

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
June 10, 2021

_____ 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 April 1, 2021, through April 30, 2021.
3. **FACTS:** For the reporting period of April 1, 2021, through April 30, 2021, the Office of Environmental Affairs issued eleven (11) Consent Orders with total assessed civil penalties in the amount of fifty-one thousand, nine hundred eighty dollars (\$51,980.00). Also, ten (10) Administrative Orders with total assessed civil penalties in the amount of sixty-five thousand, four hundred sixty-one dollars (\$65,461.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	8	\$55,861.00	2	\$1,330.00
Aboveground Tanks	0	0	0	0
Solid Waste	2	\$9,600.00	0	0
Hazardous Waste	0	0	0	0
Infectious Waste	0	0	0	0
Mining	0	0	0	0
SUBTOTAL	10	\$65,461.00	2	\$1,330.00
Water				
Recreational Water	0	0	0	0
Drinking Water	0	0	4	\$19,500.00
Water Pollution	0	0	1	\$1,400.00
Dam Safety	0	0	0	0
SUBTOTAL	0	0	5	\$20,900.00
Air Quality				
SUBTOTAL	0	0	4	\$29,750.00
Environmental Health Services				
Food Safety	0	0	0	0
Onsite Wastewater	0	0	0	0
SUBTOTAL	0	0	0	0
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	10	\$65,461.00	11	\$51,980.00

Submitted by:

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

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
June 10, 2021**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 20-0289-UST
 Order Date: April 5, 2021
 Individual/Entity: **Sean P. Kilcoyne**
 Facility: Edisto River Company
 Location: 9637 Freedom Road
 Branchville, SC 29432

 Mailing Address: Same
 County: Bamberg
 Previous Orders: AO 19-0162-UST (\$5,650.00)
 Permit/ID Number: 13072
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann., § 44-
 2-60(A) (2018); and South Carolina Underground Storage Tank Control
 Regulation, 7 S.C. Code Ann., Regs. 61-92.280.34(c); 280.243(a) (2012 and
 2019).

Summary: Sean P. Kilcoyne (Individual/Entity) is the owner of underground storage tanks (USTs) located in Bamberg County, South Carolina. The Department conducted an inspection on February 2, 2021. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation as follows: failed to obtain Class A/B Operator supplemental training by May 26, 2020; failed to provide records to the Department upon request; and, failed to pay annual tank registration fees for fiscal year 2021.

Action: The Individual/Entity is required to: submit proof that the Class A/B Operator has completed the Class A/B Operator supplemental training and pay the annual tank registration fees and associated late fees for the fiscal year 2021 in the amount of three hundred sixty-three dollars (\$363.00) by June 8, 2021. 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 June 8, 2021.

Updates: No Request for Review was filed.

- 2) Order Type and Number: Administrative Order 19-0322-UST
 Order Date: April 12, 2021
 Individual/Entity: **Robert Glenn Sparks**
 Facility: Morris Service Station
 Location: 1502 Lockhart Highway

Mailing Address: Union, SC 29379
130 Hightower Lake Road
Union, SC 29379

County: Union

Previous Orders: 18-0287-UST (\$350.00)

Permit/ID Number: 14492

Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988, S.C. Code Ann. § 44-2-60(A) et seq. (2018) (SUPERB Act) and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.93(a), 280.110(c), 280.242(b)(3) (2012 and Supp. 2019).

Summary: Robert Glenn Sparks (Individual/Entity) is the owner of underground storage tanks (USTs) located in Union County, South Carolina. On May 16, 2019, the Department conducted a compliance inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; failed to validate that monthly requirements have been met; and failed to pay annual tank registration fees.

Action: The Individual/Entity is required to submit: a completed Certificate of Financial Responsibility form and evidence of financial assurance; proof that a Class A/B Operator log is being maintained; and, payment of annual tank registration fees and associated late fees for fiscal years 2020 and 2021 by June 12, 2021. The Department has assessed a total civil penalty in the amount of six thousand, eight hundred fifty dollars (\$6,850.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand, eight hundred fifty dollars **(\$6,850.00)** by June 12, 2021.

Updates: No Request for Review was filed.

3) Order Type and Number: Administrative Order 20-0190-UST

Order Date: April 12, 2021

Individual/Entity: **WHF, LLC**

Facility: WHF

Location: 3796 Highway 905
Conway, SC 29526

Mailing Address: P.O. Box 1864
Myrtle Beach, SC 29578

County: Horry

Previous Orders: None

Permit/ID Number: 11766

Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.31(b)(1) and 280.70(c) (2012 and Supp. 2019).

Summary: WHF, LLC (Individual/Entity) is the owner of underground storage tanks (USTs) located in Horry County, South Carolina. On July 9, 2020, the Department conducted a compliance inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground

Storage Tank Regulation, as follows: failed to have the cathodic protection system inspected by a qualified tester every three (3) years and failed to permanently close a UST system that has been temporarily out of service for greater than twelve (12) months and does not meet current corrosion protection standards.

Action: The Individual/Entity is required to: submit either a completed Tank and Sludge Disposal Form for the permanent closure of the USTs or passing Sacrificial Anode Cathodic protection system test results for all USTs or proof that UST metal integrity testing has been initiated by June 12, 2021; if the Tank and Sludge Disposal Form is submitted, permanently close the USTs within forty-five (45) days of the Department's approval of the Tank and Sludge Disposal Form; and submit an UST Closure and Assessment Report within sixty (60) days of permanent closure of the USTs. The Department has assessed a total civil penalty in the amount of five thousand, five hundred eighty dollars (\$5,580.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, five hundred eighty dollars (**\$5,580.00**) by June 12, 2021.

Updates: No Request for Review was filed. The Individual/Entity has removed the tanks from the ground.

4) Order Type and Number: Administrative Order 20-0238-UST
Order Date: April 12, 2021
Individual/Entity: **Kayaan Corporation**
Facility: Old Power Trac 9
Location: 2700 Highway 29 South
Anderson, SC 29626
Mailing Address: P.O. Box 40
Piedmont, SC 29673
County: Anderson
Previous Orders: None
Permit/ID Number: 00737
Violations Cited: The State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), and South Carolina
Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92,
280.35(a)(1)(ii) and 280.35(a)(2) (2012 and Supp. 2019).

Summary: Kayaan Corporation (Individual/Entity) is the owner of a compartmented underground storage tank (UST) located in Anderson County, South Carolina. On August 21, 2020, the Department conducted a compliance inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to test spill prevention equipment and/or containment sumps used for interstitial monitoring once every three (3) years and failed to test overfill prevention equipment at least once every three (3) years.

Action: The Individual/Entity is required to: submit overfill prevention equipment operability test results for all compartments of the UST; and spill bucket integrity test results for all spill buckets at the facility due by June 14, 2021. 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 civil penalty in the amount of one thousand, five hundred dollars (**\$1,500.00**) by June 14, 2021.

Updates: No Request for Review was filed.

- 5) Order Type and Number: Administrative Order 21-0015-UST
Order Date: April 12, 2021
Individual/Entity: **Parth's, Inc.**
Facility: 5 Star Food Mart 2
Location: 104 McIntyre Street
Mullins, SC 29574
Mailing Address: Same
County: Marion
Previous Orders: None
Permit/ID Number: 10053
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-140(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.34(c), 280.36(a)(1)(i), 280.36(a)(1)(ii), 280.40(a)(3), 280.44(a), 280.45(b)(1), 280.242(b)(3), and 280.243(a) (2012 & Supp 2019).

Summary: Parth's Inc. (Individual/Entity) owns and operates underground storage tanks in Marion County, South Carolina. The Department issued a Notice of Alleged Violation based on an inspection on November 9, 2020. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide records to the Department upon request, failed to conduct monthly walk-through inspections, failed to conduct annual walk-through inspections, failed to test UST release detection method annually, failed to conduct annual test of automatic line leak detectors, failed to maintain records for at least one (1) year, failed to validate that monthly requirements have been performed, and failed to physically visit each facility once a quarter.

Action: The Individual/Entity is required to submit: line leak detector function check results for the plus and premium USTs, proof that a monthly and annual walk-through log is being maintained, and proof that a Class A/B Operators have completed supplemental training by June 12, 2021. The Department has assessed a total civil penalty in the amount of seven thousand, two hundred sixty dollars (\$7,260.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand, two hundred sixty dollars (**\$7,260.00**) by June 12, 2021.

Updates: The Individual/Entity has submitted line leak detector function check results for the plus, which indicated a failure and the premium, which indicated an inconclusive. No Request for Review was filed.

- 6) Order Type and Number: Administrative Order 19-0523-UST
Order Date: April 22, 2021
Individual/Entity: **Sanjay & Ulka Patel**
Facility: Forestbrook Grocery
Location: 1272 Forestbrook Road
Myrtle Beach, SC 29579
Mailing Address: 2521 Hunters Trail
Myrtle Beach, SC 29588

County: Horry
Previous Orders: AO 17-0439-UST (\$10,700.00)
Permit/ID Number: 17398
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.31(a), 280.34(c), 280.40(a), 280.43(h), 280.50, 280.52 (2012 and Supp. 2019).

Summary: Sanjay & Ulka Patel (Individual/Entity) are the owners of underground storage tanks (USTs) located in Horry County, South Carolina. On October 22, 2019, the Department conducted a compliance inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to operate and maintain a corrosion protection system; failed to provide records to the Department upon request; failed to provide an adequate release detection method; failed to conduct proper release detection using statistical inventory reconciliation (SIR); failed to report a suspected release within twenty-four (24) hours; and failed to investigate and confirm a suspected release within a reasonable time period.

Action: The Individual/Entity is required to: submit either tank tightness test results for both USTs and proof both USTs have been emptied to less than one (1) inch of residue or tank tightness test results for both USTs, line tightness test results for both USTs and proof of a valid release detection method for both USTs at the Facility; conduct a site check from the area under dispenser 1/2 and submit the results to the Department; and submit proof that the exposed impressed current system anode wires have been repaired and reburied by July 6, 2021. The Department has assessed a total civil penalty in the amount of nine thousand, four hundred thirteen dollars (\$9,413.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand, four hundred thirteen dollars (**\$9,413.00**) by June 17, 2021.

Updates: No Request for Review was filed.

7) Order Type and Number: Administrative Order 21-0102-UST
Order Date: April 22, 2021
Individual/Entity: **Jamie Ham**
Facility: Ham's Grill & Grocery
Location: 100 Batchelor Drive
Blacksburg, SC 29702
Mailing Address: 217 Ninety Nine Island
Blacksburg, SC 29702-9640
County: Cherokee
Previous Orders: None
Permit/ID Number: 08618
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.34(c), 280.40(a), 280.43(h), 280.45(b)(1), 280.93(a), and 280.110(c) (2012 and Supp. 2019).

Summary: Jamie Ham (Individual/Entity) is the owner of underground storage tanks (USTs) located in Cherokee County, South Carolina. On September 27, 2019, the Department conducted a compliance inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide records to the Department upon request; failed to provide an adequate release detection method; failed to conduct statistical inventory reconciliation (SIR) properly; failed to maintain sampling, testing, or monitoring results for at least one year, or for another reasonable period of time determined by the Department; failed to demonstrate financial responsibility for an UST system; and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to submit: either passing SIR results equal to eight (8) of the last twelve (12) months with the two (2) most recent months passing for the 8,000-gallon regular and 4,000-gallon diesel USTs or tank tightness test results for both USTs; either current passing SIR records or other proof that a valid release detection method is in place for both USTs; and a completed Certificate of Financial Responsibility form and evidence of financial assurance by July 6, 2021. The Department has assessed a total civil penalty in the amount of nine thousand, six hundred fifty-eight dollars (\$9,658.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand, six hundred fifty-eight dollars (**\$9,658.00**) by June 17, 2021.

Updates: No Request for Review was filed. The Individual/Entity has submitted the tank tightness test results.

8) Order Type and Number: Administrative Order 21-0116-UST
Order Date: April 22, 2021
Individual/Entity: **Early W. Dubose**
Facility: K-10 Enterprises DBA Cherryvale Grocery
Location: 1292 Cherryvale Drive
Sumter, SC 29154-1722
Mailing Address: 1300 Cherryvale Drive
Sumter, SC 29154
County: Sumter
Previous Orders: None
Permit/ID Number: 08924
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.21(c), 280.31(b)(1), 280.31(c), 280.70(c), 280.242(b)(3), and 280.242(b)(4) (2012 & Supp 2019).

Summary: Early W. Dubose (Individual/Entity) owns and operates underground storage tanks in Marion County, South Carolina. On March 11, 2021, the Department issued a Notice of Alleged Violation based on a file review. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to protect an operating UST system from corrosion; failed to have the cathodic protection system inspected by a qualified tester every three (3) years; failed to inspect the impressed current system every sixty (60) days; failed to permanently close a UST system that has been temporarily out-of-service for greater than twelve (12) months and does not meet current corrosion protection standards; failed to validate that monthly requirements have been performed; and failed to physically visit each facility once a

quarter.

Action: The Individual/Entity is required to submit either: a completed Tank and Sludge Disposal form, permanently close the USTs at the Facility, and submit an UST Closure and Assessment Report to the Department or passing metal integrity testing results, passing tank tightness test results, passing cathodic protection system test results, proof that a rectifier log is being maintained, and proof that a Class A/B Operator log is being maintained by August 5, 2021. The Department has assessed a total civil penalty in the amount of ten thousand, eight hundred dollars (\$10,800.00). The Individual/Entity shall pay a civil penalty in the amount of ten thousand, eight hundred dollars (**\$10,800.00**) by June 22, 2021.

Updates: No Request for Review was filed.

- 9) Order Type and Number: Consent Order 20-0248-UST
Order Date: April 15, 2021
Individual/Entity: **HMS BP Kershaw, LLC**
Facility: Korner Kupboard BP
Location: 503 North Matson Street
Kershaw, SC 290647
Mailing Address: 3104 Commerce Drive
Richburg, SC 29729
County: Lancaster
Previous Orders: None
Permit/ID Number: 10348
Violations Cited: The State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), and South Carolina
Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92,
280.40(a)(2) (2012 and Supp. 2019).

Summary: HMS BP Kershaw, LLC (Individual/Entity) owns underground storage tanks (USTs) located in Lancaster County, South Carolina. On August 26, 2020, the Department conducted a compliance inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly install, calibrate, operate, and maintain release detection equipment.

Action: The Individual/Entity is required to: submit line leak detector function check test results for the 3,000-gallon kerosene UST and submit release detection operability test results for the 3,000-gallon kerosene UST by May 30, 2021. The Department has assessed a total civil penalty in the amount of three hundred thirty dollars (\$330.00). The Individual/Entity shall pay a civil penalty in the amount of three hundred thirty dollars (**\$330.00**) by May 30, 2021.

Updates: The Individual/Entity has paid the civil penalty.

- 10) Order Type and Number: Consent Order 21-0069-UST
Order Date: April 15, 2021
Individual/Entity: **Holly Springs Country Store, Inc.**
Facility: Holly Springs Country Store, Inc.

Location: 6491 Highway 11
Pickens, SC 29671
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit/ID Number: 16321
Violations Cited: The State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann., § 44-
2-10 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 and 2018).

Summary: Holly Springs Country Store, Inc. (Individual/Entity) is the owner of underground storage tanks (USTs) located in Pickens County, South Carolina. The Department conducted an inspection on February 2, 2021. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation as follows: failed to maintain overfill prevention equipment on an UST system.

Action: The Individual/Entity corrected the violation prior to the issuance of the Order. 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 June 1, 2021.

Updates: The Individual/Entity has paid the civil penalty. This Order has been closed.

Solid Waste Enforcement

11) Order Type and Number: Administrative Order 20-27-SW
Order Date: April 19, 2021
Individual/Entity: **Heirs of Ben Gibbs**
C/O Nathaniel Gibbs
Facility: Annie Rainey Lane, Property
Location: 225 Annie Rainey Lane
Pawleys Island, SC
Mailing Address: 14 Stanley Street
Irvington, NJ 07111
County: Georgetown
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and
Management Act of 1991, S.C. Code Ann. §§ 44-96-290(A) (2018 & Supp.
2018) (Act) and the Solid Waste Management: Solid Waste Landfills and
Structural Fill Regulation, R.61-107.19, Part III.B.6. (2002 and Supp. 2016)
(Regulation)

Summary: Heirs of Ben Gibbs (Individual/Entity), own property located in Pawleys Island, South Carolina. The Department conducted an inspection on February 3, 2020 after receiving a complaint. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act and Solid Waste Management: Solid Waste Landfills and

Structural Fill Regulation, as follows: failed to obtain a Department issued permit prior to engaging in Class One landfill activities.

Action: The Individual/Entity is required to: remove all solid waste debris from the Site; dispose of it at a permitted solid waste management facility; and submit disposal receipts to the Department by June 17, 2021. The Department 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 June 17, 2021.

Updates: No Request for Review was filed.

12) Order Type and Number: Administrative Order 20-26-SW
Order Date: April 22, 2021
Individual/Entity: **Heirs of Jane Byrd**
C/O Kimberly and Leroy Byrd
Facility: Warren Road, Property
Location: 223 Warren Road
Greenwood, SC
Mailing Address: 122 Warren Road
Greenwood, SC 29646
County: Greenwood
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-290(A) (2018 & Supp. 2018) (Act) and the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, R.61-107.19, Part IV.A.3. (2002 and Supp. 2016) (Regulation)

Summary: Heirs of Jane Byrd (Individual/Entity), own property located in Greenwood, South Carolina. The Department conducted an inspection on February 7, 2020 after receiving a complaint. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act and Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, as follows: failed to obtain a Department issued permit prior to engaging in Class Two landfill activities.

Action: The Individual/Entity is required to: submit disposal receipts for the solid waste debris removed from the Site between February 7, 2019, and September 30, 2019; remove all remaining solid waste debris from the Site, dispose of it at a permitted solid waste management facility, and submit disposal receipts to the Department by June 17, 2021. The Department 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 June 17, 2021.

Updates: No Request for Review was filed.

BUREAU OF WATER

Drinking Water Enforcement

- 13) Order Type and Number: Consent Order 21-013-DW
 Order Date: April 2, 2021
 Individual/Entity: **INV Performance Surfaces, LLC**
 Facility: INV Camden Plant
 Location: 643 Highway South
 Lugoff, SC 29078
 Mailing Address: P.O. Box 7000
 Camden, SC 29021
 County: Kershaw
 Previous Orders: None
 Permit/ID Number: 2830001
 Violations Cited: S.C. Code Ann. Regs. 61-58.10.I(6)(b)(ii)

Summary: INV Performance Surfaces, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Kershaw County, South Carolina. On February 18, 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 exceeded the maximum contaminant level for turbidity.

Action: The Individual/Entity is required to: submit a corrective action plan with a schedule to address the turbidity violation by May 3, 2021. The Department has assessed a total civil penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**) by May 3, 2021.

Update: The Individual/Entity submitted a corrective action plan which was approved by the Department, and the civil penalty has been paid.

- 14) Order Type and Number: Consent Order 21-014-DW
 Order Date: April 12, 2021
 Individual/Entity: **Prisma Health**
 Facility: Palmetto Health Richland
 Location: 5 Richland Medical Park Drive
 Columbia, SC 29203
 Mailing Address: Same
 County: Richland
 Previous Orders: None
 Permit/ID Number: 32851-WS
 Violations Cited: S.C. Code Ann. Regs. 61-58.1.J

Summary: Prisma Health (Individual/Entity) owns and is responsible for the proper permitting and construction of a public water system (PWS) located in Richland County, South Carolina. The Department issued a Notice of Alleged Violation/Notice of Enforcement Conference on March 1, 2021, as a result of a review of inspection records.

The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to submit a revised application to the Department and obtain a revised permit prior to deviating from the approved construction permit.

Action: The Individual/Entity is required to: submit to the Department for review and approval a revised application to obtain a revised permit by April 27, 2021; and contact the Department to request a final inspection and obtain written approval to operate within fifteen days of the issuance of the revised permit. The Department has assessed a total civil penalty in the amount of three thousand, four hundred dollars (\$3,400.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, four hundred dollars (**\$3,400.00**) by May 12, 2021.

Update: The Individual/Entity submitted a revised application to the Department, the revised permit has been issued by the Department, and the civil penalty has been paid.

15) <u>Order Type and Number:</u>	Consent Order 21-015-DW
<u>Order Date:</u>	April 12, 2021
<u>Individual/Entity:</u>	Slow and Low Properties, LLC
<u>Facility:</u>	Niagara Bottling Plant
<u>Location:</u>	2222 Florence Harllee Boulevard Florence, SC 29506
<u>Mailing Address:</u>	1440 Bridgegate Drive Diamond Bar, CA 91765
<u>County:</u>	Florence
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2174002, 34702-WS, 34889-WS
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.1.B(1) & 61-58.1.K(1)

Summary: Slow and Low Properties, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Florence County, South Carolina. The Department conducted an inspection of the PWS on February 17, 2021 and observed that the PWS was constructed and operating without a permit or approval to operate from the Department. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to obtain a permit to construct and written approval to operate from the Department prior to the construction and operation of a PWS.

Action: The Individual/Entity is required to: submit to the Department for review and approval a standard operating procedure for obtaining from the Department a water supply construction permit and written approval to operate by May 12, 2021. The Department has assessed a total civil penalty in the amount of eight thousand, five hundred dollars (\$8,500.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand, five hundred dollars (**\$8,500.00**) by May 12, 2021.

Update: The permit for the PWS has been obtained and final written approval to operate was issued by the Department on March 26, 2021. The civil penalty has been paid.

16) <u>Order Type and Number:</u>	Consent Order 21-016-DW
<u>Order Date:</u>	April 22, 2021

<u>Individual/Entity:</u>	Bucksport Water System, Inc.
<u>Facility:</u>	Bucksport Water Systems
<u>Location:</u>	2809 4 th Avenue Conway, SC 29527
<u>Mailing Address:</u>	P.O. Box 1032 Conway, SC 29528
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2620003
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5.P(2)(b)

Summary: Bucksport Water System, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Horry County, South Carolina. On March 15, 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 exceeded the maximum contaminant level (MCL) for total trihalomethanes.

Action: The Individual/Entity is required to: submit a corrective action plan with a schedule to address the MCL violation by May 22, 2021. 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 requirements of the Order not be met.

Update: The Individual/Entity submitted a corrective action plan which has been approved by the Department.

Water Pollution Enforcement

17)	<u>Order Type and Number:</u>	Consent Order 21-018-W
	<u>Order Date:</u>	April 29, 2021
	<u>Individual/Entity:</u>	City of Westminster Sewer Collection System
	<u>Facility:</u>	City of Westminster Sewer Collection System
	<u>Location:</u>	100 Windsor Street Westminster, SC 29693
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Oconee
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	SSS000692
	<u>Violations Cited:</u>	Pollution Control Act, S.C. Code Ann. § 48-1-110(d) and Water Pollution Control Permits Regulation S.C. Code Ann. Regs. 61-9.610.3(a)

Summary: City of Westminster Sewer Collection System (Individual/Entity) owns and is responsible for a satellite sewer collection system located in Oconee County, South Carolina. On July 23, 2020, the Department issued a Notice of Alleged Violation as result of an unsatisfactory inspection of the collection system. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation, as follows:

failed to properly maintain operational and maintenance records; failed to take all reasonable steps to prevent, stop and mitigate the impact of releases of wastewater to the environment; and failed to properly document a process for investigating potential releases and reporting significant sewer overflows.

Action: The Individual/Entity is required to: submit a Compliance Attainment Plan (Plan) by June 28, 2021, outlining actions necessary to resolve deficiencies of its collection system and must include: submit a Preliminary Engineering Report (PER) regarding improvements to the collection system by August 27, 2021; development and implementation of a written Operation and Maintenance plan by October 26, 2021; and, submit construction permit applications for necessary upgrades within one hundred twenty (120) days from Department approval of the PER. All construction activities must be completed within two hundred seventy (270) days from issuance of applicable Construction Permits issued by the Department. The Department has assessed a total civil penalty in the amount of one thousand, four hundred dollars (\$1,400.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, four hundred dollars (**\$1,400.00**) by May 29, 2021.

Update: The civil penalty has been paid.

BUREAU OF AIR QUALITY

18) <u>Order Type and Number:</u>	Consent Order 21-006-A
<u>Order Date:</u>	April 2, 2021
<u>Individual/Entity:</u>	Salisbury Electrical Safety, LLC, d.b.a Honeywell Salisbury
<u>Facility:</u>	Honeywell Salisbury
<u>Location:</u>	4091 Azalea Drive North Charleston, SC 29067
<u>Mailing Address:</u>	Same
<u>County:</u>	Berkeley
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	TV-0560-0032
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-62.1, Section II,
Permit Requirements	

Summary: Salisbury Electrical Safety, LLC d.b.a. Honeywell Salisbury (Individual/Entity) manufactures rubber gloves at its facility located Berkeley County, South Carolina. The Individual/Entity violated South Carolina Air Pollution Control Regulation, as follows: exceeded its plant-wide applicability limit of 452 tons per year of volatile organic compound emissions, calculated as a twelve-month rolling sum, from December of 2018 through December of 2019.

Action: The Individual/Entity is required to: limit volatile organic compounds emissions to 452 tons per year on a twelve-month rolling sum basis in accordance with the Title V Permit. The Department has assessed a total civil penalty in the amount of twenty-one thousand dollars (\$21,000.00). The Individual/Entity shall pay a civil penalty in the amount of twenty-one thousand dollars (**\$21,000.00**) by May 2, 2021.

Update: The Individual/Entity has paid the civil penalty.

- 19) Order Type and Number: Consent Order 21-007-A
Order Date: April 12, 2021
Individual/Entity: **A&E Auto Electric Inc.**
Facility: A&E Auto Electric Inc.
Location: 425 Foster Street
Cowpens, SC 29330
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. Regs. 61-62.1, Section II, Permit Requirements and S.C. Code Ann. Regs. 61-62.5 Section IX.B

Summary: A&E Auto Electric Inc. (Individual/Entity), recycles steel, copper and aluminum metals at its facility in Spartanburg County. The Individual/Entity has violated South Carolina Air Pollution Control Regulation, as follows: failed to limit opacity to twenty (20) percent; and failed to apply for and obtain a construction permit or determine whether its sources of air contaminants (production lines) met the applicable exemption requirements prior to installing and operating the sources.

Action: The Individual/Entity is required to: henceforth operate and maintain all dust collectors and cyclones whenever shredders and associated equipment are in operation; and, maintain any records necessary to determine compliance with the exemption requirements. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The individual shall pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) by May 12, 2021.

Update: On February 4, 2021, the Department determined that the Individual/Entity is exempt from permitting requirements.

- 20) Order Type and Number: Consent Order 21-005-A
Order Date: April 26, 2021
Individual/Entity: **Oliver's Clean Burn LLC d.b.a. Oliver's Clean Burn, Inc.**
Facility: Oliver's Clean Burn LLC d.b.a. Oliver's Clean Burn, Inc.
Location: 39 Schwartz Road
Beaufort, SC 29906
Mailing Address: Same
County: Beaufort
Previous Orders: None
Permit/ID Number: 0360-0082
Violations Cited: U.S. EPA Regulations at 40 CFR 60.2255(b), and South Carolina Code Ann. Regs. 61-62.60.2255(b), Standards of Performance for Commercial and Industrial Solid Waste Incineration Units; U.S. EPA Regulations at 70.5(a)(1)(i), State Operating Permit Programs, and South Carolina

Code Ann. Regs. 61-62.70(a)(1)(i), Title V Operating Permit Program; South Carolina Code Ann. Regs. 61-62.1, Section II, Permit Requirements

Summary: Oliver's Clean Burn LLC d.b.a Oliver's Clean Burn, Incorporated (Individual/Entity), combusts yard waste, clean wood, and untreated wood at its facility in Beaufort County, South Carolina. The Individual/Entity has violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulations, as follows: failed to conduct an initial opacity test within 60 days of the air curtain incinerator reaching its operation charge rate, but no later than 180 days of initial startup; failed to submit a timely Part 70 (Title V) Permit application within 12 months of startup; failed to submit written notification to the Department of the date construction of the air curtain incinerator was commenced within 30 days of such date, and in that it failed to submit written notification to the Department within 15 days of initial startup of the air curtain incinerator.

Action: The Individual/Entity is required to: conduct timely source tests in accordance with Subpart CCCC and the Construction Permit and no later than March 31, 2021, conduct a Department approved source test for opacity using EPA Method 9 to determine compliance with the opacity limitations. 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 hundred and fifty dollars (**\$750.00**) and a stipulated penalty in the amount of six thousand seven hundred fifty dollars (\$6,750.00) should any requirement of the Order not be met.

Update: The penalty was stipulated based on financial records provided by the Individual/Entity. The civil penalty has been paid. The Individual/Entity has met all requirements of the Order.

21) <u>Order Type and Number:</u>	Consent Order 21-008-A
<u>Order Date:</u>	April 26, 2021
<u>Individual/Entity:</u>	Broad River Materials, Inc.
<u>Facility:</u>	Broad River Materials, Inc.
<u>Location:</u>	209 Armory Road Union, SC 29379
<u>Mailing Address:</u>	P.O. Box 683 York, SC 29745
<u>County:</u>	Union
<u>Previous Orders:</u>	16-001-A (\$8,500.00)
<u>Permit/ID Number:</u>	2180-0047
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-62.1, Section II, Permit Requirements

Summary: Broad River Materials, Inc. (Individual/Entity), operates a sand drying operation at its facility in Union County, South Carolina. The Individual/Entity has violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulation, as follows: failed to maintain records of daily pressure drop readings for the baghouse on-site; failed to keep and maintain records of weekly operation and maintenance checks for the baghouse on-site; failed to and maintain records of fuel oil supplier certifications on-site, and submit reports of recorded sulfur content to the Department semiannually; failed to submit a semiannual report for the twelve-month rolling sums of total PM emissions; failed to maintain an onsite implementation log; and failed to conduct an annual facility equipment review.

Action: The Individual/Entity is required to: comply with all terms and conditions of Bureau of Air Quality Permit 2180-0047. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) by May 26, 2021.

Update: The Individual/Entity has paid the civil penalty.

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