered tipping area; failed to maintain a neat and orderly appearance; failed to prevent odors and vectors; failed to remove all waste within twenty-four (24) hours and store waste not removed within twenty-four (24) hours in an enclosed trailer; failed to clean the floor nightly; and failed to prevent the transfer of infectious waste to a facility not permitted or registered with the Department to receive infectious waste.

Action: The Individual/Entity is required to repair the odor control system to be in operational order; ensure all waste is contained to the covered tipping area of the Transfer Station; ensure all waste is removed within twenty-four (24) hours or stored overnight in an enclosed trailer; ensure the floors of the Transfer Station are cleaned on a nightly basis; ensure all vectors are controlled; and submit a revised contingency plan to address how the Transfer Station will respond in the event the Landfill refuses waste due to extremely wet conditions at the Landfill, or other extenuating circumstances in which the Transfer Station may become inundated with solid waste by March 11, 2022. The Department has assessed a total civil penalty of twenty-seven thousand, two hundred dollars (\$27,200.00). The Individual/Entity shall pay a civil penalty of twenty-seven thousand, two hundred dollars (**\$27,200.00**) by February 24, 2022.

Update: None.

10) Order Type and Number: Consent Order 21-13-SW

Order Date: January 20, 2022

Individual/Entity: **Buddy Clawson Construction, Inc.**

Facility: Clawson LCD Landfill

Location: Southeast of the intersection of Brattonsville Road and Bookout Road
McConnells, SC 29726

Mailing Address: 425 Brattonsville Road
McConnells, SC 29726

County: York

Previous Orders: None

Permit/ID Number: 462620-1701

Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018); Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, Part I.A.9.b. (Rev. 2008 & Supp. 2016); and the Permit #462620-1701, Section III.B.17.

Summary: Buddy Clawson Construction, Inc. (Individual/Entity), operates a Class 1 Landfill located in York County, South Carolina. Based on routine inspections conducted on June 17, 2021, June 24, 2021, and September 14, 2021, of the Facility, the Department issued a Notice of Alleged Violation on October 20, 2021. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, and the Permit, in that the Individual/Entity: failed to mark the waste disposal boundary with a permanent marking every three hundred (300) feet; failed to maintain adequate financial assurance to cover the cost of closing the active area of the Landfill; and failed to obtain written approval from the Department prior to deviating from the General Permit closure plan by reclaiming portions of the landfill.

Action: The Individual/Entity is required to: mark the waste disposal boundary with permanent marking every three hundred (300) feet; seed the landfilled area outside of the permitted boundary which has already been covered; have the property line surveyed and clearly marked; and using a form approved by the Department, record with the appropriate Register of Deeds; and submit a copy of the deed notation to the Department by March 7, 2022. The Department has assessed a total civil penalty of five thousand, three hundred ninety dollars (\$5,390.00). The Individual/Entity shall pay a civil penalty of five thousand, three hundred ninety dollars (**\$5,390.00**) by March 7, 2022.

Update: The civil penalty has been paid. The Notation to Deed has been submitted to the Department.

Hazardous Waste Enforcement

11) Order Type and Number: Consent Order 22-01-HW
Order Date: January 20, 2022
Individual/Entity: **Greenwood Genetic Center**
Facility: Greenwood Genetic Center
Location: 101 Gregor Mendel Circle
Greenwood, SC 29646
Mailing Address: Same
County: Greenwood
Previous Orders: N/A
Permit/ID Number: SCR 000 786 806
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2020).

Summary: Greenwood Genetic Center (Individual/Entity) is a nonprofit organization that provides clinical genetic services, diagnostic laboratory testing, educational programs, resources, and research in the field of medical genetics at its facility located in Greenwood County, South Carolina. The Department conducted an

inspection at the facility on September 21, 2021. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to determine if a solid waste was a hazardous waste; failed to mark or label its containers with the words "Hazardous Waste," an indication of the hazards of the contents, and the date upon which each period of accumulation began; failed to close containers during accumulation, except when adding and removing hazardous waste; failed to at least weekly, inspect the central accumulation areas; failed to clean up any hazardous waste spillage that occurred during processing; failed to maintain the job title for each position related to hazardous waste management at the facility and the name of the employee filling that position; failed to maintain a written job description for each position; failed to maintain a written description of the type and amount of both introductory and continuing training given to each person filling a position related to hazardous waste management; failed to prepare hazardous waste manifests according to the instructions; failed to submit Quarterly Reports to the Department that included a description, the EPA hazardous waste number, DOT hazardous class, and the types and quantities of such wastes as required by the instructions included with the form; failed to attempt to make arrangements with local emergency responders and maintain documentation documenting those arrangements; failed to submit a copy of the contingency plan and all revisions along with a quick reference guide to all local emergency responders; failed to label and maintain mercury-containing equipment and devices in a manner to prevent a release and to keep such containers closed; failed to demonstrate the length of time universal waste had been accumulated from the date it became a waste; and failed to close and label containers used to store used oil with the words "Used Oil."

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of seventeen thousand dollars (\$17,000.00). The Individual/Entity shall pay a civil penalty in the amount of seventeen thousand dollars (\$17,000.00) by February 21, 2022.

Update: The civil penalty has been paid in full. The Order is closed.

12) Order Type and Number: Consent Order 22-02-HW
Order Date: January 27, 2022
Individual/Entity: **Apex Tool Group, LLC**
Facility: Apex Tool Group, LLC
Location: 1150 Clipper Road
Sumter, SC 29303
Mailing Address: P.O. Box 530
Sumter, SC 29154
County: Sumter
Previous Orders: None
Permit/ID Number: SCD067012070
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2018).

Summary: Apex Tool Group, LLC (Individual/Entity), specializes in the manufacturing of professional hand and power tools as its facility located in Sumter County, South Carolina. The Department conducted an inspection on June 29, 2021. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and

the Hazardous Waste Management Regulations, as follows: failed to make an accurate determination as to whether that waste was a hazardous waste; failed to ensure that containers holding hazardous waste must be closed at all times during the accumulation, except when adding, removing, or consolidating waste; failed to mark or label its container with the words “Hazardous Waste” and an indication of the hazards of the contents; failed to have facility personnel successfully complete a program of classroom instruction, online training, or on-the-job training that teaches them to perform their duties in a way that ensures compliance;; failed to ensure that facility personnel must take part in an annual review of the initial training; failed to have a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position; failed to record the types and quantities of such wastes shipped for offsite treatment and disposal; failed to ensure that containers holding hazardous waste are in good condition, or if they begin to leak, the generator must immediately transfer the hazardous waste from those containers to containers that are in good condition or immediately manage the waste in some other way that complies with the conditions for exemption of this section; failed to ensure that containers must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions; failed to ensure that each lamp or a container or package in which such lamps are contained must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions; failed to ensure that each battery or a container or package in which such batteries are contained, are labeled or marked clearly with any one of the following phrases: “Universal Waste - Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies)””; failed to ensure that each lamp or a container or package in which such lamps are contained are labeled or marked clearly with one of the following phrases: “Universal Waste – Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s)””; failed to demonstrate the length of time that the universal waste had been accumulated from the date it became a waste or was received; failed to file a revised or new Notification form with the Department whenever the information previously provided became outdated or inaccurate; and failed to ensure that containers and aboveground tanks used to store used oil at generator facilities are labeled or marked clearly with the words “Used Oil”.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of fifteen thousand dollars (\$15,000.00). The Individual/Entity shall pay a civil penalty in the amount of fifteen thousand dollars (\$15,000.00) by February 26, 2022.

Update: None.

Infectious Waste Enforcement

13)	<u>Order Type and Number:</u>	Consent Order 21-01-IW
	<u>Order Date:</u>	January 27, 2022
	<u>Individual/Entity:</u>	Vibra Hospital of Charleston
	<u>Facility:</u>	Vibra Hospital of Charleston
	<u>Location:</u>	1200 Hospital Drive Mt. Pleasant, SC 29464
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	None

Permit/ID Number: SC10-1978G
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002); and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: Vibra Hospital of Charleston (Individual/Entity), operates a critical care hospital located in Charleston County, South Carolina. The Department conducted an open investigation on September 14, 2021, and a routine inspection on December 15, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to segregate infectious waste at the point of generation; failed to manage infectious waste in a manner which prevents exposure to the public or release to the environment; failed to offer infectious waste for offsite transport only to a transporter registered with the Department or the U.S. Postal Service; failed to package infectious waste in accordance with the regulations to prevent a release; failed to place and maintain all sharps in a rigid, leak-resistant, and puncture resistant containers; failed to place, store, and maintain all other types of infectious waste during transport in rigid or semirigid leak-resistant containers; failed to use containers that had sufficient strength to prevent bursting and tearing; failed to use plastic bags that were red or orange color and had sufficient strength to prevent tearing; failed to contain infectious waste in containers that were appropriate for storage, transportation, and treatment processes; failed to label containers of infectious waste with the universal biohazard symbol, the Department issued number of the in-state generator, and the date the container was placed in storage or sent offsite; failed to treat infectious waste prior to disposal; and failed to report to the Department within twenty-four (24) hours and investigate and confirm all suspected releases of infectious waste.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of thirteen thousand, nine hundred dollars (\$13,900.00). The Individual/Entity shall pay a civil penalty in the amount of thirteen thousand, nine hundred dollars (**\$13,900.00**) by February 28, 2022.

Update: The civil penalty has been paid in full and the Order is closed.

BUREAU OF WATER

Recreational Waters Enforcement

14) Order Type and Number: Consent Order 22-001-RW
Order Date: January 6, 2022
Individual/Entity: **LCOF Myrtle Beach Investment, LLC**
Facility: Best Western Plus Grand Strand Inn & Suites
Location: 1804 South Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: 19-058-RW (\$680.00)

Permit/ID Number: 26-1429B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: LCOF Myrtle Beach Investment, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on June 3, 2021, July 8, 2021, August 10, 2021, and December 13, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; the water level was too high; the skimmer baskets were floating; the pool entry door was propped open; and the emergency notification device was not operational.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of four thousand, eight hundred dollars (\$4,800.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, eight hundred dollars (**\$4,800.00**) by January 15, 2022.

Update: The civil penalty has been paid.

15) Order Type and Number: Consent Order 22-002-RW
Order Date: January 10, 2022
Individual/Entity: **Fisherman's Wharf Homeowners Association, Inc.**
Facility: Fisherman's Wharf
Location: 312 42nd Ave North
North Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-2100B
Violations Cited: S.C. Code Ann. Regs. 61-51.B.2

Summary: Fisherman's Wharf Homeowners Association, Inc. (Individual/Entity) owns and is responsible for obtaining the required construction permit prior to the construction of a pool located in Horry County, South Carolina. The Department conducted an inspection of the pool on November 22, 2021 and discovered that the pool was under construction and a permit to construct had not been issued. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to obtain a permit to construct from the Department prior to the construction of a pool.

Action: The Individual/Entity is required to: complete the construction in accordance with the permit and contact the Department to request an inspection to obtain written approval to operate by April 10, 2022. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**) by February 9, 2022.

Update: The permit to construct has been issued and the civil penalty has been paid.

16) Order Type and Number: Consent Order 22-003-RW

Order Date: January 11, 2022
Individual/Entity: **Country Club of Newberry**
Facility: Country Club of Newberry
Location: 4012 Nance Street
Newberry, SC 29108
Mailing Address: P.O. Box 246
Newberry, SC 29108
County: Newberry
Previous Orders: None
Permit/ID Number: 36-023-1 & 36-024-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Country Club of Newberry (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool located in Newberry County, South Carolina. The Department conducted inspections on June 18, 2021, and August 5, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the waterline tiles were dirty; a skimmer was missing a weir; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the shepherd's crook handle was attached to a telescoping pole; the emergency notification device was not operational; and the bound and numbered log book was from a previous year and was not properly numbered.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, three hundred sixty dollars (\$1,360.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, three hundred sixty dollars (**\$1,360.00**) by January 25, 2022.

Update: The civil penalty has been paid.

17) Order Type and Number: Consent Order 22-004-RW
Order Date: January 18, 2022
Individual/Entity: **Monterey Bay Suites Resort Homeowners Association, Inc.**
Facility: Monterey Bay Suites
Location: 6804 North Ocean Boulevard
Myrtle Beach, SC 29572
Mailing Address: Same
County: Horry
Previous Orders: 19-071-RW (\$1,360.00)
Permit/ID Number: 26-K41-1; 26-K42-1; 26-K43-1;
26-K44-1; 26-K46-1; 26-K48-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Monterey Bay Suites Resort Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of an indoor pool, an outdoor pool, a lazy river, a kiddie pool, and two spas located in Horry County, South Carolina. The Department conducted inspections on June 7, 2021, and June 21, 2021, July 13, 2021, and November 29, 2021, 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; skimmers were missing weirs; skimmer lids

were cracked; a gate was propped open and did not self-close and latch; the log book was not properly bound and numbered and was not maintained on a daily basis; a ladder was missing bumpers; the life ring rope was not the appropriate length; there were no “Shallow Water – No Diving Allowed” signs posted at the indoor pool and lazy river; only one “Shallow Water – No Diving Allowed” sign was posted at the outdoor pool and outdoor spa; only one “No Lifeguard On Duty - Swim At Your Own Risk” sign was posted at the outdoor pool and outdoor spa; the fill spout was not made of stainless steel or equivalent; the pool rules sign was not completely filled out; the drinking water fountain was not operating properly; the spa rules sign was missing; and the spa temperature was not posted to the public.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of fourteen thousand, four hundred dollars (\$14,400.00). The Individual/Entity shall pay a civil penalty in the amount of fourteen thousand, four hundred dollars (**\$14,400.00**) in three installments. The final installment is due February 28, 2022.

Update: The civil penalty has been paid.

18)	<u>Order Type and Number:</u>	Consent Order 22-005-RW
	<u>Order Date:</u>	January 24, 2022
	<u>Individual/Entity:</u>	Broad River/MP, LLC
	<u>Facility:</u>	Parc at Broad River
	<u>Location:</u>	337 Savannah Highway Beaufort, SC 29906
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Beaufort
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	07-1232B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Broad River/MP, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Beaufort County, South Carolina. The Department conducted inspections on May 28, 2021, September 3, 2021, and September 13, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the foot rinse shower was not operating properly; the chlorine and pH levels were not within the acceptable range of water quality standards; the life ring did not have a permanently attached rope on the first inspection; the life ring rope was deteriorated on the second inspection; the shepherd’s crook handle was not the approved length; and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand, forty dollars (\$2,040.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, forty dollars (**\$2,040.00**) by February 9, 2022.

Update: The civil penalty has been paid.

19)	<u>Order Type and Number:</u>	Consent Order 22-006-RW
-----	-------------------------------	-------------------------

<u>Order Date:</u>	January 25, 2022
<u>Individual/Entity:</u>	Holiday Inn Club Vacations Incorporated, Individually and d.b.a. South Beach Resort
<u>Facility:</u>	South Beach Resort
<u>Location:</u>	3000 South Ocean Boulevard Myrtle Beach, SC 29577
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-1118B & 26-M35-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Holiday Inn Club Vacations Incorporated, Individually and d.b.a. South Beach Resort (Individual/Entity) owns and is responsible for the proper operation and maintenance of a lazy river and a pool located in Horry County, South Carolina. The Department conducted inspections on May 27, 2021, June 1, 2021, July 15, 2021, and October 13, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: some of the depth marker tiles were broken and some were missing; some of the tiles on the pool wall were missing; the pool plaster was deteriorated; a gate did not self-close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; there was debris in the skimmer baskets; a skimmer was missing a weir; and the pool floor was dirty.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of four thousand, eighty dollars (\$4,080.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, eighty dollars (**\$4,080.00**) in three installments. Payments are due January 31, 2022, February 28, 2022, and March 31, 2022.

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

20) <u>Order Type and Number:</u>	Consent Order 22-007-RW
<u>Order Date:</u>	January 26, 2022
<u>Individual/Entity:</u>	Holiday Sands at South Beach Front Homeowners' Association, Inc.
<u>Facility:</u>	Holiday Sands at South Beach Oceanfront
<u>Location:</u>	2501 South Ocean Boulevard Myrtle Beach, SC 29577
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	18-267-RW (\$2,720.00) 19-239-RW (\$1,360.00)
<u>Permit/ID Number:</u>	26-1595B & 26-1594C
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Holiday Sands at South Beach Front Homeowners' Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool located in Horry County, South Carolina. The Department

conducted inspections on June 16, 2021, July 12, 2021, and December 15, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool furniture was not at least four feet from the edge of the pool; the chlorine and pH levels were not within the acceptable range of water quality standards; and the bound and numbered log book was not available for Department review.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of twelve thousand dollars (\$12,000.00). The Individual/Entity shall pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**) by February 10, 2022.

Update: The civil penalty has been paid.

21) Order Type and Number: Consent Order 22-008-RW
Order Date: January 26, 2022
Individual/Entity: **Holiday Sands South, Inc.**
Facility: Holiday Sands South
Location: 2411 South Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-F69-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Holiday Sands South, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on June 16, 2021, July 12, 2021, and December 15, 2021, 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; and the bound and numbered log book was not available for Department review.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand, forty dollars (\$2,040.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, forty dollars (**\$2,040.00**) by February 10, 2022.

Update: The civil penalty has been paid.

22) Order Type and Number: Consent Order 22-009-RW
Order Date: January 26, 2022
Individual/Entity: **St. Andrew 123, LLC**
Facility: The Vue at St. Andrews
Location: 82 Fox Run Lane
Columbia, SC 29210
Mailing Address: 5457 Twin Knolls Road, Suite 300
Columbia, MD 21045
County: Lexington

Previous Orders: None
Permit/ID Number: 32-077-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: St. Andrew 123, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Lexington County, South Carolina. The Department conducted inspections on June 23, 2021, and July 23, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the waterline tiles were dirty; the bathrooms did not have toilet paper or paper towels; the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the life ring was not United States Coast Guard approved; the pool rules sign was not completely filled out; the current pool operator of record information was not posted to the public; the “Shallow Water – No Diving Allowed” signs did not have the correct wording; the bound and numbered log book was not maintained on a daily basis; and the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by February 8, 2022.

Update: The civil penalty has been paid.

Drinking Water Enforcement

23) Order Type and Number: Consent Order 22-001-DW
Order Date: January 4, 2022
Individual/Entity: **City of Aiken**
Facility: City of Aiken
Location: 135 Laurens Street SW
Aiken, SC 29801
Mailing Address: 245 Dupont Drive NW
Aiken, SC 29801
County: Aiken
Previous Orders: None
Permit/ID Number: 0210001
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: The City of Aiken (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Aiken County, South Carolina. The Department conducted an inspection of the PWS on June 2, 2021, and it was rated unsatisfactory for failure to properly operate and maintain, and failure to provide a daily treatment operator of the appropriate grade. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the vegetation around the Woodside Well was not maintained; a written fire hydrant maintenance program and flushing program had not been developed and implemented; the residual pressures of the fire hydrants were not measured and recorded; and a daily treatment operator of the appropriate grade was not provided.

Action: The Individual/Entity is required to: submit a corrective action plan for providing a daily treatment operator of appropriate grade by January 19, 2022; submit an up-to-date written fire hydrant maintenance program and distribution system flushing program by February 4, 2022; submit a schedule for completion of flow tests for all of the fire hydrants by February 4, 2022; and within one hundred twenty days of submittal of the flow test reports, repair or replace all fire hydrants documented as inadequate or inoperable. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) by March 4, 2022 and pay a stipulated penalty in the amount of four thousand dollars (\$4,000.00) should any requirement of the Order not be met.

Update: The civil penalty has been paid. The Individual/Entity submitted and implemented a plan to provide a daily treatment operator, a fire hydrant maintenance program, a distribution system flushing program, and a schedule for completion of hydrant flow tests.

24) <u>Order Type and Number:</u>	Consent Order 22-002-DW
<u>Order Date:</u>	January 12, 2022
<u>Individual/Entity:</u>	Randall W. Halacka, Individually and d.b.a. Wren Road Trailer Park
<u>Facility:</u>	Wren Road Trailer Park
<u>Location:</u>	735 Wren Road Lexington, SC 29073
<u>Mailing Address:</u>	Same
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3260225
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: Randall W. Halacka, Individually and d.b.a. Wren Road Trailer Park (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. The Department conducted an inspection on November 9, 2021, and the PWS was rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the well did not have a sanitary seal; objects and debris were stored inside the well house that were not associated with the well or the storage tank; there was overgrown vegetation, debris, and an old truck stored outside of the well house; there was exposed electrical wiring that was not in conduit; there was no screened vent; there was no blow-off; the sample tap was threaded and was not downward facing; the sample tap was not at least twelve inches above the well pad; there was no gate valve at the storage tank; the capacity of the storage tank was not sufficient; and the well serving the system was not permitted for public supply.

Action: The Individual/Entity is required to select one of the following two options: submit an application to obtain a permit to construct a public supply well by February 11, 2022, complete the construction within ninety days of the issuance of the permit, and submit a system map and emergency preparedness plan within thirty days of the date of the issuance of written approval to operate; or submit Notices of Intent and install individual residential wells to serve each service connection by February 11, 2022,

and submit Water Well Record Form 1903s within thirty days of completion of the installation of the individual residential wells. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has hired an engineering firm and professional well drilling company to assess the options.

25) Order Type and Number: Consent Order 22-003-DW
Order Date: January 13, 2022
Individual/Entity: **Edward D. Edwards, Individually and d.b.a. Edwards Apartments**
Facility: Edwards Apartments
Location: 109 Mimosa Lane
Fort Mill, SC 29708
Mailing Address: 127 West Charlotte Avenue
Rock Hill, SC 29730
County: York
Previous Orders: None
Permit/ID Number: 4670302
Violations Cited: S.C. Code Ann. Regs. 61-58.17.K(1)

Summary: Edward D. Edwards, Individually and d.b.a. Edwards Apartments (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in York County, South Carolina. On November 29, 2021, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level for E. coli.

Action: The Individual/Entity is required to: submit an investigative report and a corrective action plan with a schedule to address the causes of the total coliform and E. coli present results at the PWS by February 14, 2022. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity submitted an investigative report and a corrective action plan with a schedule.

Water Pollution Enforcement

26) Order Type and Number: Administrative Order 22-001-W
Order Date: January 12, 2022
Individual/Entity: **Ryan Black**
Facility: Ryan Black Poultry Farm
Location: 228 Woodfield Road
Saluda, SC 29138
Mailing Address: 346 Brushy Fork Road

Saluda, SC 29138
County: Saluda
Previous Orders: None
Permit/ID Number: ND0086860
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) (2008 & Supp. 2019) and South Carolina Standards for the Permitting of Agricultural Animal Facilities, S.C. Code Ann. Regs. 61-43.200.130, and ND0086860

Summary: Ryan Black (Individual/Entity) owns and is responsible for the proper operation and maintenance of a poultry farm in Saluda County, South Carolina. On December 10, 2020, and April 5, 2021, the Department issued notices to the Individual/Entity, detailing operational and maintenance deficiencies discovered during Department inspections. The Individual/Entity has violated the Pollution Control Act and the South Carolina Standards for the Permitting of Agricultural Animal Facilities, as follows: appropriate records were not maintained on site and dead birds were improperly handled and stored on site.

Action: The Individual/Entity is required to submit an updated Animal Facility Management Plan, a copy of Construction Permit 19369-AG, a copy of the Facility's Approval to Operate, appropriate land application information, monthly animal counts, annual mortality counts, and written summary of corrective actions taken for dead birds improperly handled and stored on site by February 12, 2022. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (\$2,000.00) by February 12, 2022.

Update: None.

27) Order Type and Number: Consent Order 22-002-W
Order Date: January 12, 2022
Individual/Entity: **Celanese LTD**
Facility: Enoree WWTF
Location: 14355 Highway 221
Enoree, SC 29335
Mailing Address: Same
County: Spartanburg
Previous Orders: 19-075-W (\$2,100.00)
Permit/ID Number: SC0038229
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1- 110 (d) (2008 & Supp. 2021); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) (2011).

Summary: Celanese LTD (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Spartanburg County, South Carolina. On August 12, 2021, a Notice of Violation was issued as a result of violations of the permitted discharge limits for biochemical oxygen demand (BOD) as reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation, as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for BOD.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by March 13, 2022; conduct a six (6) event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**) by February 11, 2022.

Update: None.

28) Order Type and Number: Consent Order 22-004-W
Order Date: January 20, 2022
Individual/Entity: **Petrochoice LLC**
Facility: Petrochoice LLC WWTF
Location: 1445 Greenleaf Street
Charleston, SC 29405
Mailing Address: Same
County: Charleston County
Previous Orders: 20-009-W
Permit/ID Number: NPDES Permit SC0047261
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d) (2008 & Supp. 2021); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) (2011).

Summary: Petrochoice LLC (Individual/Entity) is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Charleston County, South Carolina. On May 16, 2020, Consent Order 20-009-W was issued to address total residual chlorine (TRC) violation as reported on discharge monitoring reports submitted to the Department. This current Consent Order 22-004-W serves to replace and supersede previous Consent Order 20-009-W and establishes an extended due date to fulfilled required actions, as requested by the Individual/Entity.

Action: The Individual/Entity is required to complete a Sampling and Analysis Plan for TRC and provide the results to the Department by June 30, 2022. If the Department determines that the results of the Plan does not justify a permit modification, submit to the Department a Corrective Action Plan (CAP) addressing compliance with the permitted discharge limits for TRC within thirty (30) days of such decision becoming final. The Department has assessed a total civil penalty in the amount of two thousand eight hundred dollars (\$2,800.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of two thousand eight hundred dollars (**\$2,800.00**) should any requirement of the Order not be met or should sampling results not warrant a NPDES Permit modification.

Update: None.

29) Order Type and Number: Consent Order 22-006-W
Order Date: January 31, 2022
Individual/Entity: **Town of Edisto Beach WWTF**
Facility: Town of Edisto Beach WWTF
Location: 2518 Holmes Street

Mailing Address: Edisto Beach, SC 29438
2414 Murray Street
Edisto Island, SC 29438

County: Colleton

Previous Orders: None

Permit/ID Number: ND0063789

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2020), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.505.21(d) (2011), and State Land Application Permit ND0063789.

Summary: Town of Edisto Beach (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Colleton County, South Carolina. On September 10, 2021, a Notice of Violation (NOV) was issued for failure to reapply for permit coverage within one hundred eighty (180) days before the existing permit expires. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to submit an application for renewal of the State Land Application Permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to continue operating the WWTF in accordance with the most recent NPDES permit until a new permit becomes effective. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by March 2, 2022.

Update: The Individual/Entity has paid the civil penalty of one thousand dollars (\$1,000.00) in full.

30) Order Type and Number: Consent Order 22-007-W

Order Date: January 31, 2022

Individual/Entity: **Town of Batesburg-Leesville**

Facility: Town of Batesburg-Leesville WWTF

Location: 100 Commissioner Street
Batesburg-Leesville, SC 29006

Mailing Address: P.O. Box 2329
Batesburg-Leesville, SC 29070

County: Lexington

Previous Orders: 20-004-W (\$5,000.00)
20-043-W (\$4,200.00)

Permit/ID Number: SC0024465

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-90(A)(1), Pollution Control Act, S.C. Code Ann. § 48-1-110(d) and Water Pollution Control Permits Regulation S.C. Code Ann. Regs. 61-9.122.41(a) (2011), and Part III.A. of NPDES Permit SC0024465

Summary: Town of Batesburg-Leesville (Individual/Entity) owns and is responsible for a wastewater treatment facility (WWTF) located in Lexington County, South Carolina. The Individual/Entity reported a discharge of untreated wastewater on June 13, 2021, to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation, as follows: discharged untreated wastewater into the environment, including waters of the State, and failed to

properly operate and maintain the WWTF in good working order and operate as efficiently as possible to achieve compliance with the terms and conditions of its Permit.

Action: The Individual/Entity is required to: submit to the Department a notarized document certifying that Batesburg-Leesville has developed and implemented a written operation/maintenance plan that provides for the necessary maintenance and operation of the facility. The Department has assessed a total civil penalty in the amount of four thousand, five hundred dollars (\$4,500.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, nine hundred dollars (**\$4,500.00**) by March 2, 2022.

31) Order Type and Number: Consent Order 22-008-W
Order Date: January 31, 2022
Individual/Entity: **Claude Campbell Properties, LLC**
Facility: Spring Haven Subdivision Site
Location: 1407 Fort Jackson Road
Kershaw County, SC
Mailing Address: 1414 Rutland Court
Columbia, SC 29206
County: Richland
Previous Orders: None
Permit/ID Number: SCR10Z8HK
Violations Cited: Water Pollution Control Permits, S.C. Code
Ann Regs. 61-9.122.41 (a) and (e) (2011).

Summary: Claude Campbell Properties, LLC (Individual/Entity) is responsible for land disturbing activity at property located in Kershaw County, South Carolina. On November 2, 2021, a notice was issued as a result of failure to comply with all conditions of the NPDES Permit, as observed during Department inspections on August 6, 2021, August 24, 2021, and October 6, 2021. The Individual/Entity has violated Water Pollution Control Permit Regulations, as follows: failed to comply with the conditions of the NPDES Permit and failed to maintain stormwater management, sediment, and erosion controls per the Department approved plans as required by the Permit.

Action: The Individual/Entity is required to: submit to the Department a report signed by the Professional Engineer who prepared the SWPPP confirming the Site is in compliance with the approved SWPPP and associated NPDES Permit by March 2, 2022; and submit to the Department an approvable and administratively complete Notice of Termination within thirty (30) days of completion of permanent stabilization of the Site. The Department has assessed a total civil penalty in the amount of eight thousand dollars (\$8,000.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**) by March 2, 2022.

Update: None.

BUREAU OF AIR QUALITY

32) Order Type and Number: Administrative Order 22-002-A
Order Date: January 20, 2022
Individual/Entity: **Clifford Bickham**

Facility: N/A
Location: 4471 Donwood Circle
Ladson, SC 29456
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Code Ann. Regs. 61-62.2,
Prohibition of Open Burning

Summary: Clifford Bickham (Individual/Entity), is a resident of the property located at 4471 Donwood Circle in Charleston County, South Carolina. The Department conducted open burning investigations on November 9, 2020, January 21, 2021, February 9, 2021, and April 2, 2021. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: burned materials other than those allowed by Section I of the regulation, specifically household garbage.

Action: The Individual/Entity is required to: cease all open burning except in accordance with the open burning regulations. The Department has assessed a total civil penalty in the amount of one thousand, five hundred dollars (\$1,500.00). The Individual/Entity shall pay a penalty in the amount of one thousand five hundred dollars (**\$1,500.00**) by February 19, 2022.

Update: None.

33) Order Type and Number: Consent Order 22-001-A
Order Date: January 20, 2022
Individual/Entity: **Thomas Concrete of South Carolina Inc – North Charleston**
Facility: Thomas Concrete of South Carolina Inc – North Charleston
Location: 1067 Lincoln Avenue
Charleston, SC 29405
Mailing Address: 2500 Cumberland Parkway, Suite 200
Atlanta, GA 30339
County: Charleston
Previous Orders: 18-049-A (\$5,000.00)
Permit/ID Number: 0560-0203
Violations Cited: S.C. Code Ann. Regs. 61-62.1, Section II,
Permit Requirements

Summary: Thomas Concrete of South Carolina Inc – North Charleston (Individual/Entity), is a concrete batch plant located in Charleston County, South Carolina. On November 5, 2020, a Department inspector conducted an inspection. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: failed to maintain records of daily concrete production; failed to record visual inspections of truck and/or mixer load-outs; and failed to record visual inspections of each silo control device during loadings or during a daily facility inspection and maintain records of any corrective actions taken.

Action: The Individual/Entity is required to: comply with all terms and conditions of State Operating Permit 0560-0203. The Department has assessed a total

civil penalty in the amount of seven thousand, five hundred dollars (\$7,500.00). The Individual/Entity shall pay a penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**) by February 20, 2022.

Update: None

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

34) Order Type and Number: Consent Order 21-19-FOOD
Order Date: January 4, 2022
Individual/Entity: **ACM Fatz VII, LLC D/B/A Fatz**
Facility: ACM Fatz VII, LLC D/B/A Fatz
Location: 179 E Corporate Center Drive
Clinton, SC 29325
Mailing Address: 4324 Hampton Boulevard, Suite B
Taylors, SC 29687
County: Laurens
Previous Orders: None
Permit Number: 30-206-01552
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: ACM Fatz VII, LLC D/B/A Fatz (Individual/Entity) operates a restaurant located in Laurens County, South Carolina. The Department conducted inspections on June 14, 2021, August 11, 2021, and September 28, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has submitted all requirements of the Order. This Order has been closed.

35) Order Type and Number: Consent Order 21-21-FOOD
Order Date: January 5, 2022
Individual/Entity: **Eastern Quality Vending, Inc.**
Facility: Pilgrim's Pride
Location: 2050 Highway 15 South
Sumter, SC 29150
Mailing Address: P.O. Box 2173

Salisbury, MD 21804
County: Sumter
Previous Orders: 2018-206-04-005 (\$800.00)
Permit Number: 43-206-01139
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Pilgrim's Pride (Individual/Entity) operates an employee cafeteria located in Sumter County, South Carolina. The Department conducted inspections on October 6, 2021, October 14, 2021, October 22, 2021, October 29, 2021, November 8, 2021, November 18, 2021, and November 23, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests; and failed to keep equipment food contact surfaces and utensils clean to sight and touch.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand, five hundred dollars (\$2,500.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**).

Update: The Individual/Entity has submitted all requirements of the Order. This Order has been closed.

36) Order Type and Number: Consent Order 21-22-FOOD
Order Date: January 5, 2022
Individual/Entity: **Gino's Real New York Pizza**
Facility: Gino's Real New York Pizza
Location: 3521 Belle Terre Boulevard
Myrtle Beach, SC 29579
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-12347
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Gino's Real New York Pizza (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on October 4, 2021, October 13, 2021, and October 21, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to properly cool cooked time/temperature control for safety foods; and failed to use effective methods to cool cooked time/temperature control for safety foods.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has submitted all requirements of the Order. This Order has been closed.

37) Order Type and Number: Consent Order 21-31-FOOD
Order Date: January 20, 2022
Individual/Entity: **John Steton**
Facility: Stoner's Pizza Joint
Location: 1216 Washington Street
Columbia, SC 29201
Mailing Address: 2300 E Las Olas Blvd., 4th Floor
Ft. Lauderdale, FL 33301
County: Richland
Previous Orders: None
Permit Number: 40-206-08896
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Stoner's Pizza Joint (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on November 9, 2021, November 19, 2021, and November 29, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has submitted all requirements of the Order. This Order has been closed.

38) Order Type and Number: Consent Order 21-24-FOOD
Order Date: January 24, 2022
Individual/Entity: **Tokyo Express**
Facility: Tokyo Express
Location: 250 Highway 17 North
North Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-13707
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Tokyo Express (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted an inspection on October 29, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: obscured, covered, defaced, relocated, or removed the grade decal that was posted by the Department.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

Update: On February 24, 2022, the Individual/Entity requested a payment plan to satisfy the remaining balance. Department staff e-mailed the Individual/Entity the requested payment plan the same day.

39) Order Type and Number: Consent Order 21-31-FOOD
Order Date: January 26, 2022
Individual/Entity: **Sushi Shack**
Facility: Sushi Shack
Location: 2345 Locust Hill Road
Greer, SC 29651
Mailing Address: 172 Ingleoak Lane
Greenville, SC 29615
County: Greenville
Previous Orders: None
Permit Number: 40-206-08896
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Sushi Shack (Individual/Entity) operates a restaurant located in Greenville County, South Carolina. The Department conducted an inspection on December 2, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: obscured, covered, defaced, relocated, or removed the grade decal that was posted by the Department.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

Update: The Individual/Entity has submitted all requirements of the Order. This Order has been closed.

40) Order Type and Number: Consent Order 21-30-FOOD
Order Date: January 27, 2022
Individual/Entity: **Los Paisanos Market**
Facility: Los Paisanos Market
Location: 1505 Batchelor Street
West Columbia, SC 29169
Mailing Address: Same
County: Lexington
Previous Orders: 2019-206-03-110 (\$1,800.00)
Permit Number: 32-206-05855
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Los Paisanos Market (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on November 1, 2021, November 10, 2021, and November 18, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or

cooling and failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

Update: None.

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