

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
November 10, 2010

Bureau of Land and Waste Management

Underground Storage Tank Enforcement

- 1) Order Type and Number: Consent Order 09-0325-UST
 Order Date: September 17, 2010
 Respondent: **Georgetown County**
 Facility: Former Winyah Rescue
 Location/Mailing Address: 1918 Church St., Georgetown, SC
 29440/P.O. Drawer 421270,
 Georgetown, SC 29442

 County: Georgetown
 Previous Orders: None
 Permit/ID Number: 19313
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988, as amended, and the South
 Carolina Underground Storage Tank Control Regulation 61-92.280.70(c),
 R.61-92.280.93(a), R.61-92.280.110(c), and SUPERB Act, Section 44-2-
 60(A).

Summary: Georgetown County (Respondent) owns an underground storage tank (UST) in Georgetown County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to properly abandon a temporarily closed UST system after 12 months; failure to demonstrate financial responsibility; failure to submit updated financial responsibility documentation; and, failure to pay annual UST registration fees for fiscal years 1989 to 2010.

Action: The Respondent is required to: submit proof of mechanism for financial responsibility; submit a completed Certificate of Financial Responsibility; submit a completed and signed Tank/Sludge disposal form for approval to permanently close/remove the UST; submit a UST Closure and Assessment Report, pay annual UST registration fees for fiscal years 1989 to 2010 in the amount of \$2,541.00; and, pay a **suspended penalty** in the amount of one thousand five hundred fifty dollars (**\$1,550.00**) should the Respondent fail to meet any requirement of the Order.

- 2) Order Type and Number: Consent Order 10-0079-UST
 Order Date: September 17, 2010

Respondent: **Kalpesh K. Patel**
Facility: Pavan Food Store 105
Location/Mailing Address: 502 North Harper St., Laurens, SC
29360/310 Butler Rd., Mauldin, SC
29662
County: Laurens
Previous Orders: 07-0540-UST (\$250.00)
Permit/ID Number: 05686
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988, as amended, and the South
Carolina Underground Storage Tank Control Regulation 61-
92.280.20(c)(1)(ii).

Summary: Kalpesh K. Patel (Respondent) owns and operates underground storage tanks (USTs) in Laurens County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in a UST.

Action: The Respondent is required to pay a civil penalty in the amount of eight hundred eighty-eight dollars (**\$888.00**). The overfill prevention equipment violation was corrected prior to the issuance of the Order.

3) Order Type and Number: Consent Order 10-0087-UST
Order Date: September 17, 2010
Respondent: **Action Foodmart**
Facility: Jetco Food Store
Location/Mailing Address: 614 East Main St., Westminster, SC
29693
County: Oconee
Previous Orders: 08-0214-UST (\$600.00)
Permit/ID Number: 06736
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988, as amended, and the South
Carolina Underground Storage Tank Control Regulation 61-92.280.20(e)
and R.61-92.280.40(a).

Summary: Action Foodmart (Respondent) owns and operates underground storage tanks (USTs) in Oconee County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install USTs in accordance with accepted codes and standards; and, failure to provide an adequate release detection method.

Action: The Respondent is required to pay a civil penalty in the amount of one thousand, three hundred fifty-one dollars (**\$1,351.00**). All violations were corrected prior to the issuance of the Order.

- 4) Order Type and Number: Consent Order 10-0133-UST
Order Date: September 29, 2010
Respondent: **Sahil of Columbia**
Facility: Sahil of Columbia
Location/Mailing Address: 2501 Decker Blvd., Columbia, SC
29206/1701 Rosewood Dr.,
Columbia, SC 29205
County: Richland
Previous Orders: None
Permit/ID Number: 07747
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988, as amended, and the South
Carolina Underground Storage Tank Control Regulation 61-92.280.20(e),
R.61-92.280.31(c) and R.61-92.280.34(c).

Summary: Sahil of Columbia (Respondent) owns and operates underground storage tanks (USTs) in Richland County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install USTs in accordance with accepted codes and standards; failure to operate and maintain corrosion protection equipment continuously; and, failure to provide records to the Department upon request.

Action: The Respondent is required to pay a civil penalty in the amount of six hundred fifty dollars (**\$650.00**). All violations were corrected prior to the issuance of the Order.

Hazardous Waste Enforcement

- 5) Order Type and Number: Consent Order 10-19-HW
Order Date: September 19, 2010
Respondent: **Wurth Wood Group, Inc.**
Facility: N/A
Location/Mailing Address: 1441 Highway 101 South
Greer, South Carolina 29652
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCR 000 769 463
Violations Cited: The South Carolina Hazardous
Waste Management Act §44-56-130(2) and the South Carolina Hazardous
Waste Management Regulation 61-79.262.13(d); R.61-79.262.40(a);
R.61-79.262.34(d)(5)(iii); R.61-79.262.34(d)(5)(ii); R.61-79.265.174;
R.61-79.265.173(a); R.61-79.262.34(c)(1)(ii); R.61-79.262.34(c)(2); R.61-
79.263.10(g); R.61-79.263.20; R.61-79.263.20(c); R.61-79.263.22(a); and,
R.61-79.263.10(i).

Summary: Wurth Wood Group, Inc. (Respondent), located in Greer, South Carolina, blends custom paints and stains at its cabinet distribution facility. The Respondent has violated the South Carolina Hazardous Waste Management Regulations as follows: failure to file a revised or new Notification form whenever the information previously provided becomes outdated or inaccurate; failure to keep a copy of each manifest onsite for three years from the date the waste was accepted by the initial transporter; failure to ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies; failure to post the name and telephone number of the emergency coordinator, along with the location of the fire extinguishers and spill control material, and if present, fire alarms, next to the telephone; failure to inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors; failure to keep a container holding hazardous waste closed during storage, except when it is necessary to add or remove waste; failure to mark the containers with the words: "HAZARDOUS WASTE" or with other words that identify the contents of the container; failure to mark the container holding excess accumulation of hazardous waste with the date the excess amount began accumulating; failure to obtain a permit from the Department prior to transporting hazardous waste; failure to comply with the Department regulations for manifesting hazardous waste shipments; failure to ensure that the manifest accompanies the shipment of hazardous waste; and, failure to ensure that personnel complete a training program that is acceptable to the Department.

Action: The Respondent has agreed to: ensure that a revised Form DHEC 2701 is submitted whenever the information becomes outdated or inaccurate; ensure that all hazardous waste manifests are maintained properly; ensure that required facility personnel receive the appropriate training; ensure that all emergency information is posted next to the telephone; ensure that all containers of hazardous waste are inspected and managed properly; ensure that before transporting any hazardous waste, a permit is applied for and obtained; and, pay a civil penalty in the amount of eighteen thousand dollars (**\$18,000.00**).

Infectious Waste Enforcement

6) <u>Order Type and Number:</u>	Consent Order 10-05-IW
<u>Order Date:</u>	September 17, 2010
<u>Respondent:</u>	Pee Dee Mental Health Center
<u>Facility:</u>	Pee Dee Mental Health Center
<u>Location/Mailing Address:</u>	125 East Cheves Street Florence, South Carolina 29506
<u>County:</u>	Florence

Previous Orders: N/A
Permit/ID Number: SC21-0218G
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and The South Carolina Infectious Waste Management Regulation 61-105.F(2); R.61-105.I(8); R.61-105.N(1); R.61-105.M(1)(c); and, R.61-105.M(1)(a).

Summary: Pee Dee Mental Health Center (Respondent), located in Florence, South Carolina, provides mental health services. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to notify the Department within thirty (30) days of any changes occurring in required information; failure to contain infectious waste in disposable or reusable containers that (1) are appropriate for the quantity of waste, (2) withstand handling, transfer, and transportation without impairing the integrity of the container, (3) closed tightly and securely, and (4) compatible with the selected storage, transportation, and treatment processes; failure to register with the Department prior to transporting infectious waste generated within South Carolina; failure to prepare a manifest with the weight (accurate to within one (1) percent); and, failure to prepare a manifest with the Department identification number.

Action: The Respondent has agreed to: ensure that the Department is notified in writing within 30 days of changes occurring in its registration; ensure that infectious waste is not transported by the Respondent unless the Department has issued them a permit; ensure that manifests are prepared properly; and, pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**).

Solid Waste Enforcement

7) Order Type and Number: Administrative Order 10-32-SW
Order Date: July 9, 2010
Respondent: **James C. Westbrook**
Facility: Ashley River Road Property
Location/Mailing Address: Int. Ashley River Rd., Bacons Bridge Rd., Cooks Cross Rd., Summerville, SC/106 Donna Dr., Summerville, SC 29483
County: Dorchester
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Waste Tires Regulation 61-107.3.E.1. and E.3., and Solid Waste

Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, Part I.A.8.

Summary: James C. Westbrook (Respondent) owns Ashley River Road Property located in Dorchester County, South Carolina and has violated: the Solid Waste Management: Waste Tires Regulations, in that the Respondent unlawfully disposed of waste tires at the Site; and, the Solid Waste Landfills and Structural Fill Regulations, in that the Respondent engaged in open dumping.

Action: The Respondent is required to: remove and properly dispose of all waste tires and miscellaneous solid waste at the Site; submit disposal and/or recycling receipts; and, pay a civil penalty in the amount of twenty-three thousand dollars (**\$23,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

8) <u>Order Type and Number:</u>	Consent Order 10-064-DW
<u>Order Date:</u>	September 13, 2010
<u>Respondent:</u>	First Southeast Hospitality, LLC
<u>Facility:</u>	Comfort Suites of Spartanburg
<u>Location/Mailing Address:</u>	458 West Blackstock Road Spartanburg, S.C. 29301
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	42-1071B; 42-1072D
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J)

Summary: First Southeast Hospitality, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and spa. The Respondent has violated the Public Swimming Pools Regulation as follows: chlorine and pH levels were not within the acceptable range; the shepherd's crook did not have a permanently attached handle; the required pool rules sign was incomplete; the bound and numbered log book was not maintained daily; and the disinfection equipment was not operating properly.

Action: The Respondent is required to: correct all deficiencies; properly operate and maintain the pool and spa; and, pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). The civil penalty has been paid.

- 9) Order Type and Number: Consent Order 10-065-DW
Order Date: September 13, 2010
Respondent: **City of Aiken**
Facility: City of Aiken
Location/Mailing Address: 214 Park Avenue SW
Aiken, S.C. 29801
County: Aiken
Previous Orders: None
Permit/ID Number: 0210001
Violations Cited: S.C. Code Ann. Regs. 61-58.5(H)
Project Manager: **Daniel Malonza**

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

Action: The Respondent is required to: submit for approval a corrective action plan with a detailed schedule of implementation and completion to include steps to resolve the combined radium 226/228 MCL exceedances, and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

- 10) Order Type and Number: Consent Order 10-066-DW
Order Date: September 13, 2010
Respondent: **Mountain Chalet Properties, Inc.**
Facility: Mountain Chalet Rentals
Location/Mailing Address: 129 Hilltop Drive
Tamassee, S.C. 29686
County: Oconee
Previous Orders: None
Permit/ID Number: 3770932
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(F)

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

Action: The Respondent is required to: submit to the Department an investigative report to determine the causes of the MCL exceedances and a corrective action plan to include proposed steps to address those causes; and, pay

a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

11) Order Type and Number: Consent Order 10-067-DW
Order Date: September 13, 2010
Respondent **Beulah Land Institute**
Facility: Beulah Land Farms
Location/Mailing Address: 116 Beulah Land Farm Road
Calhoun Falls, S.C. 29628
County: Abbeville
Previous Orders: None
Permit/ID Number: 0170912
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(F)

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

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL exceedances and a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

12) Order Type and Number: Consent Order 10-069-DW
Order Date: September 23, 2010
Respondent **Fountain Inn Simpsonville
Country Club, Inc. d.b.a. Fox Run
Country Club**
Facility: Fox Run Country Club
Location/Mailing Address: P.O. Box 545
Fountain Inn, S.C. 29644
County: Greenville
Previous Orders: None
Permit/ID Number: 2370875
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7

Summary: Fountain Inn Simpsonville Country Club, Inc. d.b.a. Fox Run Country Club (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and

maintain the PWS as follows: Well 1 and Well 2 had cracks on the sanitary seal; both well houses were not locked; electrical wiring was not in conduit; Well 2, which is classified as an emergency well, was being used to fill the pool; there was no valve maintenance program, flushing program, leak detection and repair program, system map, sample siting plan, or procedures manual available for review; and the discharge pipe on the storage tank was leaking.

Action: The Respondent is required to: connect to the Greenville Water System; submit a letter of intent for the use of Well 1 and Well 2; pay a civil penalty in the amount of one thousand two hundred seventy-five dollars (**\$1,275.00**); and, pay a stipulated penalty in the amount of three thousand eight hundred twenty-five dollars (\$3,825.00) should the Respondent fail to meet any requirement of the Order.

Water Pollution Enforcement

13)	<u>Order Type and Number:</u>	Consent Order 10-042-W
	<u>Order Date:</u>	September 7, 2010
	<u>Respondent:</u>	Chester Sewer District
	<u>Facilities:</u>	Rocky Creek WWTP Lab Lando-Manetta WWTP Lab
	<u>Location/Mailing Address:</u>	633 Ecology Lane, Chester, SC 29706/P.O. Box 550, Chester, SC 29706
	<u>County:</u>	Chester
	<u>Previous Orders:</u>	09-032-W (\$11,200.00)
	<u>Permit/ID Number:</u>	SC0036056; SC0001741
	<u>Violations Cited:</u>	24 S.C. Code Ann. Regs. 61- 9.122.41, (o)(1)(Supp. 2009).

Summary: The Chester Sewer District (Respondent) owns and is responsible for the proper operation and maintenance of three wastewater treatment plants (WWTPs) located in Chester County. The Respondent has violated the Water Pollution Control Permits Regulation by using uncertified laboratories at two of its three WWTPs to analyze specific effluent parameters believing it was authorized to do so under its certified laboratory number in the third wastewater treatment plant. An audit by Laboratory Certification personnel discovered the noncompliance.

Action: The Respondent is required to: arrange for all applicable samples to be analyzed at a properly certified lab prior to certification; submit copies of Quality Analysis and/or Quality Control (QA/QC) data and records generated from tests conducted at the uncertified labs during the time in question; and, pay a

civil penalty in the amount of three thousand four hundred sixty-two dollars (\$3,462.00).

- 14) Order Type and Number: Consent Order 10-043-W
Order Date: September 7, 2010
Respondent: **Town of Summerville/CPW**
Facility: Summerville WWTF
Location/Mailing Address: 135 W Richardson Ave,
Summerville, SC 29483/P.O. Box
817, Summerville, SC 29483
County: Dorchester
Previous Orders: None
Permit/ID Number: SC0037541
Violations Cited: S.C. Code Ann. §48-1-110(d) (Supp.
2008); and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(Supp. 2009).

Summary: The Town of Summerville (Respondent) owns and is responsible for the proper operation and maintenance of the Summerville Wastewater Treatment Facility. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to consistently comply with effluent limitations for ammonia-nitrogen (NH₃-N) during the months January through April 2010. Two (2) aerators in a major treatment component experienced unanticipated mechanical failure and replacement parts were not readily available. Emergency measures taken to mitigate the impact were ineffective for maintaining the effluent limit.

Action: The Respondent is required to: submit a corrective action plan revising standard operating procedures to prevent or mitigate effluent violations in the future; and, pay a civil penalty in the amount of three thousand one hundred forty-six dollars (\$3,146.00).

- 15) Order Type and Number: Consent Order 10-044-W
Order Date: September 7, 2010
Respondents: **York County and
Eagle Construction Company, Inc.**
Facility: Hwy 274 Project
Location/Mailing Address: Hwy 274, York, SC 29745/P.O. Box
148, Dalzell, SC 29745-0120
County: York
Previous Orders: York County 08-099-W (\$17,600)
Eagle Construction Co., Inc.
10-003-W (\$9,200.00); 06-175-W
(\$18,600.00)
Permit/ID Number: SCR10H391

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-90(a) (2008) and Water Pollution Control Permits, 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2009)

Summary: York County and Eagle Construction Company, Inc. (Respondents) are responsible for land disturbing activities associated with the Highway 274, road rehabilitation project located in York County. The Respondents have violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: The Respondent failed to install, operate, and maintain storm water, sediment and erosion control devices in accordance with the Department approved Site plan and, allowed the discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondents are required to: submit a report signed and stamped by a State Registered Professional Engineer, certifying the installation and proper operation and maintenance of all required storm water, sediment and erosion control devices; and, pay a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**).

16) Order Type and Number: Consent Order 10-045-W
Order Date: September 7, 2010
Respondent: **Radheshyam Enterprises, LLC**
Facility: Holiday Inn Express
Location/Mailing Address: 1387 Tiger Boulevard
Clemson, S.C. 29631
County: Pickens
Previous Orders: None
Permit/ID Number: SCR10G925
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-90(a) (2008) and Water Pollution Control Permits, 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2009)

Summary: Radheshyam Enterprises, LLC (Respondent), located in Pickens County, owns and is responsible for land disturbing activities associated with the construction of a Holiday Inn Express. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: The Respondent failed to install, operate, and maintain storm water, sediment and erosion control devices in accordance with the Department approved Site plan and, allowed the discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit a corrective action plan; submit a report signed and stamped by a State Registered Professional Engineer,

certifying the installation and proper operation and maintenance of all required storm water, sediment and erosion control devices; and, pay a civil penalty in the amount of fifteen thousand four hundred dollars (**\$15,400.00**).

- 17) Order Type and Number: Consent Order 10-046-W
Order Date: September 29, 2010
Respondent: **Town of St. Matthews**
Facility: South Plant
Location/Mailing Address: 1313 Bridge St., St. Matthews, SC
29135/P.O. Box 172
St. Matthews, S.C. 29135

County: Calhoun
Previous Orders: 06-069-W (\$8,000.00);
07-067-W (\$1,980.00)

Permit/ID Number: SC0037541
Violations Cited: S.C. Code Ann. §48-1-110(d) (Supp.
2008); and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(Supp. 2009).

Summary: The Town of St. Matthews (Respondent) owns and is responsible for the proper operation and maintenance of the South Plant wastewater treatment facility (WWTF) serving the residents and businesses of St. Matthews in Calhoun County. The Respondent failed to consistently comply with effluent limitations for fecal coliform during the months July through April 2009. The WWTF utilizes an Ultraviolet (UV) Disinfection System. The violations were attributed to an alarm malfunction and effluent turbidity. The use of aftermarket bulbs in the UV system and the bulb-cleaning regimen could have also been a factor.

Action: The Respondent is required to: submit a corrective action plan to include revising the Operations and Maintenance Manual to establish a regular schedule for cleaning and replacing the UV system bulbs; pay civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**); and, pay a suspended penalty in the amount of one thousand five hundred dollars (\$1,500.00) should the Respondent fail to meet any requirement of the Order.

- 18) Order Type and Number: Consent Order 10-047-W
Order Date: September 29, 2010
Respondent: **Town of Eastover**
Facility: Wastewater Collection System
Location/Mailing Address: 624 Main St., Eastover, SC
29044/P.O. Box 58
Eastover, SC 29044

County: Richland
Previous Orders: None

Permit/ID Number: SSS000016
Violations Cited: S.C. Code Ann. §§ 48-1-110(a)(1) & (3) (2008); S.C. Reg. 61-9.122.21 (a)(3) (Supp. 2009)

Summary: The Town of Eastover (Respondent) is responsible for the construction of a wastewater collection system (WWCS) that serves the residents located at Dowdy Street (Site #1) and Henry Street (Site #2), in the Town of Eastover. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: The Respondent constructed a WWCS not in accordance to the plans and specifications and, placed into operation the WWCS without approval from the Department.

Action: The Respondent is required to: complete a survey of the Dowdy and Henry Street WWCS at every third tap via excavation, to include photographic documentation of every third tap inspected and a summary of all deficiencies and corrections made; implement a tap moratorium until the survey has been completed; submit to the Department's Region 3- Columbia Office as-built plans of the WWCS, completed and stamped by a S.C. Registered Professional Engineer, certifying that the WWCS is complete and in accordance with the regulations; pay a civil penalty in the amount of five thousand dollars (\$5,000.00) in four installments of one thousand two hundred and fifty dollars \$1,250.00 each; and, pay a suspended penalty in the amount of five thousand eight hundred dollars (\$5,800.00) should the Respondent fail to meet any requirement of the Order.

BUREAU OF AIR QUALITY

19) Order Type and Number: Consent Order 10-055-A
Order Date: September 7, 2010
Respondent: **Coastal Structures Corporation**
Facility: Coastal Structures Corporation
Location/Mailing Address: 4293 Highmarket Street
Georgetown, S.C. 29440
County: Georgetown
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145, South Carolina Air Pollution Control Regulation 61-86.1.

Summary: Coastal Structures, Corporation (Respondent) is a commercial construction company located at 4293 Highmarket Street, in Georgetown, South Carolina. The Respondent violated US EPA 40 Regulations and South Carolina Air Pollution Control Regulations as follows: failure to perform an asbestos building inspection on a regulated structure prior to beginning demolition

activities; failure to submit a Demolition Project license application to the Department; and, failure to pay applicable fees for a Demolition Project license before performing a demolition to a regulated structure.

Action: The Respondent is required to: perform an asbestos building inspection prior to beginning demolition activities; submit an application for a Department Demolition Project license; pay all applicable fees to the Department; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

20) Order Type and Number: Consent Order 10-056-A
Order Date: September 17, 2010
Respondent: **Mr. Jimmy McNair d/b/a Cricket Grading & Landscaping**
Facility: Mr. Jimmy McNair d/b/a Cricket Grading & Landscaping
Location/Mailing Address: 879 Campground Road
Spartanburg, S.C. 29303
County: Spartanburg
Previous Orders: 09-006-A (\$1,400.00)
Permit/ID Number: N/A
Violations Cited: U.S. EPA Regulations at 40 CFR 61 - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standard For Asbestos (Subpart M), and South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects (Department Asbestos Regulations), and Consent Order 09-006-A (Order).

Summary: Mr. Jimmy McNair d/b/a Cricket Grading & Landscaping (Respondent) is a grading, landscaping, and demolition contractor located in Spartanburg, South Carolina. The Respondent violated U.S. EPA Regulations, Department Asbestos Regulations, and Consent Order 09-006-A as follows: failure to thoroughly inspect three regulated structures for the presence of asbestos-containing materials (ACM) prior to commencement of demolition; failure to apply for and obtain asbestos project licenses for two demolitions and a regulated asbestos abatement project; failure to ensure that the required work practice requirements were adhered to for an asbestos project involving regulated ACM (RACM), including but not limited to wetting, proper removal, and disposal of RACM; and failure to use workers properly licensed by the Department to perform a regulated asbestos project.

Action: The Respondent is required to: ensure that a Department-licensed asbestos building inspector performs an asbestos survey prior to commencement of any demolition project or an asbestos project involving ACM; submit the required notifications and obtain an asbestos project license from the Department prior to beginning any regulated demolition project; not engage in any asbestos

projects involving RACM, unless he obtains the proper licenses from the Department, uses workers properly licensed by the Department to perform a regulated asbestos project, and adheres to the required work practices; and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**) in 12 equal installments.

21) Order Type and Number: Consent Order 10-057-A
Order Date: September 17, 2010
Respondent: **Lockamy Scrap Metal, Inc.**
Facility: Lockamy Scrap Metal, Inc.
Location/Mailing Address: 1324 Smith Street
Dillon, S.C. 29536
County: Dillon
Previous Orders: N/A
Permit/ID Number: 0880-0007
Violations Cited: S.C. Code Ann. § 48-1-110(d) and South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning

Summary: Lockamy Scrap Metal, Inc. (Respondent) is a scrap automobile processing facility in Dillon, South Carolina. The Department issued Conditional Major Air Quality Operating Permit CM-0880-0007 to the Respondent, effective April 1, 2008. The Respondent violated the Pollution Control Act and State Air Pollution Control Regulations by burning materials prohibited by the regulation, specifically copper wire and insulation.

Action: The Respondent is required to cease open burning, except as in compliance with South Carolina Air Pollution Control Regulation 61-62.2; and pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**).

22) Order Type and Number: Consent Order 10-058-A
Order Date: September 17, 2010
Respondent: **Tyler Construction Group, Inc.**
Facility: USC Rutledge College Chapel
Location/Mailing Address: 728 Pickens St., Columbia, SC
29201/433 Rabon Road, Columbia,
SC 29223
County: Richland
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA Regulations 40 CFR Part 61.145 and 61.150; and South Carolina Air Pollution Control Regulation 61-86.1, Sections V, VIII, and X.

Summary: Tyler Construction Group, Inc. (Respondent), located in Columbia, South Carolina, is a general construction contractor. The Respondent violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failed to ensure that a building inspection was performed prior to beginning renovation activities; failed to submit a written notice of intent to renovate to the Department; failed to ensure that all asbestos-containing materials were removed in accordance with the applicable work practice requirements; failed to ensure that all asbestos-containing materials were properly disposed of; failed to obtain a Department-issued asbestos project license prior to beginning a renovation project; and, failed to use workers licensed by the Department while engaged in an asbestos project.

Action: The Respondent is required to: ensure that a building inspection is performed prior to engaging in any future renovation or demolition operations; submit all applicable notifications to the Department in accordance with the state and federal regulations; ensure that required Department-issued licenses are obtained prior to engaging in an asbestos project; cease all projects unless licensed by the Department to do so; and, pay a civil penalty in the amount of eleven thousand dollars (**\$11,000.00**).

23) Order Type and Number: Consent Order 10-059-A
Order Date: September 30, 2010
Respondent: **SantoLubes Manufacturing LLC
d/b/a Blackman Uhler Specialties**
Facility: SantoLubes Manufacturing LLC
d/b/a Blackman Uhler Specialties
Location/Mailing Address: 2155 West Croft Circle
Spartanburg, SC 29304
County: Spartanburg
Previous Orders: 10-036-A (\$4,000.00)
Permit/ID Number: 2060-0029
Violations Cited: U.S. EPA Regulations at 40 CFR 68,
and South Carolina Air Pollution Control Regulation 61-62.68, Chemical
Accident Prevention Provisions (112r Regulations).

Summary: SantoLubes Manufacturing LLC d/b/a Blackman Uhler Specialties (Respondent), manufactures specialty organic chemicals, and is located in Spartanburg, South Carolina. The Respondent violated the US EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failure to use the most recent Census data or other updated information, during its 2005 off-site consequence analysis, to estimate the population potentially affected by an accidental release of regulated chemicals; failure to review and update the offsite consequence analysis at least once every five years using the appropriate population; and failure to retain its 2001 process hazard analysis (PHA) and

updates or revalidations for each process covered by this section in 2001, as well as the documented resolution of recommendations from the 2001 PHA.

Action: The Respondent is required to: maintain the risk management program in accordance with the requirements of the 112(r) Regulations; and pay a civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**).

24) Order Type and Number: Consent Order 10-060-A
Order Date: September 30, 2010
Respondent: **Town of Chesterfield**
Facility: Town of Chesterfield
Location/Mailing Address: 112 Main St., Chesterfield, SC
29709/P.O. Box 350
Chesterfield, SC 29709
County: Chesterfield
Previous Orders: N/A
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning

Summary: The Town of Chesterfield (Respondent) is a municipality located within Chesterfield County, South Carolina. The Respondent violated State Air Pollution Control Regulations by burning vegetative material that originated off site and by burning materials prohibited by the regulation.

Action: The Respondent is required to: cease open burning, except as in compliance with South Carolina Air Pollution Control Regulation 61-62.2; and pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

25) Order Type and Number: Consent Order 10-061-A
Order Date: September 29, 2010
Respondent: **Knights Concrete Products, Inc.**
Facility: Knights Redi Mix Jedburg Plant &
Knights Redi Mix Summerville Plant
Location/Mailing Address: 480 Hodge Road
Summerville, SC 29483/
PO Box 3408
Summerville, SC 29484
County: Dorchester
Previous Orders: N/A
Permit/ID Number: 9900-0516
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning and S.C. Code Ann.
Section 48-1-110(d)

Summary: Knights Concrete Products, Inc (Respondent) operates several concrete batch plants in South Carolina. The Department issued State Air Quality Permit 9900-0516 to the Respondent, effective February 16, 2008. The Respondent violated South Carolina Air Pollution Control Regulations, Pollution Control Act, and its Permit, as follows: allowed materials to be burned other than those allowed by the regulations; failed to document visible emissions checks performed on the baghouse system's exhaust during loading of the cement and flyash silo; and failed to document weekly inspections of the truck load-out operations, as required by its permit.

Action: The Respondent is required to: cease open burning except in accordance with the regulations; comply with all recordkeeping requirements, as required by its Department-issued permits; and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).