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**South Carolina Board of Health and Environmental Control
October 12, 2017**

Call to Order – 10:00 a.m., Board Room (#3420)
South Carolina Department of Health and Environmental Control, 2600 Bull Street,
Columbia, S.C.

1. Minutes of the September 7, 2017 meeting
2. Administrative Orders, Consent Orders and Sanction Letters issued by Health Regulation
3. Administrative Orders, Consent Orders and Consent Agreements issued by Environmental Affairs
4. Approval of two new members for Hospital Infection Disclosure Act (HIDA) Advisory Committee
5. Notice of Proposed Regulation amending R.61-63, Radioactive Materials (Title A), Legislative review is not required
6. Agency Affairs

Executive Session (if needed)

Adjournment

Note: The next scheduled meeting is November 9.

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

October 12, 2017

() ACTION/DECISION

(X) INFORMATION

- I. TITLE:** Health Regulation Administrative and Consent Orders.
- II. SUBJECT:** Health Regulation Administrative Orders, Consent Orders, and Emergency Suspension Orders for the period of August 1, 2017, through August 31, 2017.
- III. FACTS:** For the period of August 1, 2017, through August 31, 2017, Health Regulation reports four (4) Consent Orders, and one (1) Emergency Suspension Order with a total of thirty-nine thousand six hundred dollars (\$39,600) in assessed monetary penalties.

Health Regulation Bureau	Health Care Facility, Provider, or Equipment	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Health Facilities Licensing	Community Residential Care Facility	0	2	0	\$16,600
Radiological Health	X-Ray Vendor	0	1	0	\$22,000
EMS & Trauma	Paramedic	0	0	1	\$0
	Ambulance Services Provider	0	1	0	\$1000
TOTAL		0	4	1	\$39,600

Approved By:



 Shelly Bezanon Kelly
 Director of Health Regulation

HEALTH REGULATION ENFORCEMENT REPORT
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

October 12, 2017

Bureau of Health Facilities Licensing

Facility Type	Total # of Beds or Participants	Total # of Licensed Facilities in South Carolina
Community Residential Care Facility	19,118	479

1. Reid’s Residential Care Facility (CRCF) – Wellford, SC

Investigation: The Department visited Reid’s Residential Care Facility (“Reid’s”) on August 10, 2016, to conduct a complaint investigation, August 24, 2016, to conduct a general and food and sanitation inspection, February 14, 2017, to conduct a follow-up inspection, and March 13, 2017, to conduct a complaint investigation.

Violations: Based upon the inspections, the Department cited Reid’s for twenty-one (21) violations of Regulation 61-84, Standards for Licensing Community Residential Care Facilities. Specifically, Reid’s was cited one (1) time for violating Section 103.G.1, for failing to have the facility’s license posted in a conspicuous place in a public area of the facility; one (1) time for violating Section 501.A, for failing to have documentation of criminal background checks prior to employment for two (2) staff members; nine (9) times for violating Section 504.A, for failing to have documentation of all required inservice training; one (1) time for violating Section 505.A, for failing to have documentation of a health assessment for two (2) staff members; one (1) time for violating Section 701.B.2, for failing to have documentation of physician orders for medications being administered to four (4) residents; one (1) time for violating Section 703.A, for failing to update and revise a resident’s ICP; one (1) time for violating Section 1101.A, for failing to have documentation of current annual physical examinations for five (5) residents; one (1) time for violating Section 1206.A, for failing to properly store medications; two (2) times for violating Section 1206.C, for failing to maintain required controlled substance documentation; one (1) time for violating Section 1301.A, for failing to maintain compliance with Regulation 61-25, *Retail Food Establishments*; one (1) time for violating Section 2501.B, by failing to maintain required temperatures in resident areas; and one (1) time for violating Section 2602.A.1, for failing maintain required bedding for residents.

Enforcement Action: Pursuant to the Consent Order executed August 25, 2017, the Department assessed a ten thousand two hundred dollar (\$10,200) monetary penalty against Reid’s. A term of the Consent Order required Reid’s to pay five thousand dollars (\$5,000) of the assessed penalty in four (4) consecutive monthly payments. The first payment is due within thirty (30) days of execution of the Consent Order. The remaining balance of the assessed monetary penalty will be stayed upon a six (6) month period of substantial compliance with Regulation 61-84 and the terms of the Consent Order. Finally, pursuant to the terms of the Consent Order, Reid’s agreed to attend a compliance assistance meeting with the Department within forty-five (45) days of execution of the Consent Order.

Prior Sanctions: On April 3, 2014, the Department executed Consent Order CO-HL-02-2014 assessing a thirty-one thousand five hundred dollar (\$31,500) monetary penalty against Reid’s for violations of R.61-84. The Consent Order required Reid’s to make payment of four thousand eight hundred dollars (\$4,800) of the assessed penalty in monthly installments. The remainder of the assessed penalty was held in

abeyance pending Reid’s substantial compliance with R.61-84 and the Consent Order for twelve (12) months.

2. Brookdale Charleston (CRCF) – Charleston, SC

Investigation: The Department visited Brookdale Charleston (“Brookdale”) on July 28, 2016, and February 9, 2017, to conduct complaint investigations, March 1, 2017, to conduct a general inspection, and March 16, 2017, to conduct a fire and life safety inspection.

Violations: Based upon the inspections, the Department cited Brookdale for eleven (11) violations of Regulation 61-84, Standards for Licensing Community Residential Care Facilities. Specifically, Brookdale was cited one (1) time for violating Section 401, for failing to implement its written policy and procedure regarding performing nightly checks; one (1) time for violating Section 503.B.3, for failing to maintain required staffing levels on each floor at all times residents were present; two (2) times for violating Section 703.A, for failing to maintain ICPs; one (1) time for violating Section 1203.C.1, for failing to ensure that self-administered medications were being given upon specific physician orders; one (1) time for violating Section 1203.F, for failing to maintain documentation of MAR reviews; one (1) time for violating Section 1205.B, for failing to maintain residents’ medications in original containers; one (1) time for violating Section 1205.C, for failing to attach updated labels to medications when adjusted by orders from a physician; one (1) time for violating Section 1206.A, for storing discontinued medications with a resident’s current medications; one (1) time for violating Section 1601, for failing to keep equipment and building components in good repair and operating condition; and one (1) time for violating Section 1703.B.2, for failing to keep the facility grounds free of overgrown landscaping and other potential breeding sources for vermin.

Enforcement Action: Pursuant to the Consent Order executed August 18, 2017, the Department assessed a six thousand four hundred dollar (\$6,400) monetary penalty against Brookdale, due within thirty (30) days of execution of the Consent Order. The assessed penalty was received August 23, 2017.

Prior Sanctions: None.

Bureau of Radiological Health

Facility Type	Total # of Registered Vendors in South Carolina
X-Ray Vendors	353

3. X-Ray of Greenville, Inc. (Vendor) – Greer, SC

Investigation: X-Ray of Greenville, Inc. (“Vendor”) is registered with the Department as a vendor authorized to install and service x-ray equipment in South Carolina. As such, Vendor is authorized to perform equipment testing on x-ray equipment in South Carolina. While conducting routine inspections for three (3) different facilities where Vendor had performed equipment testing, Department inspectors discovered falsified data on equipment performance tests. During the May 1, 2017, enforcement conference, Vendor admitted to falsifying test data at the three (3) facilities. This includes raw data on equipment performance tests observed on the aforementioned inspections conducted on October 12, 2016, October 27, 2016, and November 29, 2016.

Violations: Based upon the foregoing facts, the Department finds Vendor in violation of RHB 1.12.2 on October 12, 2016, October 27, 2016, and November 29, 2016, by falsifying data regarding equipment performance testing.

Enforcement Action: By Consent Order executed June 30, 2017, Vendor agreed to the imposition of a twenty-two thousand dollar (\$22,000) civil penalty. The Consent Order requires Vendor to make payment of five thousand five hundred dollars (\$5,500) of the civil penalty with six (6) consecutive monthly payments, the first being due within thirty (30) days of execution of the Consent Order. The remaining sixteen thousand five hundred dollars (\$16,500) will be stayed upon substantial compliance with Regulation 61-64 and the terms of the Consent Order. Finally, Vendor agreed to ensure that all violations of R.61-64 are not repeated. The assessed civil penalty has been paid.

Prior Sanctions: None.

Bureau of EMS & Trauma

EMS Provider Type	Total # of Providers in South Carolina
EMT	5,960
Advanced EMT	381
Paramedic	3,693
Athletic Trainers	949
Ambulance Services Provider	261
First Responder Services Provider	2

4. Corbin R. Loflin (Paramedic)

Investigation: On August 1, 2017, the Department was notified of Mr. Loflin's arrest in Onslow County, North Carolina. Upon notification, the Department initiated an investigation into the matter. The Department discovered that Mr. Loflin was arrested on May 11, 2017, and charged with three (3) counts of obtaining controlled substances through the use of legal prescriptions which have been obtained by the knowing and willful misrepresentation to or by the intentional withholding of information from one or more practitioners.

Violations: The charges against Mr. Loflin, specifically, three (3) counts of obtaining controlled substances through the use of legal prescriptions which have been obtained by the knowing and willful misrepresentation to or by the intentional withholding of information from one or more practitioners, is a felony involving drugs. The Department found that Mr. Loflin's arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust. The Department determines that a clear and present danger would exist to the public health, safety, and welfare if Mr. Loflin's Paramedic certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Loflin's Paramedic certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed August 18, 2017. The Department will continue to monitor Mr. Loflin's criminal matters.

Prior Sanctions: None.

5. Regional Ambulance Service, Inc. (Ambulance Services Provider)

Investigation: On September 27, 2016, Regional Ambulance Service, Inc. (“Regional”) notified the Department that it had an employee with a valid National Registry of Emergency Medical Technicians (“NREMT”) certification, but did not have a South Carolina EMT certification. As a result of its investigation, the Department determined the employee performed patient care within the scope of an EMT on fifty (50) ambulance runs while working for Regional from September 21, 2016, to October 17, 2016, during which she was uncertified as a South Carolina EMT.

Violations: The Department found Regional violated S.C. Code Sections 44-61-70(B)(1) and -80(A), and Section 901.A of Regulation 61-7 by allowing an uncertified person to perform patient care within the scope of an EMT. Specifically, while working for Regional, an uncertified person performed patient care within the scope of an EMT on fifty (50) ambulance runs.

Enforcement Action: Pursuant to the terms of the Consent Order executed August 1, 2017, Regional agreed to the assessment of a one thousand dollar (\$1,000) monetary penalty. Regional further agreed to make payment of five hundred dollars (\$500) of the assessed monetary penalty within ninety (90) days of execution of the Consent Order. The remainder of the assessed monetary penalty shall be held in abeyance for twenty-four (24) months following execution of the Consent Order. Finally, Regional agreed to have its training officer present to all EMT-certified personnel currently employed by Regional a minimum one (1) hour training presentation covering the process, procedures, and paperwork necessary for a candidate to obtain his or her NREMT and South Carolina EMT certifications. Pursuant to the terms of the Consent Order, Regional shall submit a copy of rosters of personnel trained with this presentation to the Department within one hundred twenty (120) days of execution of the Consent Order.

Prior Sanctions: None.

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
October 12, 2017

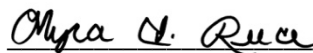
_____ ACTION/DECISION

 X INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by Environmental Quality Control (EQC) and Ocean and Coastal Resource Management (OCRM) during the period August 1, 2017 – August 31, 2017.
3. **FACTS:** For the period of August 1, 2017 through August 31, 2017, Environmental Affairs issued seventy-nine (79) Consent Orders with total assessed civil penalties in the amount of \$123,895.00. Four (4) Administrative Orders were issued during the reporting period with total assessed civil penalties in the amount of \$26,450.00. Also, four (4) Consent Agreements were issued during the reporting period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Agreements	Consent Orders	Assessed Penalties
Land and Waste Management					
UST Program	3	\$25,450.00	0	1	\$1,000.00
Aboveground Tanks	0	0	0	0	0
Solid Waste	0	0	0	0	0
Hazardous Waste	0	0	0	1	\$15,000.00
Infectious Waste	0	0	0	0	0
Mining	0	0	0	0	0
SUBTOTAL	3	\$25,450.00	0	2	\$16,000.00
Water					
Recreational Water	0	0	0	22	\$15,075.00
Drinking Water	0	0	0	6	\$1,000.00
Water Pollution	0	0	0	5	\$19,920.00
Dam Safety	0	0	4	0	0
SUBTOTAL	0	0	4	33	\$35,995.00
Air Quality					
SUBTOTAL	0	0	0	4	\$28,500.00
Environmental Health Services					
Food Safety	1	\$1,000.00	0	39	\$43,400.00
Onsite Wastewater	0	0	0	1	0
SUBTOTAL	1	\$1,000.00	0	40	\$43,400.00
OCRM					
SUBTOTAL	0	0	0	0	0
TOTAL	4	\$26,450.00	4	79	\$123,895.00

Submitted by:



Myra C. Reece
Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
October 12, 2017**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 14-0176-UST
 Order Date: August 3, 2017
 Individual/Entity: **Sanjay and 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: None
 Permit/ID Number: 17398
 Violations Cited: The State Underground Petroleum Environmental
 Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 *et seq.* (2002 and
 Supp. 2014); and South Carolina Underground Storage Tank Control Regulation, 7 S.C.
 Code Ann. Regs. 61-92.280.65(a) and (b) (2012).

Summary: Sanjay and Ulka Patel (Individual/Entity), located in Myrtle Beach, South Carolina, own and operate underground storage tanks. The Department issued a Notice of Alleged Violation on July 31, 2014, because a Quality Assurance Project Plan (QAPP) and subsequent Tier I Assessment Report had not been submitted to the Department. The Individual/Entity has violated the SUPERB Act and Underground Storage Tank Regulations, Section 280.65 as follows: failed to determine the extent of a release in accordance with a schedule established by the Department.

Action: The Individual/Entity is required to: submit a QAPP for a Tier I Assessment; submit a Tier I Assessment Report upon the Department's approval of the QAPP; and pay a civil penalty in the amount of fourteen thousand, two hundred fifty dollars **(\$14,250.00)**.

- 2) Order Type and Number: Administrative Order 16-0284-UST
 Order Date: August 3, 2017
 Individual/Entity: **Frank McGuire, Jr.**
 Facility: Express Mart
 Location: 1025 Pole Branch Road
 Clover, SC 29710
 Mailing Address: P.O. Box 37599
 Rock Hill, SC 29732

 County: York
 Previous Orders: 15-0076-UST (\$2,650.00)
 Permit/ID Number: 17835
 Violations Cited: The State Underground Petroleum Environmental
 Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 *et seq.* (2002 and
 Supp. 2014); and South Carolina Underground Storage Tank Control Regulation, 7 S.C.
 Code Ann. Regs. 61-92.280.20(e), 280.31(a), 280.34, 280.34(c), 280.35(e), (f), (g), and
 (h), 280.40(a), 280.41(b)(1)(ii), 280.43(d), and 280.44(a) (2012).

Summary: Frank McGuire, Jr. (Individual/Entity), located in Clover, South Carolina, owns and operates underground storage tanks. The Department conducted a routine inspection on November 13, 2015, and issued a Notice of Alleged Violation. On August 4, 2016, the Department conducted a file review and issued a Notice of Alleged because annual tank registration fees for fiscal year 2017 had not been paid. The Individual/Entity has violated the SUPERB Act and Underground Storage Tank Regulations, as follows: failed to install piping in accordance with industry standards; failed to maintain continuous corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances and are in contact with the ground; failed to provide records to the Department upon request and failed to cooperate fully with inspections; failed to physically visit each facility monthly and quarterly, and failed to train and designate a list of C operators; failed to provide adequate release detection methods; failed to conduct annual line tightness test or have monthly monitoring; failed to conduct release detection using an automatic tank gauge; failed to conduct annual line leak detector function check; and, failed to pay annual tank registration fees for fiscal year 2017.

Action: The Individual/Entity is required to: submit current tank tightness, line tightness, and line leak detector test results; submit proof that shear valves in dispensers are properly installed; submit proof that vent lines are the correct height; submit proof that metal in STP sumps is protected from corrosion; submit an A/B Operator log; submit a list of C operators; pay annual tank registration fees for fiscal year 2017 in the amount of six hundred five dollars; and pay a civil penalty in the amount of ten thousand, six hundred dollars **(\$10,600.00)**.

3) Order Type and Number: Administrative Order 16-0280-UST
 Order Date: August 15, 2017
 Individual/Entity: **Richmond Halls**
 Facility: Halls of Cross Trucking
 Location: 730 County Line Road
 Cross, SC 29436
 Mailing Address: Same
 County: Orangeburg
 Previous Orders: 16-0101-UST (\$3,650.00)
 15-0064-UST (\$3,500.00)
 Permit/ID Number: 14971
 Violations Cited: The State Underground Petroleum Environmental
 Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 *et seq.* (2002 and
 Supp. 2014).

Summary: Richmond Halls (Individual/Entity), located in Cross, South Carolina, owns underground storage tanks. The Department conducted a file review on August 4, 2016, and issued a Notice of Alleged Violation annual tank registration fees for fiscal year 2017 had not been paid. The Individual/Entity has violated the SUPERB Act, as follows: failed to pay annual tank registration fees for fiscal year 2017.

Action: The Individual/Entity is required to: pay annual tank registration fees for fiscal year 2017 in the amount of six hundred five dollars; and pay a civil penalty in the amount of six hundred dollars **(\$600.00)**.

- 4) Order Type and Number: Consent Order 17-0152-UST
Order Date: August 8, 2017
Individual/Entity: **Circle K Stores Inc.**
Facility: Circle K 2723693
Location: 1190 Remount Road
North Charleston, SC 29406
Mailing Address: 2550 West Tyvola Road, Suite 200
Charlotte, NC 28217
County: Charleston
Previous Orders: None
Permit/ID Number: 19062
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 *et seq.* (2002 and Supp. 2014); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann. Regs. 61-92.280.20(c)(1)(ii) (2012).

Summary: Circle K Stores Inc. (Individual/Entity), located in North Charleston, South Carolina, owns and operates underground storage tanks. On June 13, 2017, the Department conducted a routine inspection and issued a Notice of Alleged Violation because there was a stick in the drop tube shutoff valve on the diesel tank. The stick was removed while the Department's inspector was onsite. The Individual/Entity has violated the SUPERB Act and the SC Underground Storage Tank Regulations, as follows: failed to maintain overfill prevention equipment.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)**.

Hazardous Waste Enforcement

- 5) Order Type and Number: Consent Order 17-20-HW
Order Date: August 10, 2017
Individual/Entity: **Atotech USA, LLC**
Facility: Atotech USA, LLC
Location: 1750 Overview Drive
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: SCR 000 003 806
Violations Cited: The South Carolina Hazardous Waste Management Act S.C. Code Ann. §44-56-130(2) *et seq.* (2002); The South Carolina Hazardous Waste Management Regulations, 6 and 7 S.C. Code Ann. Regs. 61-79.262.11(c)(1), R.61-79.262.11, R.61-79.262.34(b), R.61-79.262.34(c)(1)(i)/R.61-79.265.173(a), R.61-79.262.34(a)(1)(i)/R.61-79.265.174, R.61-79.262.34(a)(4)/R.61-79.265.31, and R.61-79.262.90 (2012 and Supp. 2016)

Summary: Atotech USA, LLC (Individual/Entity) operates a facility in Rock Hill, South Carolina. On January 12, 2017, the Department conducted an inspection of the facility. The Individual/Entity has violated the Hazardous Waste Management Regulations as follows: failed to accurately determine if a waste is a hazardous waste by testing the waste in accordance with the methods set forth in Subpart C of R.61.79.261; failed to accurately determine if a waste is a hazardous waste; stored waste onsite for greater than 90 days without receiving an extension of the 90-day period; failed to ensure that a container holding hazardous waste is closed except when

necessary to add or remove waste; failed to maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to the air, soil, or surface water which could threaten human health or the environment; and, failed to clean up any hazardous waste discharge that occurs during generation or processing or storage and take other such action as required so that the hazardous waste discharge no longer presents a hazard to human health or the environment.

Action: The Individual/Entity is required to: ensure that hazardous waste determination is made on all solid waste; ensure that hazardous waste containers are managed in accordance with the regulations; ensure that hazardous waste discharges are managed in accordance with the regulations; and, pay a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**).

BUREAU OF WATER

Recreational Water Enforcement

6) <u>Order Type and Number:</u>	Consent Order 17-093-RW
<u>Order Date:</u>	August 1, 2017
<u>Individual/Entity:</u>	Southern Pines Apartments, LLC
<u>Facility:</u>	Southern Pines Apartments
<u>Location:</u>	350 Bryant Road Spartanburg, SC 29303
<u>Mailing Address:</u>	Same
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	14-111-RW (\$1,600.00)
<u>Permit/ID Number:</u>	42-076-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Southern Pines Apartments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 27, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to properly space the lifeline floats; a ladder was missing bumpers; the drinking water fountain was not operating properly; the foot rinse shower was not operating properly; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the main drain grates were not visible due to cloudy water; the facility address was not posted at the emergency notification device; and one of the "No Lifeguard On Duty - Swim At Your Own Risk" signs did not have the correct wording.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The Individual/Entity submitted a corrective action plan and corrected the deficiencies.

7) Order Type and Number: Consent Order 17-094-RW
Order Date: August 2, 2017
Individual/Entity: **Raghuvans Hospitality, LLC**
Facility: Quality Inn & Suites
Location: 8929 Bass Drive
 Santee, SC 29142
Mailing Address: 8929 Old Number Six Highway
 Santee, SC 29142
County: Orangeburg
Previous Orders: None
Permit/ID Number: 38-028-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Raghuvans Hospitality, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 28, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the skimmer lids were missing; there was no foot rinse shower; there was no drinking water fountain; the pump room was not accessible; the facility could not produce a current Vac-Alert certification; the chlorine level was not within the acceptable range of water quality standards; the main drain grates were not visible; the life ring did not have a permanently attached rope, and was not located in the designated location; the facility address was not posted at the emergency notification device, and the emergency notification device was not operating properly; the pool rules sign was obstructed and was not completely filled out; the "No Lifeguard On Duty – Swim At Your Own Risk" signs did not have the appropriate sized lettering, and the signs were cracked; and the current pool operator of record information was not posted to the public.

Action: The Individual/Entity is required to: submit a copy of the current Vac-Alert certification; and pay a civil penalty in the amount of three hundred forty dollars **(\$340.00)**.

8) Order Type and Number: Consent Order 17-087-RW
Order Date: August 4, 2017
Individual/Entity: **Shree Krishna of Orangeburg, Inc.**
Facility: Town Terrace Inn
Location: 830 Five Chop Road
 Orangeburg, SC 29115
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit/ID Number: 38-008-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)(10)

Summary: Shree Krishna of Orangeburg, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 20, 2017, the Individual/Entity contacted Department staff to report an accidental drowning that occurred at the pool on June 2, 2017. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to report to the Department in writing, on a Department approved form, any death, injury, or accident requiring an EMS response, emergency room visit, or hospitalization within seventy-two hours of the occurrence.

Action: The Individual/Entity is required to: submit an incident report of the accidental drowning on a Department approved form; and pay a civil penalty in the amount of three hundred forty dollars **(\$340.00)**. The civil penalty has been paid.

9) Order Type and Number: Consent Order 17-096-RW
Order Date: August 4, 2017
Individual/Entity: **Erskine College**
Facility: Erskine College
Location: 7 Depot Street
Due West, SC 29639
Mailing Address: Same
County: Abbeville
Previous Orders: None
Permit/ID Number: 01-1003B
Violations Cited: S.C. Code Ann. Regs. 61-51(B)(2) & 61-51(B)(6)

Summary: Erskine College (Individual/Entity) owns and is responsible for the proper construction, installation, and operation of a pool. On May 17, 2017, the pool was inspected and it was determined that construction of the pool had commenced prior to obtaining a construction permit from the Department; and, on June 21, 2017, the pool was inspected and it was discovered the piping at the Pool had been covered prior to receiving a piping inspection. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to obtain a permit to construct prior to the construction of a public swimming pool; and failed to schedule a piping inspection by the Department prior to covering piping installed at a public swimming pool.

Action: The Individual/Entity is required to: complete construction of the pool in accordance with the construction permit; and pay a civil penalty in the amount of seven hundred dollars **(\$700.00)**.

10) Order Type and Number: Consent Order 17-095-RW
Order Date: August 8, 2017
Individual/Entity: **SMH, LLC**
Facility: Comfort Suites
Location: 325 West Main Street
Lexington, SC 29072
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 32-1066B
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: SMH, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 24, 2017, and June 20, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain; and, on July 3, 2017, the pool was inspected and a violation was issued for re-opening prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; the bound and numbered log book was not maintained on a daily basis and was not maintained a minimum of three times per week by the pool operator of record; the plaster on the pool floor was chipped; there was standing water on the deck; the recirculation system was not operating properly; and the pool was operating prior to receiving Department approval.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of nine hundred thirty-five dollars **(\$935.00)**. On July 3, 2017, a follow-up inspection was conducted and it was determined that all of the deficiencies had been corrected.

11)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u> <u>Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u> <u>Violations Cited:</u>	Consent Order 17-097-RW August 8, 2017 Sunshine Grand, Inc. Econo Lodge Inn & Suites 31 Berkshire Drive Columbia, SC 29223 Same Richland None 40-250-1 S.C. Code Ann. Regs. 61-51(J)
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Summary: Sunshine Grand, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 28, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the depth marker tiles were faded; some of the water line tiles were loose; the pool floor and walls were dirty; the deck was not clean and clear of hazards; the pool furniture was not at least four feet from the edge of the pool; the shepherd's crook handle was not the approved length; there was no emergency notification device; the pool rules sign was not completely filled out; there were no "Shallow Water – No Diving Allowed" signs; there were no "No Lifeguard on Duty – Swim at Your Own Risk" signs; the facility could not produce current valid documentation of pool operator certification; the bound and numbered log book was not maintained on a daily basis and was not maintained a minimum of three times per week by the pool operator of record; and the pool equipment piping was leaking.

Action: The Individual/Entity is required to: keep the pool closed until the deficiencies have been corrected; submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of three hundred forty dollars **(\$340.00)**. The civil penalty has been paid.

12)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u> <u>Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u> <u>Violations Cited:</u>	Consent Order 17-098-RW August 8, 2017 Dathon Reynolds, Individually and d.b.a. Governor's Run Golf Club Governor's Run Golf Club 655 Club Drive Lamar, SC 29069 Same Darlington None 16-012-1 S.C. Code Ann. Regs. 61-51(J)
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Summary: Dathon Reynolds, Individually and d.b.a. Governor's Run Golf Club (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 31, 2017, and June 22, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not properly spaced on the first inspection and they were damaged on the second inspection; there was no drinking water fountain; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was obstructed; the "Shallow Water – No Diving Allowed" signs did not have the correct wording and appropriate sized lettering; the "No Lifeguard on Duty – Swim at Your Own Risk" signs did not have the correct wording and appropriate sized lettering; the bound and numbered log book was not available for

review on the first inspection and it was not maintained on a daily basis on the second inspection; the pool floor was dirty; and the pool furniture was not at least four feet from the edge of the pool.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The civil penalty has been paid.

13) Order Type and Number: Consent Order 17-099-RW
Order Date: August 8, 2017
Individual/Entity: **Greenville Hotel Partners, Inc.**
Facility: Comfort Inn & Suites
Location: 831 Congaree Road
Greenville, SC 29607
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-354-1
Violations Cited: S.C. Code Ann. Regs. 61-51(C)

Summary: Greenville Hotel Partners, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 19, 2017, the pool was inspected and a violation was issued for failure to provide a drinking water fountain within fifty feet of the pool. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: there was no drinking water fountain provided at a public swimming pool.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiency; and pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). The civil penalty has been paid.

14) Order Type and Number: Consent Order 17-100-RW
Order Date: August 11, 2017
Individual/Entity: **Meadow Lakes II Homeowners Association, Inc.**
Facility: Meadow Lakes II
Location: 1408 Jack White Road
Rock Hill, SC 29730
Mailing Address: 1668 Cunningham Drive
Rock Hill, SC 29730
County: York
Previous Orders: None
Permit/ID Number: 46-109-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Meadow Lakes II Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 31, 2017, and June 27, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; a ladder was not tight and secure and was missing the bumpers; the skimmers were missing the weirs and the skimmer baskets were floating; the foot rinse shower was not operating properly; there were chlorine pucks in the skimmer baskets; there was no life ring; the pool rules sign did not have all of the required rules; the "Shallow Water – No Diving Allowed" signs did not have the appropriate sized lettering; the "No Lifeguard On Duty – Swim At Your Own Risk" signs did not have the appropriate sized lettering; the facility could not produce

current valid documentation of pool operator certification, and the current pool operator of record information was not posted to the public; and the bound and numbered log book had entries filled in in advance.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

15) Order Type and Number: Consent Order 17-101-RW
Order Date: August 15, 2017
Individual/Entity: **Master Hospitality, LLC**
Facility: Baymont Inn & Suites
Location: 3583 Saint Matthews Road
Orangeburg, SC 29118
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit/ID Number: 38-066-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Master Hospitality, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 21, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a handrail was missing a bolt cover; a ladder was missing a bumper; there was algae on the pool walls; the gate did not self-close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; the life ring was deteriorated and was not hung in its designated location; the "Shallow Water – No Diving Allowed" signs did not have the appropriate sized lettering; and the current pool operator of record information was not posted to the public.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). The civil penalty has been paid.

16) Order Type and Number: Consent Order 17-102-RW
Order Date: August 15, 2017
Individual/Entity: **Foxbank Homeowner's Association, Inc.**
Facility: Foxbank Plantation
Location: 134 Yorkshire Drive
Moncks Corner, SC 29461
Mailing Address: 607 Pendleton Street
Greenville, SC 29601
County: Berkeley
Previous Orders: None
Permit/ID Number: 08-1044B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Foxbank Homeowner's Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 5, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the emergency

notification device was not operational; the bound and numbered log book was not maintained on a daily basis; and the recirculation and filtration system was not sealed.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of three hundred forty dollars **(\$340.00)**.

17) Order Type and Number: Consent Order 17-103-RW
Order Date: August 15, 2017
Individual/Entity: **Serenity Apartments at Columbia, LLC**
Facility: Serenity Apartments at Three Rivers
Location: 100 Riverbend Drive
West Columbia, SC 29169
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 32-047-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Serenity Apartments at Columbia, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 2, 2017, and July 21, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline did not have the minimum number of required floats and was not attached to the pool wall; algae was present on the pool walls; a ladder was missing bumpers and non-slip tread inserts; the deck was uneven with sharp edges; there was debris in the skimmer baskets; the gate did not self-close and latch; a section of the perimeter fencing had openings greater than four inches; there was no foot rinse shower; the chlorine and pH levels were not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; and there were chlorine sticks in the skimmer baskets.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of six hundred eighty dollars **(\$680.00)**.

18) Order Type and Number: Consent Order 17-104-RW
Order Date: August 15, 2017
Individual/Entity: **US Real Estate & Management Corp.**
Facility: Stonehenge Apartments
Location: 2210 Jody Road
Florence, SC 29501
Mailing Address: 700 Parker Drive, Suite 5B
Florence, SC 29501
County: Florence
Previous Orders: None
Permit/ID Number: 21-099-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: US Real Estate & Management Corp. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 8, 2017, and July 5, 2017, the pool was inspected and a violation was 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 pool edge; the bathrooms did not have toilet paper, soap, paper

towels, or a hand dryer; the foot rinse shower was not operating properly; there was no drinking water fountain; the gate did not self-close and latch; and the cyanuric acid level was above the water quality standards acceptable limit.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The civil penalty has been paid.

19) Order Type and Number: Consent Order 17-105-RW
Order Date: August 18, 2017
Individual/Entity: **KNC Hospitality Management, LLC**
Facility: Greenville Inn & Suites
Location: 1314 South Pleasantburg Drive
Greenville, SC 29607
Mailing Address: Same
County: Greenville
Previous Orders: 15-142-RW (\$680.00);
16-054-RW (\$1,360.00)
Permit/ID Number: 23-058-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: KNC Hospitality Management, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 16, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool floor was dirty; the pool furniture was not at least four feet from the pool edge; the pool equipment room was unlocked and the piping was leaking; the chlorine level was not within the acceptable range of water quality standards; the main drain grates were not visible due to cloudy water; the life ring was not accessible and the life ring rope was tangled; the bound and numbered log book was not maintained on a daily basis and was not maintained a minimum of three times per week by the pool operator of record; there were chlorine tablets in the skimmer baskets; and the recirculation and filtration system was leaking.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been addressed; and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**). The civil penalty has been paid.

20) Order Type and Number: Consent Order 17-107-RW
Order Date: August 22, 2017
Individual/Entity: **Core Campus Columbia I, LLC**
Facility: Hub on Campus Columbia
Location: 1426 Main Street
Columbia, SC 29201
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-1142B & 40-1143D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Core Campus Columbia I, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and spa. On May 19, 2017, the pool and spa were inspected and a violation was issued for failure to properly operate and maintain; and on July 10,

2017, the spa was inspected and a violation was 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; a light in the pool wall was out of its niche; the gate did not self-close and latch; 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 spa temperature was above 104 degrees Fahrenheit; the spa thermometer was not visible to the public; the life ring was deteriorated; there was no pool rules sign; only one "Shallow Water – No Diving Allowed" sign was posted; the facility could not produce current valid documentation of pool operator certification; and the recirculation and filtration system was leaking.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of one thousand, twenty dollars (**\$1,020.00**).

21)	<u>Order Type and Number:</u>	Consent Order 17-106-RW
	<u>Order Date:</u>	August 23, 2017
	<u>Individual/Entity:</u>	Aqua Tech Pool Management, LLC
	<u>Facility:</u>	N/A
	<u>Location:</u>	4101 Stuart Andrew Boulevard, Suite D Charlotte, NC 28217
	<u>Mailing Address:</u>	Same
	<u>County:</u>	York
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number</u>	None
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J) & 61-51(I)

Summary: Aqua Tech Pool Management, LLC (Individual/Entity) is a company located in North Carolina that services public swimming pools in York County, South Carolina. On May 30, 2017, June 28, 2017, and June 29, 2017, public swimming pools were inspected and a violation was issued for failure to submit to the Department for approval a Swimming Pool Change Order Request Form prior to modifying the pools; and on June 28, 2017, a public swimming pool was inspected and a violation was issued for hand-feeding chemicals into the pool while it was open for swimming. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failure to submit Swimming Pool Change Order Request Forms to the Department for approval prior to modifying public swimming pools, and hand feeding chemicals into a pool while the pool was open for swimming.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of nine hundred dollars (**\$900.00**). The civil penalty has been paid.

22)	<u>Order Type and Number:</u>	Consent Order 17-108-RW
	<u>Order Date:</u>	August 23, 2017
	<u>Individual/Entity:</u>	KLSV Hotels & Investments, LLC
	<u>Facility:</u>	Quality Inn & Suites
	<u>Location:</u>	2625 Cherry Road Rock Hill, SC 29730
	<u>Mailing Address:</u>	Same
	<u>County:</u>	York
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	46-036-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: KLSV Hotels & Investments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 15, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline did not have the minimum number of required floats and the floats were not properly spaced; some of the depth marker tiles did not have collocated "no diving" tiles; the plaster on the pool floor was delaminated and chipped; a skimmer was missing a weir; the foot rinse shower was not operating; the gate did not self-close and latch; the shepherd's crook was in disrepair; only one "Shallow Water – No Diving Allowed" sign was posted; only one "No Lifeguard On Duty - Swim At Your Own Risk" sign was posted; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**). The civil penalty has been paid.

23)	<u>Order Type and Number:</u>	Consent Order 17-109-RW
	<u>Order Date:</u>	August 23, 2017
	<u>Individual/Entity:</u>	Coastal 544 Ventures, LLC
	<u>Facility:</u>	Monarch 544
	<u>Location:</u>	650 SC-544 Conway, SC 29526
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-1844B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J) & 61-51(J)(10)

Summary: Coastal 544 Ventures, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 2, 2017, Department staff received notification by way of a local news website of an accident requiring an EMS response that occurred at the pool that same day; and on May 4, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the drinking water fountain was not operating properly; the gate did not self-close and latch; the shepherd's crook was not permanently attached to the handle; the pool rules sign was not completely filled out; the "No Lifeguard On Duty – Swim At Your Own Risk" and "Shallow Water – No Diving Allowed" signs did not have the correct wording and appropriate sized lettering; the facility could not produce current valid documentation of pool operator certification; the bound and numbered log book was not maintained on a daily basis; and the Department was not notified in writing, on a Department approved form, any death, injury, or accident requiring an EMS response, emergency room visit, or hospitalization within seventy-two hours of the occurrence.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

24) Order Type and Number: Consent Order 17-110-RW
Order Date: August 23, 2017
Individual/Entity: **Bonnie Doon Homeowners Association, Inc.**
Facility: Bonnie Doon Condominiums
Location: 1126 Third Loop Road
Florence, SC 29505
Mailing Address: 221 South Warley Street
Florence, SC 29501
County: Florence
Previous Orders: None
Permit/ID Number: 21-136-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Bonnie Doon Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 7, 2017, and July 5, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the gate did not self-close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; and the cyanuric acid level was above the water quality standards acceptable limit.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The civil penalty has been paid. The Individual/Entity submitted a corrective action plan and corrected the deficiencies.

25) Order Type and Number: Consent Order 17-112-RW
Order Date: August 28, 2017
Individual/Entity: **Abhiram Hotel, LLC**
Facility: Magnuson Hotel Columbia
Location: 7128 Parklane Road
Columbia, SC 29223
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-141-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)(22)

Summary: Abhiram Hotel, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 28, 2015, August 12, 2015, June 27, 2016, June 19, 2017, and July 17, 2017, Department staff conducted an inspection of the pool and observed that the pool was closed to the public and was not being operated and maintained. Following the inspections, Department staff determined that the pool has been permanently closed. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failure to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: make all required operational and maintenance upgrades to the pool, or fill in or remove the pool in accordance with an approved change order request form; and pay a **stipulated penalty** in the amount of three hundred forty dollars (**\$340.00**) should the Individual/Entity fail to meet any requirement of the Order.

26) Order Type and Number: Consent Order 17-113-RW
Order Date: August 30, 2017
Individual/Entity: **The Palms Course Management, LLC**
Facility: The Palms Course
Location: 3700 West Lake Drive
Florence, SC 29501
Mailing Address: Same
County: Florence
Previous Orders: 17-015-RW (\$1,360.00)
Permit/ID Number: 21-008-1 & 21-008-2
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(I)

Summary: The Palms Course Management, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and kiddie pool. June 12, 2017, and June 22, 2017, the pool was inspected and violations were issued for failure to properly operate and maintain. On June 22, 2017, the kiddie pool was inspected and a violation was issued for failure to submit to the Department for approval a Swimming Pool Change Order Request Form prior to modifying the kiddie pool. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool furniture was not at least four feet from the pool edge; the gate did not self-close and latch; 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 and was not maintained a minimum of three times per week by the pool operator of record; the lifeline floats were damaged; the pool floor and pool walls were dirty; the plaster on the pool floor was chipped; and a Swimming Pool Change Order Request Form was not submitted to the Department for approval prior to modifying the kiddie pool.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies at the pool and kiddie pool; keep the kiddie pool closed until the modification deficiency has been addressed; and pay a civil penalty in the amount of one thousand, seven hundred dollars (**\$1,700.00**). The Individual/Entity submitted a Swimming Pool Change Order Request Form for the kiddie pool and it has been approved by the Department.

27) Order Type and Number: Consent Order 17-114-RW
Order Date: August 30, 2017
Individual/Entity: **PBH Paces, LLC**
Facility: Paces River Apartments
Location: 1817 Paces River Avenue
Rock Hill, SC 29722
Mailing Address: 3009 Stargazer Lane
Fort Mill, SC 29715
County: York
Previous Orders: None
Permit/ID Number: 46-089-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: PBH Paces, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 22, 2017, and June 27, 2017, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder did not have treads on the top step; the deck drains were broken; there were gaps in the perimeter fencing greater than four inches; tiles were missing on the wall and floor of the pool; a skimmer was missing a weir; the main drain grates were not in place; the chlorine and pH levels were not within the acceptable

range of water quality standards; the life ring and life ring rope were deteriorated; and the shepherd's crook was not located in the designated location.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of six hundred eighty dollars **(\$680.00)**. The civil penalty has been paid. The Individual/Entity submitted a corrective action plan and corrected the deficiencies.

Drinking Water Enforcement

28) Order Type and Number: Consent Order 17-016-DW
Order Date: August 4, 2017
Individual/Entity: **Patton Development SC, LLC**
Facility: Dollar General
Location: 300 South Main Street
Abbeville, SC 29620
Mailing Address: P.O. Box 100
Woodruff, SC 29388
County: Abbeville
Previous Orders: None
Permit/ID Number: 31596-WS
Violations Cited: S.C. Code Ann. Regs. 61-58.1.K(1)

Summary: Patton Development SC, LLC (Individual/Entity) owns and is responsible for the proper construction and operation of a public water system (PWS). On May 22, 2017, the PWS was inspected and it was determined that it had been placed into operation without obtaining written final approval to operate from the Department. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: failed to obtain written final approval to operate from the Department prior to placing a PWS into operation.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)**. On June 14, 2017, the Department issued written final approval to place the PWS into operation. The civil penalty has been paid.

29) Order Type and Number: Consent Order 17-017-DW
Order Date: August 9, 2017
Individual/Entity: **Wadmalaw Island Citizen Improvement Committee**
Facility: Wadmalaw Island Community Center
Location: 5605 Katy Hill Road
Wadmalaw Island, SC 29487
Mailing Address: P.O. Box 46
Wadmalaw Island, SC 29487
County: Charleston
Previous Orders: None
Permit/ID Number: 1070958
Violations Cited: S.C. Code Ann. Regs. 61-58.7 & 61-30

Summary: Wadmalaw Island Citizen Improvement Committee (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On October 20, 2016, the Department sent final notice to the Individual/Entity requiring payment of the annual Safe Drinking Water Act fee for fiscal year 2016 and 2017; and on May 24, 2017, the

PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulations and the Environmental Protection Fees Regulation as follows: the concrete pad was in disrepair and had significant gaps and cracks; there was no sample tap or check valve provided on the tank system; the originally permitted eighty-two gallon storage tank had been replaced with a forty-two gallon storage tank without Department approval; the pressure gauge was leaking, rust was found on the pressure gauge, and the pressure gauge was not working; non-well related materials were stored inside the well house; the wiring on the pump was not within electrical conduit and the wiring was not hardwired within a junction box; and the Safe Drinking Water Act fees for fiscal years 2016 and 2017 had not been paid.

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to correct the deficiencies; submit the annual Safe Drinking Water Act fees and associated late fees for fiscal years 2016 and 2017 in the amount of seven hundred fifty-six dollars and twenty-six cents (\$756.26); and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

30) <u>Order Type and Number:</u>	Consent Order 17-018-DW
<u>Order Date:</u>	August 23, 2017
<u>Individual/Entity:</u>	Jennifer McKinney, Individually and d.b.a. Barn Campground
<u>Facility:</u>	Barn Campground
<u>Location:</u>	228 Tailers Trail Leesville, SC 29070
<u>Mailing Address:</u>	3156 Prosperity Highway Leesville, SC 29070
<u>County:</u>	Saluda
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	4170802
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: Jennifer McKinney, Individually and d.b.a. Barn Campground (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On June 30, 2017, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: there was no concrete pad around the well casing; the system had forty-six active service connections which exceeded the permitted maximum allowable amount of thirty; the originally permitted one-thousand-gallon storage tank was replaced with a one-hundred-gallon bladder tank and the tank did not have an isolation valve on the inlet/outlet line; and there was no procedures manual available for review.

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to correct the deficiencies; pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**); and pay a stipulated penalty in the amount of two thousand dollars (\$2,000.00), should any requirement of the Order not be met.

31)	<u>Order Type and Number:</u>	Consent Order 17-019-DW
	<u>Order Date:</u>	August 28, 2017
	<u>Individual/Entity:</u>	Canal Lakes Fish Camp, LLC
	<u>Facility:</u>	Canal Lakes Fish Camp
	<u>Location:</u>	139 Canal Landing Road Cross, SC 29436
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Berkeley
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	0870402
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: Canal Lakes Fish Camp, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On June 28, 2017, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: the screen on the gooseneck vent had been pushed up inside the vent; a system map and an emergency plan were not available for review; the one hundred ten gallon storage tank had been replaced with an eighty-six gallon bladder tank; the system exceeded the permitted maximum allowed number of twenty-three service connections; the electrical conduit was not properly sealed on the wellhead; and there was miscellaneous debris stored in the well house.

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to correct the deficiencies; and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**), should any requirement of the Order not be met.

32)	<u>Order Type and Number:</u>	Consent Order 17-020-DW
	<u>Order Date:</u>	August 28, 2017
	<u>Individual/Entity:</u>	BB Cross, Inc.
	<u>Facility:</u>	Butler's Mobile Home Park
	<u>Location:</u>	166 Winterhill Road Cross, SC 29436
	<u>Mailing Address:</u>	154 Waterfront Drive Moncks Corner, SC 29461
	<u>County:</u>	Berkeley
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	0860063
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.17.K(1) & 61-58.17.I (2)(a)

Summary: BB Cross, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On June 27, 2017, violations were issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level (MCL) for E. coli; and it failed to notify the Department by the end of the day when the system was notified of an E. coli present test result.

Action: The Individual/Entity is required to: submit a standard operating procedure that will be followed to ensure that all monitoring and reporting requirements are complied with; submit a corrective action plan to include proposed steps to address the MCL violation; and pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**), should any requirement of the Order not be met.

33) Order Type and Number: Consent Order 17-021-DW
Order Date: August 28, 2017
Individual/Entity: **Harold T. Pace, Individually and d.b.a. Whispering Pines Mobile Home Park**
Facility: Whispering Pines Mobile Home Park
Location: 441 Mount Carmel Road
Walterboro, SC 29488
Mailing Address: 104 Bramwell Drive
Summerville, SC 29485
County: Colleton
Previous Orders: None
Permit/ID Number: 1560007
Violations Cited: S.C. Code Ann. Regs. 61-58.17.K(1)

Summary: Harold T. Pace, Individually and d.b.a. Whispering Pines Mobile Home Park (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On July 26, 2017, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level (MCL) for E. coli.

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to address the MCL violation; and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**), should any requirement of the Order not be met.

Water Pollution Enforcement

34) Order Type and Number: Consent Order 17-064-W
Order Date: August 4, 2017
Individual/Entity: **SCE&G**
Facility: V.C. Summer Nuclear Station
Location: Junction of Highway 213 and
County Road 16
Jenkinsville, SC 29605
Mailing Address: P.O. Box 88
Jenkinsville, SC 29065
County: Fairfield
Previous Orders: None
Permit/ID Number: SC0038407
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1- 110
(d) (Supp. 2016) and Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.41
(a)(1) (2016)

Summary: South Carolina Electric and Gas Company (Individual/Entity) owns and is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) serving the V.C. Summer Nuclear Station, in Fairfield County, South Carolina. On March 24, 2017, a Notice of Violation was issued as a result of 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 Escherichia coli (E. coli).

Action: The Individual/Entity is required to: submit a corrective action plan to address the deficiencies; and, pay a civil penalty in the amount of three thousand, four hundred dollars (**\$3,400.00**).

35) Order Type and Number: Consent Order 17-065-W
Order Date: August 4, 2017
Individual/Entity: **Carolina Water Service, Inc.**
Facility: Foxwood Subdivision WWTP
Location: 0.6 miles east of Road 674 and 1.4 miles north of SC HWY 160 in York County, SC
Mailing Address: 150 Foster Brothers Drive
West Columbia, SC 29172
County: Lexington
Previous Orders: None
Permit/ID Number: SC0027146
Violations Cited: Pollution Control Act, S.C. Code Ann § 48-1- 110
(d) (Supp. 2016) and Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.41
(a) and (d) (2016)

Summary: Carolina Water Service, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of the Foxwood Wastewater Treatment Plant located in Lexington County, South Carolina. On January 20, 2017, a Notice of Violation was issued as a result of 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 Total Phosphorus (TP).

Action: The Individual/Entity is required to: submit a corrective action plan to address the deficiencies; and, pay a civil penalty in the amount of four thousand, two hundred dollars (**\$4,200.00**).

36) Order Type and Number: Consent Order 17-066-W
Order Date: August 4, 2017
Individual/Entity: **City of Florence**
Facility: Timmonsville WWTF and Main WWTF
Location: Timmonsville WWTF located on Buie Drive in Timmonsville and the Main WWTF located on Stockade Drive in the City of Florence
Mailing Address: 1000 Stockade Drive
Florence, SC 29506
County: Florence
Previous Orders: None
Permit/ID Numbers: SC0045462 and SC0025356
Violations Cited: Water Pollution Control Permits, 3 S.C. Code Ann. Regs. 61-9.122.41(a) and (j) (2016) and Pollution Control Act, S.C. Code Ann. § 48-1-90(a)(1) (Supp. 2016)

Summary: The City of Florence (Individual/Entity) owns and is responsible for the proper operation and maintenance of the Timmonsville and Main Wastewater Treatment Facilities located in Florence County, South Carolina. On February 1, 2017, and April 14, 2017, Notices of Violation were issued as a result of the Individual/Entity failing to submit required reports to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits

Regulation as follows: failed to obtain and submit valid sample data pursuant to the requirements of its National Pollutant Discharge Elimination System permit.

Action: The Individual/Entity is required to: submit a corrective action plan (CAP) to address the deficiencies; and, pay a civil penalty in the amount of six thousand, four hundred dollars **(\$6,400.00)**.

37) Order Type and Number: Consent Order 17-059-W
 Order Date: August 23, 2017
 Individual/Entity: **Sun Chemical Corporation**
 Facility: Bushy Park WWTP
 Location: 1506 Bushy Park Road
 Goose Creek, SC 29445

 Mailing Address: Same
 County: Berkeley
 Previous Orders: 14-022-W (\$4,200.00)
 Permit/ID Number: SC0003042
 Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (Supp. 2016); Water Pollution Control Permits, 3 S.C. Code Ann. Regs. 61-9.122.41 (a) (Supp. 2016)

Summary: Sun Chemical Corporation (Individual/Entity) owns and is responsible for the proper operation and maintenance of the Bushy Park Wastewater Treatment Plant (WWTP) located in Berkeley County, South Carolina. On June 9, 2016, a Notice of Violation was issued as a result of discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the regulations governing Water Pollution Control Permits as follows: discharges from the WWTP failed to comply with the effluent limits of its National Pollutant Discharge Elimination System permit for Biochemical Oxygen Demand - 5 day (BOD₅) and Total Suspended Solids (TSS).

Action: The Individual/Entity is required to: submit a corrective action plan (CAP) to address the deficiencies; and, pay a civil penalty in the amount of two thousand, five hundred twenty dollars **(\$2,520.00)**.

38) Order Type and Number: Consent Order 17-067-W
 Order Date: August 23, 2017
 Individual/Entity: **Albany International Corporation**
 Facility: Albany WWTF
 Location: 300 Albany Street
 Saint Stephen, SC 29479

 Mailing Address: P.O. Box 608
 Saint Stephen, SC 29479

 County: Berkeley
 Previous Orders: 15-028-W (\$3,000.00)
 Permit/ID Number: SC0002569
 Violations Cited: Pollution Control Act, S.C Code Ann § 48-1- 110 (d) (Supp. 2016) and Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.41 (a) (2016)

Summary: Albany International Corporation (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving its manufacturing facility located in Berkeley County, South Carolina. On March 15, 2017, a Notice of Violation was issued as a result of the Individual/Entity failing to submit required documents 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 compliance schedule in its National Pollutant Discharge Elimination System (NPDES) permit.

Action: The Individual/Entity is required to: submit results of a Water Effects Ratio study (WER Study) for the WWTF; submit any NPDES permit modification materials or WWTF upgrade materials required based upon Department review of the WER Study findings; complete the construction of any upgrades necessary to comply with final NPDES effluent limits; and, pay a civil penalty in the amount three thousand, four hundred dollars (**\$3,400.00**).

Dams Enforcement

39) Order Type and Number: Consent Agreement 17-061-W
Order Date: August 4, 2017
Individual/Entity: **Barr Lake Homeowner Association Inc.**
Facility: Barr Lake Dam
Location: Approximately 0.7 of a mile north from the intersection of Wildlife Rd. and Industrial Dr. in Lexington, SC
Mailing Address: 4910 Trenholm Road, Suite C
Columbia, SC 29206
County: Lexington
Previous Orders: 2015 Emergency Order (October 15, 2015)
Permit/ID Number: D 1717
Law Citations: SC Dams and Reservoirs Safety Act, S.C. Code Ann. § 49-11-110, *et seq.*, (2008) and Dams and Reservoirs Safety Act Regulation 72.1, *et seq.* (2012)

Summary: Barr Lake Homeowner Association Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of the Barr Lake Dam (Dam) in Lexington County, South Carolina. On October 15, 2015, the Department issued an Emergency Order to the Individual/Entity as a result of unsafe conditions at the Dam. The Agreement is entered into by the Department and the Individual/Entity with respect to remedial actions addressing deficiencies in the condition of the Dam.

Action: The Individual/Entity is required to: maintain the Dam in a condition that does not impound water until the Dam is repaired or removed from the property; notify the Department upon any change in status, ownership, or condition of the Dam; apply for a permit prior to performing any changes to the Dam; and, obtain a permit under the "Construction Permit Application Requirements" in section 72-3.D.2, if plans are made to repair the Dam after a period of two (2) years from the execution date of the Order.

40) Order Type and Number: Consent Agreement 17-062-W
Order Date: August 4, 2017
Individual/Entity: **Sandy Justice and John Justice**
Facility: Gaddys Millpond Dam
Location: 1.5 miles NE from the intersection of Dillon Hwy.
and State Park Rd., Dillon County, South Carolina
Mailing Address: 233 Clearview Court
Dillon, SC 29536
County: Dillon
Previous Orders: 2016 Emergency Order (October 10, 2016)
Permit/ID Number: D 3598
Law Citations: SC Dams and Reservoirs Safety Act, S.C. Code
Ann. § 49-11-110, *et seq.*, (2008) and Dams and Reservoirs Safety Act Regulation 72.1, *et seq.* (2012)

Summary: Sandy Justice and John Justice (Individuals/Entities) own and are responsible for the proper operation and maintenance of the Gaddys Millpond Dam (Dam) in Dillon County, South Carolina. On October 10, 2016, the Department issued an Emergency Order to the Individuals/Entities as a result of unsafe conditions at the Dam. The Agreement is entered into by the Department and the Individuals/Entities with respect to remedial actions addressing deficiencies in the condition of the Dam.

Action: The Individuals/Entities are required to: maintain the Dam in a condition that does not impound water until the Dam is repaired or removed from the property; notify the Department upon any change in status, ownership, or condition of the Dam; apply for a permit prior to performing any changes to the Dam; and, obtain a permit under the "Construction Permit Application Requirements" in section 72-3.D.2, if plans are made to repair the Dam after a period of two (2) years from the execution date of the Order.

41) Order Type and Number: Consent Agreement 17-063-W
Order Date: August 4, 2017
Individual/Entity: **Lakeside Country Club Corporation**
Facility: Lakeside Country Club Dam
Location: 0.75 miles NW from the Laurens County
Memorial Hospital in Clinton, SC
Mailing Address: P.O. Box 549
Laurens, SC 29360
County: Laurens
Previous Orders: 2015 Emergency Order (October 15, 2015)
Permit/ID Number: D 4527
Law Citations: SC Dams and Reservoirs Safety Act, S.C. Code
Ann. § 49-11-110, *et seq.*, (2008) and Dams and Reservoirs Safety Act Regulation 72.1, *et seq.* (2012)

Summary: The Lakeside Country Club Corporation (Individual/Entity) owns and is responsible for the proper operation and maintenance of the Lakeside Country Club Dam (Dam) in Laurens County, South Carolina. On October 15, 2015, the Department issued an Emergency Order to the Individual/Entity as a result of unsafe conditions at the Dam. The Agreement is entered into by the Department and the Individual/Entity with respect to remedial actions addressing deficiencies in the condition of the Dam.

Action: The Individual/Entity is required to: maintain a lowered water level in the reservoir until Certification of Completion is issued by the Department; submit a permit application prepared

by a qualified registered professional engineer for the repair or removal of the Dam; submit documentation that all local, state, and federal permit applications have been submitted; and, complete all construction activities in accordance with approved plans for the repair or removal of the Dam.

42) Order Type and Number: Consent Agreement 17-068-W
 Order Date: August 23, 2017
 Individuals/Entities: **Alton Jeffords, Samuel J. Jeffords, and Ben C. Jeffords**

 Facility: Joe Jeffords Dam
 Location: Intersection of Lee State Park Rd. and Possum Trot Rd. in Lamar, SC

 Mailing Address: Samuel J. and Ben C. Jeffords
 138 Old Compton Street
 Pendleton, SC 29670
 Alton Jeffords
 P.O. Box 837
 Lamar, SC 29069

 County: Darlington
 Previous Orders: 2015 Emergency Order (October 15, 2015)
 Permit/ID Number: D 3526
 Law Citations: SC Dams and Reservoirs Safety Act, S.C. Code Ann. § 49-11-110, *et seq.*, (2008) and Dams and Reservoirs Safety Act Regulation 72.1, *et seq.* (2012)

Summary: Alton Jeffords, Samuel J. Jeffords, and Ben C. Jeffords (Individuals/Entities) own and are responsible for the proper operation and maintenance of the Joe Jeffords Dam in Darlington County, South Carolina. On October 15, 2015, the Department issued an Emergency Order to the Individuals/Entities as a result of unsafe conditions at the Dam. The Agreement is entered into by the Department and the Individuals/Entities with respect to remedial actions addressing deficiencies in the condition of the Dam.

Action: The Individuals/Entities are required to: maintain a lowered water level in the reservoir until Certification of Completion is issued by the Department; submit a permit application prepared by a qualified registered professional engineer for the repair or removal of the Dam; submit documentation that all local, state, and federal permit applications have been submitted; and, complete all construction activities in accordance with approved plans for the repair or removal of the Dam.

BUREAU OF AIR QUALITY

43) Order Type and Number: Consent Order 17-026-A
Order Date: August 8, 2017
Individual/Entity: **Huntington Foam, LLC**
Facility: Huntington Foam, LLC
Location: 125 Caliber Ridge Drive
Greer, SC 29651
Mailing Address: Same
County: Spartanburg
Previous Orders: 15-029-A (\$26,000.00)
Permit/ID Number: 2060-0507
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.5, Standard No. 5.2
and 5 S.C. Code Ann. Regs. 61-62.1, Section II, *Permit Requirements*

Summary: Huntington Foam, LLC (Individual/Entity), located in Greer, South Carolina, manufactures custom molded foam products. On January 19, 2016, the Individual/Entity conducted a Department-approved source test and on January 26, 2017, the Department conducted a comprehensive inspection. The Individual/Entity has violated the South Carolina Air Pollution Control Regulations as follows: failed to limit NOx emissions from Boiler 2 to 0.036 lb/MMBtu during a source test conducted on January 19, 2016; failed to maintain records of daily operation necessary to demonstrate that Boiler 1 did not exceed 16 MMBtu/hr; and failed to submit its annual emissions report to the Department by the established due date of October 30, 2016.

Action: The Individual/Entity is required to: henceforth limit NOx emissions from Boiler 2 to 0.036 lb/MMBtu in accordance with the limits established in Standard No. 5.2 and the Conditional Major Permit; henceforth ensure that Boiler 1 and Boiler 2 are operated in accordance with applicable operating parameters established by the Department and maintain records of daily operation necessary to demonstrate compliance with applicable operational limits; henceforth submit timely annual emissions reports to the Department; and pay a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**).

44) Order Type and Number: Consent Order 17-027-A
Order Date: August 23, 2015
Individual/Entity: **Industrial Coaters, LLC**
Facility: Industrial Coaters, LLC
Location: 645 Vanguard Road
Anderson, SC 29625
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: 0200-0049
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.1, Section
II, *Permit Requirements*

Summary: Industrial Coaters, LLC (Individual/Entity) receives, sandblasts, and coats parts at its facility located in Anderson, South Carolina. On April 17, 2017, the Department conducted a comprehensive inspection at the Site. The Individual/Entity violated South Carolina Air Pollution Regulations as follows: failed to maintain records of daily inspection and regular cleaning or replacement of the fabric filters; failed to complete records of daily pressure drop readings and weekly operation maintenance checks for the baghouses; failed to maintain records of adjustments and maintenance performed on the baghouses and monitoring devices and records of inspection checks; and failed to demonstrate any corrective action taken when deviations occurred.

Action: The Individual/Entity is required to maintain all records required to demonstrate compliance on site for a period of at least five years from the date generated, as required by the Permit; and pay a civil penalty in the amount of five thousand dollars **(\$5,000.00)**.

45) Order Type and Number: Consent Order 17-028-A
Order Date: August 28, 2015
Individual/Entity: **Belton Honea Path Water Authority**
Facility: Belton Honea Path Water Authority
Location: 525 Filter Plant Road
Honea Path, SC 29654
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA regulations at 40 CFR 68 and 5 South Carolina Code Ann. Regs. 61-62.68, Chemical Accident Prevention Provisions

Summary: Belton Honea Path Water Authority (individual/Entity) uses chlorine as a disinfection agent in the water at its facility in Honea Path, South Carolina. On April 18, 2017, the Department conducted an inspection at the Site. The Individual/Entity violated U.S. EPA Regulations at 40 CFR 68 and South Carolina Air Pollution Control Regulations as follows: failed to include accurate information in its Process Safety Information (PSI); failed to establish a system to promptly address the Process Hazard Analysis (PHA) team's findings and recommendations; failed to address operating limits, safety and health considerations, and safety systems and their functions within its operating procedures and certify annually that its operating procedures are current and accurate; failed to document refresher training; failed to demonstrate that it properly trained its employees; failed to document inspections and testing on process equipment; failed to perform a compliance audit at least every three years; failed to document that the fire prevention and protection requirements of 29 CFR 1910.252(a) have been implemented prior to beginning hot work operations; failed to periodically evaluate the performance of the contract owner or operator to demonstrate that they are fulfilling their obligations; failed to ensure that it was included in the community's emergency response plan; and failed to submit correction of emergency contact information to the Department within one month of a change.

Action: The Individual/Entity is required to maintain its risk management program in accordance with the requirements of the Regulations; and pay a civil penalty in the amount of five thousand dollars **(\$5,000.00)**.

46) Order Type and Number: Consent Order 17-029-A
Order Date: August 28, 2017
Individual/Entity: **Mr. Frank Howey, Jr.**
Facility: Commercial Property
Location: Tax map number 106 000 000 004
Mt. Croghan, SC 29727
Mailing Address: P.O. Box 429
Monroe, NC 28111
County: Chesterfield
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.2,
Prohibition of Open Burning

Summary: Mr. Frank Howey, Jr. (Individual/Entity), owns a tract of land in Mt. Croghan, South Carolina. The Department conducted open burning investigations on March 21, 2017, and March 30, 2017. The Individual/Entity violated South Carolina Air Pollution Control Regulations as follows: burned materials other than those allowed by the Open Burning Regulation (tires) and burned land-clearing debris within 1,000 feet from a public roadway.

Action: The Individual/Entity is required to: cease all open burning except in accordance with the open burning regulation, and pay to the Department a civil penalty in the amount of four thousand, five hundred dollars **(\$4,500.00)**.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

47) Order Type and Number: Administrative Order 2016-206-07-005
Order Date: August 7, 2017
Individual/Entity: **Laurence Thomas Frazier**
Facility: Laurence Thomas Frazier
Location: 707 Tahoe Street
Charleston, SC 29407
Mailing Address: 1901 Orvid Street, Apartment Z
North Charleston, SC 29405
County: Charleston
Previous Orders: None
Permit Number: N/A
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Laurence Thomas Frazier (Individual/Entity) operates a mobile retail food establishment located in Charleston, South Carolina. The Department conducted two inspections on March 5, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: provided food to the public without a valid permit issued 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; and pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)**.

48) Order Type and Number: Consent Order 2016-206-02-047
Order Date: August 3, 2017
Individual/Entity: **Universal Café**
Facility: Universal Café
Location: 301 University Ridge
Greenville, SC 29601
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: 23-206-10855
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Universal Café (Individual/Entity) is a restaurant located in Greenville, South Carolina. The Department conducted inspections on December 10, 2015, June 13, 2016, and March 1, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation

as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

49) Order Type and Number: Consent Order 2016-206-02-058
 Order Date: August 3, 2017
 Individual/Entity: **Passerelle**
 Facility: Passerelle
 Location: 601 South Main Street
 Greenville, SC 29601

 Mailing Address: Same
 County: Greenville
 Previous Orders: None
 Permit Number: 23-206-10506
 Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Passerelle (Individual/Entity) is a restaurant located in Greenville, South Carolina. The Department conducted inspections on November 3, 2015, September 6, 2016, and September 8, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

50) Order Type and Number: Consent Order 2016-206-03-110
 Order Date: August 3, 2017
 Individual/Entity: **KJ's Market Deli/Bakery**
 Facility: KJ's Market Deli/Bakery
 Location: 543 Saint Andrews Road
 Columbia, SC 29210

 Mailing Address: Same
 County: Lexington
 Previous Orders: 2015-206-03-031 (\$800.00)
 Permit Number: 32-206-06209
 Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: KJ's Market Deli/Bakery (Individual/Entity) is a deli/bakery located in Columbia, South Carolina. The Department conducted an inspection on June 20, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand, two hundred dollars **(\$1,200.00)**.

51) Order Type and Number: Consent Order 2016-206-07-057
Order Date: August 3, 2017
Individual/Entity: **Hampton Inn Charleston Airport**
Facility: Hampton Inn Charleston Airport
Location: 4701 Saul White Boulevard
North Charleston, SC 29418
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit Number: 10-206-09675
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Hampton Inn Charleston Airport (Individual/Entity) operates a restaurant located in North Charleston, South Carolina. The Department conducted inspections on July 15, 2016, and July 22, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure written procedures were in place and made available to the Department when the facility uses Time as a Public Health Control.

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; and pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

52) Order Type and Number: Consent Order 2016-206-06-155
Order Date: August 4, 2017
Individual/Entity: **IHOP**
Facility: IHOP
Location: 1300 South Kings Highway
Myrtle Beach, SC 29577
Mailing Address: P.O. Box 3905
Myrtle Beach, SC 29578
County: Horry
Previous Orders: None
Permit Number: 26-206-07430
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: IHOP (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted inspections on April 28, 2016, November 29, 2016, and June 7, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

53) Order Type and Number: Consent Order 2017-206-06-016
Order Date: August 4, 2017
Individual/Entity: **Mellow Mushroom**
Facility: Mellow Mushroom
Location: 1571 21st Avenue North
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-10829
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Mellow Mushroom (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted inspections on August 18, 2016, August 25, 2016, March 30, 2017, and April 7, 2017. 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; failed to maintain proper holding temperatures of time/temperature control for safety foods; failed to use effective methods to cool cooked time/temperature control for safety foods; and had two or more priority violations during each inspection.

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; and pay a civil penalty in the amount of one thousand, seven hundred fifty dollars **(\$1,750.00)**.

54) Order Type and Number: Consent Order 2017-206-02-017
Order Date: August 7, 2017
Individual/Entity: **Soby's**
Facility: Soby's
Location: 207 South Main Street
Greenville, SC 29601
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: 23-206-06610
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Soby's (Individual/Entity) is a restaurant located in Greenville, South Carolina. The Department conducted inspections on December 15, 2015, October 11, 2016, and June 28, 2017. 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.

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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

55) Order Type and Number: Consent Order 2016-206-03-104
Order Date: August 11, 2017
Individual/Entity: **Bi-Lo #5716 Deli/Bakery**
Facility: Bi-Lo #5716 Deli/Bakery
Location: 1401 East Main Street
Rock Hill, SC 29730
Mailing Address: P.O. Box 2209
Jacksonville, FL 32203
County: York
Previous Orders: 2014-206-03-090 (\$500.00)
2015-206-03-044 (\$1,200.00)
Permit Number: 46-206-02059
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Bi-Lo #5716 Deli/Bakery (Individual/Entity) is a deli/bakery located in Rock Hill, South Carolina. The Department conducted an inspection on October 24, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand six hundred dollars **(\$1,600.00)**.

56) Order Type and Number: Consent Order 2016-206-04-036
Order Date: August 11, 2017
Individual/Entity: **Piggly Wiggly #091 Deli**
Facility: Piggly Wiggly #091 Deli
Location: 114 East Calhoun Street
Sumter, SC 29150
Mailing Address: 415 North Salem Street
Sumter, SC 29150
County: Sumter
Previous Orders: None
Permit Number: 43-206-00027
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Piggly Wiggly #091 Deli (Individual/Entity) is a deli located in Sumter, South Carolina. The Department conducted inspections on August 17, 2016, August 26, 2016, and September 1, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

57) Order Type and Number: Consent Order 2016-206-06-147
Order Date: August 11, 2017
Individual/Entity: **Piggly Wiggly #44 Deli**
Facility: Piggly Wiggly #44 Deli
Location: 1620 Highmarket Street
Georgetown, SC 29440
Mailing Address: 415 N. Salem Avenue
Sumter, SC 29150
County: Georgetown
Previous Orders: 2015-206-06-112 (\$800.00)
Permit Number: 22-206-06235
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Piggly Wiggly #44 Deli (Individual/Entity) is a deli located in Georgetown, South Carolina. The Department conducted an inspection on October 31, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand, two hundred dollars **(\$1,200.00)**.

58) Order Type and Number: Consent Order 2016-206-06-149
Order Date: August 11, 2017
Individual/Entity: **Bi-Lo #5758 Deli Bakery**
Facility: Bi-Lo #5758 Deli Bakery
Location: 4430 Highway 17 Bypass
Murrells Inlet, SC 29576
Mailing Address: P.O. Box 2209
Jacksonville, FL 32203
County: Georgetown
Previous Orders: 2015-206-06-039 (\$800)
Permit Number: 26-206-06237
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Bi-Lo #5758 Deli Bakery (Individual/Entity) is a deli/bakery located in Murrells Inlet, South Carolina. The Department conducted an inspection on November 29, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand, two hundred dollars **(\$1,200.00)**.

59) Order Type and Number: Consent Order 2016-206-06-150
Order Date: August 11, 2017
Individual/Entity: **Red Chopsticks**
Facility: Red Chopsticks
Location: 406 East Brooks Road
Andrews, SC 29510
Mailing Address: Same
County: Georgetown
Previous Orders: None
Permit Number: 22-206-063460
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Red Chopsticks (Individual/Entity) is a restaurant located in Andrews, South Carolina. The Department conducted inspections on July 12, 2016, July 20, 2016, and November 9, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

60) Order Type and Number: Consent Order 2017-206-01-105
Order Date: August 11, 2017
Individual/Entity: **Quality Inn**
Facility: Quality Inn
Location: 105 Trade Street
Clinton, SC 29325
Mailing Address: 6764 Pottery Road
Spartanburg, SC 29303
County: Laurens
Previous Orders: None
Permit Number: N/A
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Quality Inn (Individual/Entity) is a restaurant located in Clinton, South Carolina. The Department conducted inspections on May 25, 2017, and July 13, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: provided food to the public without a valid permit issued by the Department.

Action: The Individual/Entity is required to: cease all food service operations until a Retail Food Establishment Permit is obtained through the Department; and pay a civil penalty in the amount of one thousand, six hundred dollars **(\$1,600.00)**.

61) Order Type and Number: Consent Order 2017-206-05-005
Order Date: August 11, 2017
Individual/Entity: **Cathy's Country Cooking**
Facility: Cathy's Country Cooking
Location: 4013 Kennerly Road
Orangeburg, SC 29118
Mailing Address: 185 Louise Drive
Orangeburg, SC 29118
County: Orangeburg
Previous Orders: None
Permit Number: 38-206-02634
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Cathy's Country Cooking (Individual/Entity) is a restaurant located in Orangeburg, South Carolina. The Department conducted inspections on July 6, 2016, July 27, 2017, and July 7, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

62) Order Type and Number: Consent Order 2017-206-06-014
Order Date: August 11, 2017
Individual/Entity: **Southern House of Pancakes**
Facility: Southern House of Pancakes
Location: 7100 North Kings Highway
Myrtle Beach, SC 29572
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-13095
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Southern House of Pancakes (Individual/Entity), located in Myrtle Beach, South Carolina, is a restaurant. The Department conducted inspections on September 23, 2015, August 25, 2016, and March 21, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

63) Order Type and Number: Consent Order 2017-206-06-045
Order Date: August 11, 2017
Individual/Entity: **Sea Captain's House**
Facility: Sea Captain's House
Location: 3002 North Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: P.O. Box 1948
Myrtle Beach, SC 29578
County: Horry
Previous Orders: 2016-206-06-105 (\$600.00)
Permit Number: 26-206-01334
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Sea Captain's House (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted an inspection on February 1, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand, two hundred dollars **(\$1,200.00)**.

64) Order Type and Number: Consent Order 2017-206-06-046
Order Date: August 11, 2017
Individual/Entity: **Huddle House**
Facility: Huddle House
Location: 1611 North Longstreet Street
Kingstree, SC 29556
Mailing Address: 2265 Armstrong Court SW
Conyers, GA 30094
County: Williamsburg
Previous Orders: 2016-206-06-065 (\$2,000.00)
Permit Number: 45-206-00372
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Huddle House (Individual/Entity) is a restaurant located in Kingstree, South Carolina. The Department conducted an inspection on June 7, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand two hundred dollars **(\$1,200.00)**.

65) Order Type and Number: Consent Order 2017-206-07-007
Order Date: August 11, 2017
Individual/Entity: **Sushi 101**
Facility: Sushi 101
Location: 214 Saint James Avenue #220
Goose Creek, SC 29445
Mailing Address: Same
County: Berkeley
Previous Orders: None
Permit Number: 08-206-09360
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Sushi 101 (Individual/Entity) is a restaurant located in Goose Creek, South Carolina. The Department conducted inspections on July 26, 2016, April 11, 2017, and April 13, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

66) Order Type and Number: Consent Order 2016-206-06-147
Order Date: August 14, 2017
Individual/Entity: **Great Wall Chinese Restaurant**
Facility: Great Wall Chinese Restaurant
Location: 1049 North Fraser Street
Georgetown, SC 29440
Mailing Address: Same
County: Georgetown
Previous Orders: 2014-206-06-018 (\$750.00)
Permit Number: 22-206-05440
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Great Wall Chinese Restaurant (Individual/Entity) is a restaurant located in Georgetown, South Carolina. The Department conducted inspections on May 31, 2017, and June 9, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of two thousand four hundred dollars **(\$2,400.00)**.

67) Order Type and Number: Consent Order 2016-206-06-153
Order Date: August 14, 2017
Individual/Entity: **Tropical Smoothie**
Facility: Tropical Smoothie
Location: 201 Graduate Road
Conway, SC 29526
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-10742
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Tropical Smoothie (Individual/Entity) is a restaurant located in Conway, South Carolina. The Department conducted inspections on October 21, 2015, September 19, 2016, and May 1, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

68) Order Type and Number: Consent Order 2017-206-01-014
Order Date: August 14, 2017
Individual/Entity: **Long John Silver's/ A & W**
Facility: Long John Silver's/ A & W
Location: 3314-A North Main Street
Anderson, SC 29621
Mailing Address: P.O. Box 1060
Gaffney, SC 29342
County: Anderson
Previous Orders: None
Permit Number: 04-206-03724
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Long John Silver's/ A & W (Individual/Entity) is a restaurant located in Anderson, South Carolina. The Department conducted inspections on April 25, 2016, April 11, 2017, and April 19, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the physical facilities in good repair; failed to provide light bulbs that are shielded, coated, or otherwise shatter-resistant in areas where there is exposed food, clean equipment, utensils and linens, or unwrapped single-service and single-use articles; and failed to meet the lighting intensity as measured by foot candles throughout specific areas of the facility.

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; and pay a civil penalty in the amount of two hundred dollars **(\$200.00)**.

69) Order Type and Number: Consent Order 2017-206-02-019
Order Date: August 14, 2017
Individual/Entity: **Bertolo's Pizza**
Facility: Bertolo's Pizza
Location: 200 North Main Street, Suite 103
Greenville, SC 29601
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: 23-206-06441
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Bertolo's Pizza (Individual/Entity) is a restaurant located in Greenville, South Carolina. The Department conducted inspections on May 23, 2017, May 31, 2017, and June 2, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of five hundred fifty dollars **(\$550.00)**.

70) Order Type and Number: Consent Order 2017-206-07-010
Order Date: August 14, 2017
Individual/Entity: **R B's Seafood Restaurant**
Facility: R B's Seafood Restaurant
Location: 97 Church Street
Mount Pleasant, SC 29464
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit Number: 10-206-04737
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: R B's Seafood Restaurant (Individual/Entity) is a restaurant located in Mount Pleasant, South Carolina. The Department conducted inspections on August 7, 2015, June 29, 2016, and May 23, 2017. 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.

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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

71) Order Type and Number: Consent Order 2017-206-03-014
Order Date: August 16, 2017
Individual/Entity: **Odaly's Bakery**
Facility: Odaly's Bakery
Location: 103 North 12th Street, Suite E
West Columbia, SC 29169
Mailing Address: Same
County: Lexington
Previous Orders: 2016-206-03-031 (\$800.00)
Permit Number: 32-206-04488
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Odaly's Bakery (Individual/Entity) is a bakery located in West Columbia, South Carolina. The Department conducted an inspection on February 1, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure employees washed their hands between tasks or working with foods, prior to donning gloves.

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; and pay a civil penalty in the amount of one thousand, two hundred dollars **(\$1,200.00)**.

72) Order Type and Number: Consent Order 2017-206-06-020
Order Date: August 16, 2017
Individual/Entity: **Pawleys Island Tavern**
Facility: Pawleys Island Tavern
Location: 10635 Ocean Highway
Pawleys Island, SC 29585
Mailing Address: 193 Arcadia Road
Pawleys Island, SC 29585
County: Georgetown
Previous Orders: None
Permit Number: 22-206-05734
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Pawleys Island Tavern (Individual/Entity) is a restaurant located in Pawleys Island, South Carolina. The Department conducted inspections on September 22, 2016, September 30, 2016, April 19, 2017, and April 28, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand, three hundred fifty dollars **(\$1,350.00)**.

73) Order Type and Number: Consent Order 2016-206-03-119
Order Date: August 17, 2017
Individual/Entity: **Hong Kong**
Facility: Hong Kong
Location: 1841 J A Cochran Bypass, Suite E
Chester, SC 29706
Mailing Address: Same
County: Chester
Previous Orders: None
Permit Number: 12-206-00696
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Hong Kong (Individual/Entity) is a restaurant located in Chester, South Carolina. The Department conducted inspections on July 27, 2016, September 15, 2016, and September 27, 2016. 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.

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; and pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

74) Order Type and Number: Consent Order 2016-206-04-037
Order Date: August 17, 2017
Individual/Entity: **Waffle House #822**
Facility: Waffle House #822
Location: 1113 Sumter Highway
Bishopville, SC 29010
Mailing Address: P.O. Box 6450
Norcross, GA 30091
County: Lee
Previous Orders: None
Permit Number: 31-206-06041
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Waffle House #822 (Individual/Entity) is a restaurant located in Bishopville, South Carolina. The Department conducted inspections on July 12, 2016, July 28, 2016, November 14, 2016, and November 22, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for safety foods; and failed to maintain the premises free of insects, rodents, and other pests.

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; and pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**).

75) Order Type and Number: Consent Order 2016-206-06-151
Order Date: August 18, 2017
Individual/Entity: **Benito's**
Facility: Benito's
Location: 1598 South Kings Highway
North Myrtle Beach, SC 29582
Mailing Address: P.O. Box 1463
North Myrtle Beach, SC 29597
County: Horry
Previous Orders: None
Permit Number: 26-206-06486
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Benito's (Individual/Entity) is a restaurant located in North Myrtle Beach, South Carolina. The Department conducted inspections on March 11, 2016, September 1, 2016, and March 23, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of five hundred fifty dollars **(\$550.00)**.

76) Order Type and Number: Consent Order 2017-206-07-008
Order Date: August 18, 2017
Individual/Entity: **Pan Super Buffet**
Facility: Pan Super Buffet
Location: 9970 Dorchester Road, Unit A
Summerville, SC 29485
Mailing Address: Same
County: Dorchester
Previous Orders: 2015-206-07-046 (\$800.00);
2016-206-07-035 (\$600.00)
Permit Number: 18-206-07403
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Pan Super Buffet (Individual/Entity) is a restaurant located in Summerville, South Carolina. The Department conducted an inspection on May 2, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand six hundred dollars **(\$1,600.00)**.

77) Order Type and Number: Consent Order 2016-206-03-114
Order Date: August 22, 2017
Individual/Entity: **Love's Travel Stop #333**
Facility: Love's Travel Stop #333
Location: 135 Sutton Ridge Lane
Fort Mill, SC 29708
Mailing Address: P.O. Box 26210
Oklahoma City, OK 73126
County: York
Previous Orders: None
Permit Number: 46-206-02063
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Love's Travel Stop #333 (Individual/Entity) is a convenience store located in Fort Mill, South Carolina. The Department conducted inspections on September 6, 2016, September 16, 2016, and September 26, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

78) Order Type and Number: Consent Order 2017-206-01-008
Order Date: August 22, 2017
Individual/Entity: **Rancho Grande**
Facility: Rancho Grande
Location: 95 Greenwood Avenue South
Ware Shoals, SC 29692
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit Number: 24-206-01797
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Rancho Grande (Individual/Entity) is a restaurant located in Ware Shoals, South Carolina. The Department conducted inspections on February 26, 2016, February 16, 2017, and February 24, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

79) Order Type and Number: Consent Order 2017-206-02-020
Order Date: August 22, 2017
Individual/Entity: **Liberty West End**
Facility: Liberty West End
Location: 941 South Main Street
Greenville, SC 29601
Mailing Address: 1177 Southgate Drive
Charleston, SC 29407
County: Greenville
Previous Orders: 2016-206-01-044 (\$800.00)
Permit Number: 23-206-09279
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Liberty West End (Individual/Entity) is a restaurant located in Greenville, South Carolina. The Department conducted inspections on November 9, 2015, September 15, 2016, and May 24, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for safety foods; and failed to clean ice bins and beverage dispensing nozzles and enclosed components of equipment such as ice makers, cooking oil storage tanks and distribution lines, beverage and syrup dispensing lines or tubes, coffee bean grinders, and water vending equipment at a frequency specified by the manufacturer, or at a frequency necessary to preclude accumulation of soil or mold.

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; and pay a civil penalty in the amount of one thousand, five hundred dollars **(\$1,500.00)**.

80) Order Type and Number: Consent Order 2016-206-03-112
Order Date: August 23, 2017
Individual/Entity: **Yummie Creations**
Facility: Yummie Creations
Location: 109-L Old Chapin Road
Lexington, SC 29072
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit Number: 32-206-04095
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Yummie Creations (Individual/Entity) is a restaurant located in Lexington, South Carolina. The Department conducted an inspection on August 3, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

81) Order Type and Number: Consent Order 2016-206-06-157
Order Date: August 23, 2017
Individual/Entity: **El Cerro Grande**
Facility: El Cerro Grande
Location: 829 Church Street
Georgetown, SC 29440
Mailing Address: Same
County: Georgetown
Previous Orders: None
Permit Number: 22-206-05573
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: El Cerro Grande (Individual/Entity) is a restaurant located in Georgetown, South Carolina. The Department conducted inspections on September 6, 2016, September 16, 2016, and July 12, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

82) Order Type and Number: Consent Order 2016-206-03-107
Order Date: August 24, 2017
Individual/Entity: **KJ's IGA Market Deli/Bakery**
Facility: KJ's IGA Market Deli/Bakery
Location: 217 West Columbia Avenue
Batesburg, SC 29006
Mailing Address: P.O. Box 1629
Lake City, SC 29560
County: Lexington
Previous Orders: 2016-206-03-028 (\$800.00)
Permit Number: 32-206-06279
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: KJ's IGA Market Deli/Bakery (Individual/Entity) is a deli/bakery located in Batesburg, South Carolina. The Department conducted inspections on November 3, 2016, and November 10, 2016. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of two thousand, four hundred dollars (**\$2,400.00**).

83) Order Type and Number: Consent Order 2017-206-03-013
Order Date: August 24, 2017
Individual/Entity: **Nicks Gyros**
Facility: Nicks Gyros
Location: 1931 Broad River Road
Columbia, SC 21210
Mailing Address: Same
County: Richland
Previous Orders: 2015-206-03-013 (\$750.00);
2016-206-03-013 (\$1,800.00)
Permit Number: 40-206-06940
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Nicks Gyros (Individual/Entity) is a restaurant located in Columbia, South Carolina. The Department conducted an inspection on January 31, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand, six hundred dollars **(\$1,600.00)**.

84) Order Type and Number: Consent Order 2017-206-05-006
Order Date: August 24, 2017
Individual/Entity: **Captain D's Seafood #9487**
Facility: Captain D's Seafood #9487
Location: 506 Bells Highway
Walterboro, SC 29488
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit Number: 38-206-00290
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Captain D's Seafood #9487 (Individual/Entity) is a restaurant located in Orangeburg, South Carolina. The Department conducted inspections on June 5, 2017, June 14, 2017, and June 22, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for safety foods; and failed to provide equipment sufficient in number and capacity to maintain food temperatures for cooling and heating food, and holding cold and hot food.

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; and pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

85) Order Type and Number: Consent Order 2017-206-06-044
Order Date: August 24, 2017
Individual/Entity: **River City Café**
Facility: River City Café
Location: 4393 Highway 17 Business
Murrells Inlet, SC 29576
Mailing Address: 3348 Huger Street
Myrtle Beach, SC 29577
County: Georgetown
Previous Orders: 2016-206-06-116 (\$800.00)
Permit Number: 22-206-05199
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: River City Café (Individual/Entity) is a restaurant located in Murrells Inlet, South Carolina. The Department conducted an inspection on March 28, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of 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; and pay a civil penalty in the amount of one thousand, two hundred dollars **(\$1,200.00)**.

86) Order Type and Number: Consent Order 2017-206-07-009
Order Date: August 24, 2017
Individual/Entity: **Noisy Oyster Bar & Grill**
Facility: Noisy Oyster Bar & Grill
Location: 7842 Rivers Avenue
North Charleston, SC 29406
Mailing Address: Same
County: Charleston
Previous Orders: 2016-206-07-061 (\$800.00)
Permit Number: 10-206-01672
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Noisy Oyster Bar & Grill (Individual/Entity) is a restaurant located in North Charleston, South Carolina. The Department conducted inspections on June 20, 2016, June 14, 2017, and June 15, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures of time/temperature control for safety foods; failed to keep food contact surfaces, nonfood contact surfaces, and utensils clean and free of accumulation of dust, dirt, food residue and other debris; and failed to keep shell stock tags or labels attached to the container in which the shell stock are received, until the container is empty.

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; and pay a civil penalty in the amount of two thousand, seven hundred dollars **(\$2,700.00)**.

Onsite Wastewater Enforcement

87) Order Type and Number: Consent Order 17-06-OSWW
Order Date: August 4, 2017
Individual/Entity: **Arthur Stewart**
Facility: Arthur Stewart
Location: 16,17A,17B,17C and 18 Bligen Lane
Hilton Head, SC 29926
Mailing Address: P.O. Box 21084
Hilton Head, SC 29582
County: Beaufort
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Arthur Stewart (Individual/Entity) owns property located in Hilton Head, South Carolina. The Department conducted a complaint investigation on July 15, 2016, and observed the discharge of wastewater to the ground surface and marsh areas. The Individual/Entity has violated the South Carolina Onsite Wastewater Systems (OSWW) Regulation as follows: failed to ensure that no septic tank effluent or domestic wastewater or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to immediately stop the discharging of all septic effluent or domestic wastewater or sewage to the ground or marsh areas; immediately remove all drainage pipes that are not connected to an approved wastewater disposal system; and ensure that the residence located at 17C Bligen Lane remains vacated until it can be connected to a Department approved wastewater disposal system.

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

Summary Sheet
Board of Health and Environmental control

(October 12, 2017)

- (X) Action/Decision
() Information

I. TITLE: Approval of two new members for Hospital Infection Disclosure Act (HIDA) Advisory Committee

II. SUBJECT: The board of the Palmetto chapter of the Association for Professionals in Infection Control (APIC Palmetto) has nominated Ms. Sue Boeker and Ms. Ann North as two new HIDA members representing the APIC Palmetto. APIC Palmetto provides five infection preventionist to the HIDA Advisory Committee. Kyle Puckett is scheduled to rotate off of the HIDA Advisory Committee due to a change in employment. Virginia Herring is scheduled to rotate off due to retirement. Gwen Usry is already a member, she represented hospital size 201-500, due to change in her employment, APIC has proposed for her to represent facilities with bed size <50.

Ms. Boeker holds a Master of Science in Nursing from Michigan State University, East Lansing, MI. Ms. Boeker has 22 years of experience at a large University Medical Center. Currently, she serves in a dual role as Manager of Respiratory Care Services (2003), and Infection Prevention (2006) in Greenville Health System (GHS), North Greenville LTAC Hospital (NGH). She has an extensive experience in quality improvement projects, and serves as a lead facilitator for numerous initiatives resulting in substantial infection rate reductions and improved patient safety outcomes. She obtained certification in Infection Prevention and Control in 2006, and was re-certified in 2012 and 2016. She authored and co-authored several research abstracts and papers, and presented in numerous professional forums at the local and regional level.

Ms. Ann Pope North received her Bachelor of Science Degree in Nursing from Georgia Health Sciences University, Augusta, Georgia in 1976, and a Master of Science in Nursing from Emory University in 2006. Ms. North has proven track record of being committed to patient safety and improved patient outcomes utilizing evidence-based and best practices. She is currently the Director of Infection Prevention and Control at Carolinas Hospital System, Florence. Ms. North was recipient of Palmetto Gold Award for nursing excellence in 2017.

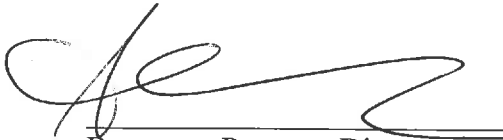
III. FACTS: S.C. Code Section 44-7-2430 (C)(1):

(C)(1) The Department of Health and Environmental Control shall appoint an advisory committee that must have an equal number of members representing all involved parties.

The board shall seek recommendations for appointments to the advisory committee from organizations that represent the interests of hospitals, consumers, businesses, purchasers of health care services, physicians, and other professionals involved in the research and control of infections.

IV. ANALYSIS: Please review Ms. Boeker's and Ms. Pope's curriculum vitae and current list of HIDA Advisory Committee Members.

V. RECOMMENDATION: At the request of APIC Palmetto, please approve Ms. Boeker and Ms. Pope as members to the HIDA Advisory Committee.



Bureau or Program Director
**Anton Maki Jr., MD, MBA,
FRCPC, FCAP, FACP.
Infectious Disease & Microbiology**



Director of Public Health

Attachments:

- 1) Current list of HIDA Advisory Members
- 2) Ms. Sue Boeker's Curriculum Vitae
- 3) Ms. Ann Pope North's Curriculum Vitae

HIDA Members (July 2017)

SC DHEC Representatives

- Nijika Shrivastwa, Healthcare Associated Infections Coordinator for DADE
- Patricia Kopp, Infection Preventionist for DADE
- Dr. Linda Bell, State Epidemiologist
- William D. Britt, Chief Counsel for Public Health, Office of General Council

APIC Palmetto Infection Preventionists Representatives

- Virginia Herring – Infection Preventionist at Palmetto Health Richland
- Kathy Ward, Infection Preventionist at Roper St. Francis Hospital
- Jan Lienau, Infection Preventionist at Greer Memorial Hospital
- Gwen Usry, Infection Preventionist, AnMed Health, Anderson
- Kyle Puckett, Infection Preventionist, Greenville Hospital System LTAC

Infectious Disease Physician Representatives

- Majdi N. Al-Hasan, Physician, University of South Carolina School of Medicine, Columbia, SC
- Kevin Shea, Physician, Trident Health
- Cassandra Salgado, Physician, Medical University of South Carolina

Other Medical Professional

- Bob Rife, Manager Respiratory care/ Sleep Lab, Roper St.Francis

South Carolina Hospital Association Representatives

- Aunyika Moonan, Director, Quality Measurement Services
- Richard Foster, Senior Vice President for Quality Improvement and Patient Safety
- Lorrie Gibbons, Vice President for Quality Improvement and Patient Safety

Consumer Representatives

- Jon Ruoff, Founder, The Ruoff Group
- Francee Levin, American Association of Retired Persons (AARP)

SC Revenue and Fiscal Affairs Office

- Julie Royer, Statistician

Carolinas Center for Medical Excellence Representatives

- Christine Wlodarczyk

Patient Advocate Representatives

- Helen Haskell , Founder, Mothers Against Medical Error



May 16, 2017

Nijika Shrivastwa, PhD, MHSA, MPH
 Healthcare Associated Infections Coordinator
 South Carolina Department of Health and Environmental Control
 Bureau of Disease Control
 Division of Acute Disease Epidemiology
 2100 Bull St.
 Columbia, SC 29210
 Phone: (803) 898-0575
 Fax: (803) 898-0897

Re: APIC Palmetto HIDA member recommendations

Dear Dr. Shrivastwa,

Since the creation of the Hospital Infections Disclosure Act (HIDA) in 2006, the South Carolina Chapter of the Association for Professionals in Infection Control and Epidemiology, APIC Palmetto, has been appreciative that our organization has been a participant in the ongoing sustainment of the HIDA Advisory Committee. Originally, APIC Palmetto was requested and provided five infection preventionists to the HIDA Advisory Committee. The five members were to represent a cross section of the different size hospitals in our state and reflect both rural and urban settings.

Currently, APIC has the following members serving on the HIDA Advisory Committee:

Name	Hospital	Location	Bed Size	Represents Bed Size Category
Jan Lienau	Greer Memorial	Greer	82	51-200 beds
Kathy Ward	Roper St. Francis	Charleston	453	201-500 beds
Virginia Herring	PalmettoHealth Richland	Columbia	649	501 and > Rotating Off
Gwen Usry	Patewood Memorial Hospital	Greenville	34	<50 beds

Kyle Puckett is scheduled to rotate off of the HIDA Advisory Committee due to a change in employment. Gwen Usry will rotate off from hospital size 201-500 to replace her for bed size <50. Virginia Herring is scheduled to rotate off due to retirement. To return to our original representation of five infection preventionists, APIC Palmetto is recommending the following APIC members be approved to serve on the HIDA Advisory Committee pending your approval:

Name	Hospital	Location	Bed Size	Represents Bed Size Category
Sue Boeker	Greenville Memorial Hospital sboeker@ghs.org (O)864-455-4142	Greenville	696	501 and >
Ann North	Carolina's Hospital System ANorth@CarolinasHospital.com Office: (843) 674-2606	Florence	420	201-500

Respectfully,
 Jan Lienau, BSN,RN,CIC
 APIC Palmetto President-2017

Susan Boeker, RN BSN CIC

Education

August 1991 – May 1994 Valparaiso University, Valparaiso, IN
Bachelor of Science in Nursing Degree

September 1990 – July 1991 Michigan State University, East Lansing, MI

Professional experience

August 2015 – Present Greenville Memorial Hospital, Greenville, SC
Manager, Infection Prevention: Manage and coordinate the daily operations of the Infection Prevention Department for the Greenville Memorial Medical Campus. The campus includes 845 bed academic medical center, rehabilitation hospital, long term care facility, and behavioral health facility. Conduct the following surveillance: adult CLABSI, flu, and syndromic surveillance.

June 2003 – August 2015 Greenville Memorial Hospital, Greenville, SC
Infection Prevention Coordinator: Provide infection prevention services for 710 bed tertiary facility. Responsible for emergency department, acute care, and long term care areas. Specialize in emergency preparedness biological readiness planning. Initiated and maintain a system-wide syndromic surveillance system. Maintain data for expanded precautions process improvement. Assist with the implementation of a new electronic hand hygiene monitoring system. Coordinate information technology services for the department. Coordinate education for the department. Responsible for the implementation of a new intranet website for infection prevention. Conduct the following surveillance: adult CLABSI, MRSA, flu and syndromic surveillance.

February 2002 – June 2003 Greenville Memorial Hospital, Greenville, SC
Registered Nurse, 4C: Provide care on a telemetry unit that specializes in step down patients from the Coronary Care Unit. Trained in sheath removal for patients status post angioplasty. Precept new orientees as needed.

November 2001 – February 2002 Greenville Memorial Hospital, Greenville, SC
Registered Nurse, Unit Coordinator, Chest Pain Center: New unit transitioned from the Clinical Decision Unit. Treat all cardiac patients for Greenville Memorial Hospital Emergency Department. Run a twenty four hour observation unit for cardiac patients. Responsible for the organization and implementation of educating the Clinical Decision Unit staff for the transition to the Chest Pain Center. Assisted with the development of unit standing orders and nurses' notes. Coordinate and conduct orientation for new employees. Organize continuing education for the unit. Alternate Charge Nurse for the Emergency Trauma Center. Cross trained to work in the Emergency Trauma Center.

March 1997 – October 2001 Greenville Memorial Hospital, Greenville, SC
Registered Nurse, Nurse Educator, Clinical Decision Unit: Work in a unit with full telemetry and oxygen saturation monitoring capability that operates closely in conjunction with the Emergency Department. The unit specializes in twenty four hour observation of monitored and nonmonitored patients. Attend to patients cared for after office hours by physicians. Treat and prepare patients for specific outpatient procedures, such as intravenous infusion therapies, phlebotomies, and blood transfusions. Coordinate and conduct orientation of new employees. Implement unit education programs. Identify and provide for the educational needs of individual staff members. Responsible for redesign of orientation program, and development of patient education materials. Conduct quarterly

education training for the Emergency Department, Children's Emergency Center, and Clinical Decision Unit. Cross trained to work in the Emergency Department.

February 1995 – February 1997 Greenville Memorial Hospital, Greenville, SC
Registered Nurse, 5C: Provide care on a medical floor that specializes in pulmonary cases, plus operates a pulmonary step-down unit specifically to wean patients off the ventilator. The floor is also fully equipped for telemetry and oxygen saturation monitoring. Care for eight to ten patients on a regular basis, without nursing assistants. Perform charge nurse duties including patient assignment, shift reports, addressing patient and family issues, and orientation of staff.

Certifications

Certification in Infection Control and Epidemiology (CIC) since 2006
Recertified 2012, 2016
Expires 12/31/2021

Awards

- ❖ 2015 Infection Preventionist of the Year Award from Association of Professionals in Infection Control and Epidemiology, Palmetto Chapter
- ❖ 2015 Palmetto Gold Award for nursing excellence, South Carolina Nurses Foundation
- ❖ 2011 Horizon Award from Association of Professionals in Infection Control and Epidemiology, Palmetto Chapter
- ❖ 2005 Blazing New Trails Award from Association of Professionals in Infection Control And Epidemiology, Palmetto Chapter

Publications

- ❖ Diller, T., Kelly, W., Blackhurst, D., Steed, C., Boeker, S., McElveen, D. (2014). Estimation of hand hygiene opportunities on an adult medical ward using 24-hour camera surveillance: Validation of the HOW2 benchmark study. *American Journal of Infection Control*, 42, 602-7.
- ❖ Steed, C., Kelly, W., Blackhurst, D., Boeker, S., Diller, T., Alper, P., Larson, E. (2011). Hospital hand hygiene opportunities: Where and When (HOW2)? The HOW2 Benchmark Study. *American Journal of Infection Control*, 39, 19-26.

Oral Presentations

- ❖ "Utilizing Information Technology to Improve an Infection Prevention Program" presented at 2014 41st Annual Conference for the Association of Professionals in Infection Control and Epidemiology, June 2014.
- ❖ "Flu Facts for Radiology" and "Hand Hygiene and Infection Prevention Basics in Radiology" presented at 2013 South Carolina Beach-fest Radiology Education Conference, September 2013.
- ❖ "How to Manage Managing" presented with Connie Steed at 2013 40th Annual Conference for the Association of Professionals in Infection Control and Epidemiology, June 2013.
- ❖ "2013 NHSN CLABSI Definition" webinar presentation sponsored by Association of Professionals in Infection Control and Epidemiology – Palmetto Chapter, April 2013 and July 2013.
- ❖ "Hospital Management of the 2009 H1N1 Pandemic" presented at 2010 16th Annual South Carolina Department of Health and Environmental Control Epidemiology Conference, May 2010.
- ❖ "Infection Control Across the Continuum of Care" presented at 2009 Rehabilitation Educational Conference. Sponsored by South Carolina Association of Rehabilitation Nurses, November 2009.
- ❖ "Surge Strategies for Flu Outbreaks: Protecting Patients and Staff from Seasonal and Pandemic Influenza" presented with Gloria Morrell. Audioconference sponsored by HCPro, August 7, 2007.
- ❖ "Special Surveillance Systems: Chief-complaint Driven Syndromic Surveillance" presented at Epidemiology: What's Your Role in the Big Picture? Pre-conference 2007. Sponsored by South Carolina Department of Health and Environmental Control, March 2007.

- ❖ “Triaging of Infectious Diseases at GHS” presented at 2006 APIC-Palmetto Education Conference. November 2006
- ❖ “Use of EARS-X by a Hospital Infection Control Professional” presented at 2006 South Carolina HRSA Summit. Sponsored by South Carolina Hospital Association and South Carolina Department of Health & Environmental Control, September 2006
- ❖ “Bioterrorism Basics” presented at Putting the Pieces Together in Mental Health Conference. Sponsored by Clemson University & Department of Mental Health, October 2003

Poster Presentations

- ❖ Kelly, W., Blackhurst, D., Steed, C., Boeker, S., McAtee, W., (2016). Use of targeted solutions tools (TST) and electronic Monitoring to improve hand hygiene compliance. SHEA Spring Conference. Atlanta, Ga (Poster presentation pending May 18-21.
- ❖ Robinson, N, Boeker, S, Steed, C, Kelly, W. Innovative Use of Electronic Hand Hygiene Monitoring to Control a *Clostridium difficile* cluster on a Hematopoietic Stem Cell Transplant Unit. 2014 National Education Conference for the Association of Professionals in Infection Control and Epidemiology.
- ❖ Diller T, Gilroy K., Steed C, Kelly B, Boeker S, Blackhurst D, Potter K (2012). Improvement in Hand hygiene compliance, IHI 24th Annual National Forum for Quality Improvement in healthcare. Orlando, Fla.(Poster)
- ❖ Kelly, W, Boeker, S, Steed, C. Use of Trained Student Volunteers to Assess Adherence to Hand Hygiene Guidelines by Healthcare workers. 2010 National Educational Conference for the Association for Professionals in Infection Control and Epidemiology.
- ❖ Steed, C, Boeker, S, Kelly, W, Hauck, K, Hudson, K, Combs, P, Larson, E. Adaptation of World Health Organization Hand Hygiene Method for a Large United States Healthcare System. 2010 National Educational Conference for the Association for Professionals in Infection Control and Epidemiology.
- ❖ Boeker, S, Steed, C, Kelly, W, Corwin, K. Multi-tiered Approach to Hand Hygiene Compliance Monitoring. 2008 National Educational Conference for the Association for Professionals in Infection Control and Epidemiology.
- ❖ Boeker, S, Littlejohn, M. Steed, C, Kelly, W. Use of Personal Data Assistant for Monitoring Compliance with Expanded Precautions Practices. 2008 National Educational Conference for the Association for Professionals in Infection Control and Epidemiology.
- ❖ Boeker, S, Drociuk, D, Jankelevich, S, Kelly, W, Steed, C. Mutual Benefits in Partnerships between Hospital-based and Public Health Department syndromic Surveillance Systems in Outbreak Detection and Investigation. 2007 Syndromic Surveillance Conference for the International Society for Disease Surveillance.
- ❖ Boeker, S, Drociuk, D, Belflower, A, Steed, C. A Novel Approach to Using Chief Complaint-Driven Syndromic Surveillance: Use of EARS-X by Hospital Infection Control Practitioners. 2006 Syndromic Surveillance Conference for the International Society for Disease Surveillance.
- ❖ Boeker, S, Steed, C, Kelly, W, Haviland, C. Monitoring of Compliance with Infection Control Practices at a 710-bed Tertiary Facility. 2005 National Educational Conference for the Association of Professionals in Infection Control & Epidemiology.

Additional Training

- ❖ “Tuberculosis Today” South Carolina Department of Health and Environmental Control, Hickory Knob State Park, SC, February 2005
- ❖ “Academy for Public Health Emergency Preparedness”, University of South Carolina and South Carolina Department of Health and Environmental Control, Columbia, SC, November 2003 – May 2004
- ❖ “Basic Training Course for Surveillance, Prevention, and Control of Healthcare Associated Infections” ICP Associates, LLC, Decatur, GA, September 2003

**Additional
professional
activities**

- ❖ Member of the South Carolina Department of Health and Environmental Control Disease Control Subcommittee (March 2006 – 2013)
- ❖ Member of the South Carolina Department of Health and Environmental Control Training Advisory Subcommittee (April 2005 – March 2006)
- ❖ Member of the South Carolina Department of Health and Environmental Control Region II Disaster Committee (2005-present)
- ❖ Member of Greenville County Emergency Management Medical Annex Committee (2003-present)

**Professional
memberships**

Association for Professionals in Infection Control and Epidemiology (2003-present)

- ❖ Member of the Emergency Preparedness Committee 2011- 2012
- ❖ Vice Chair of the Emergency Preparedness Committee 2013-2014

Association for Professionals in Infection Control and Epidemiology, Palmetto Chapter (2003-present)

- ❖ Chair of Communications Committee 2015
- ❖ Past President, Historian, Member of Education Committee, Communications Committee, Awards Committee 2014
- ❖ President 2013
- ❖ President Elect, Chair of Program Committee 2012
- ❖ Director 2010-2011
- ❖ Chair of Nominating Committee 2008
- ❖ Member of Nominating Committee 2007
- ❖ Member of Program Committee 2006
- ❖ Member of Program Committee 2005

International Society for Disease Surveillance (November 2006 – December 2010)

Ann Pope North
3221 W. Hampton Pointe Drive
Florence, SC 29501
annpnorth@yahoo.com
770.402.6977 (Mobile)

SUMMARY: Collaborative nurse leader committed to patient safety and improved patient outcomes utilizing evidence-based and best practices. A proven record of interdisciplinary teamwork with recognized skills as a mentor, an organizer, a facilitator and a communicator. Palmetto Gold Award for nursing excellence in 2017.

CERTIFICATION: Certified in Infection Control (CIC)

EXPERIENCE: Carolinas Hospital System – Florence, South Carolina
March 7, 2016 – Present
Director of Infection Prevention and Control

- Manage department of 2.0 FTEs
- Administer a comprehensive infection prevention and control program for a 420-bed hospital system serving acute care, women’s, ambulatory surgery, in-patient acute rehabilitation, in-patient substance abuse
- Serve as a corporate Infection Control Advisory Council member
- Facilitate CLABSI Reduction team
- Facilitate SSI Reduction team

WellStar Kennestone Regional Medical Center – Marietta, Georgia
December 1, 2014 – February 19, 2016
Manager, Infection Prevention and Accreditation

- Managed 5.0 FTEs in two departments
- Administered a comprehensive infection prevention program for a 633-bed hospital serving acute care, women’s, pediatrics, NICU, in-patient acute rehabilitation, ambulatory surgery, and out-patient cancer center
- Collaborated with IPs in the 5-hospital system to standardize processes
- Responsible for accreditation and survey readiness

Carolinas Hospital System – Florence, South Carolina
May 10, 2010 – November 14, 2014
Director of Infection Prevention and Control

- Managed department of 2.0 FTEs
- Administered a comprehensive infection prevention and control program for a 420-bed hospital system serving acute care, women’s, ambulatory surgery, in-patient acute rehabilitation, in-patient substance abuse
- Served as a corporate Infection Control Advisory Council member
- Completed Lean Six Sigma training (Black Belt)
- Facilitated Failure Mode and Effects Analysis team
- Facilitated CLABSI Reduction team (QIO patient safety collaborative)
- Facilitated VAE team (South Carolina Hospital Association patient safety collaborative with Johns Hopkins)

Wesley Woods Hospital of Emory Healthcare - Atlanta, Georgia
June 6, 2005 – April 23, 2010
Infection Control Manager

- Managed department of 1.5 FTEs
- Managed departmental budget
- Administered a comprehensive infection prevention and control program for a 100-bed geriatric hospital, 250-bed long term care facility, out-patient and partial hospitalization programs
- Served as a preceptor for MPH student at Georgia State University

Ann Pope North

Emory University Hospital (Main and Midtown campuses) - Atlanta, Georgia
June 28, 2002 – June 3, 2005

Infection Control Coordinator

- Managed the hand hygiene program for the Emory Healthcare system
- Responsible for infection control policy and procedure revision for Emory Hospitals
- Conducted MRSA surveillance and designed MRSA colonization study
- Point of contact for vendors

Emory Parkway Medical Center - Lithia Springs, Georgia
August 16, 1999 – June 21, 2002 (Hospital Closure)

Infection Control Practitioner/ET Coordinator

Nursing Supervisor

- Managed the infection control program for a 350-bed acute care hospital
- Developed a Bioterrorism Readiness Plan
- Participated in community bioterrorism preparedness activities
- Developed a Failure Mode and Effect Analysis for infection control and designed a Joint Commission presentation for same
- Provided wound/ostomy care and consultation
- Supervised hospital-wide nursing staff – evening shift
- Project Manager for Records Retention

Middle Georgia and Macon Northside Hospitals – Macon, Georgia
February 7, 1989 – August 6, 1999

Director of Education/Employee Health

Case Manager, Wound Healing Center

Nursing Supervisor

Enterostomal Therapist

- Managed comprehensive wound/ostomy care services for two 150-bed hospitals
- Responsible for didactic and clinical instruction (wound/ostomy) for nursing students
- Directed employee health services
- Coordinated new employee orientation
- Developed disease-specific clinical pathways
- Managed a Joint Commission preparation team
- Developed and facilitated team building seminars
- Developed a chemotherapy administration training program
- Supervised hospital-wide nursing staff – day/evening shifts

Palmetto Health Richland – Columbia, South Carolina

September 5, 1978 – December 31, 1988

Enterostomal Therapist

Registered Nurse - Surgical Unit

- Managed comprehensive wound/ostomy care services for 650-bed academic acute care hospital
- Coordinated a regional conference for wound/ostomy professionals
- Presented abstracts at regional and national conferences
- Responsible for didactic and clinical instruction (wound/ostomy) for nursing students
- Received the Excellence in Nursing Award from the South Carolina Hospital Association for the development and implementation of the Pressure Ulcer Protocol
- Developed and coordinated the Nurse Extern program
- Collaborated in writing a grant proposal to the Robert Wood Johnson Foundation for developing a non-emergent nursing care clinic
- Contributed in the development of a shared governance model of nursing practice
- Participated in developing a competency-based orientation program

Ann Pope North

Georgia Health Sciences Medical Center – Augusta, Georgia
June 1976 – August 1978
Registered Nurse

- Night shift unit manager
- Responsible for patient care – general surgery and intensive care burn unit

EDUCATION: Emory University, Nell Hodgson Woodruff School of Nursing – Atlanta, Georgia
2006
Major: Nursing Administration
Degree: Master of Science in Nursing

Memorial Sloan-Kettering Cancer Center School of Enterostomal Therapy
New York, New York
1979

Georgia Health Sciences University – Augusta, Georgia
1976
Degree: Bachelor of Science in Nursing

MEMBERSHIPS: Association for Professionals in Infection Control and Epidemiology

- Palmetto Chapter
- Greater Atlanta Chapter
Treasurer 2000 – 2004; 2007 – 2010
Chair, Legislative Committee 2005 – 2006

Sigma Theta Tau, National Honor Society of Nursing

EXTERNAL LEADERSHIP:

Faculty member of the Emory Wound, Ostomy, Continence (WOC) Nursing
Education Program
1999 – 2002

Clinical Preceptor for the Emory WOC Nursing Education Program
1992 – 1999

Monroe County Hospital, ET Nurse Consultant
1997 – 1999

Board of Directors American Cancer Society, Bibb County, Georgia
1990 - 1996

University of South Carolina Transitional Living Center
Wound Care Consultant for quadriplegic students
1987 – 1988

Clinical Research Consultant for Hollister, Inc., Prototype Product Trial
1983

LECTURESHIPS: Macon State College, Macon, Georgia
1989 – 1999

Georgia College and State University, Milledgeville, Georgia
1990 – 1999

Ann Pope North

Middle Georgia College, Cochran, Georgia
1990 – 1999

Gordon College, Barnesville, Georgia
1992

Midlands Technical College, Columbia, South Carolina
1980 – 1988

University of South Carolina, Columbia, South Carolina
1979 – 1988

PUBLICATIONS/PRESENTATIONS:

Poster: “The Journey to CLABSI Reduction” – South Carolina Nursing Excellence Conference October 2016

North, AP. People, process, products: Keys to CLABSI reduction at Carolinas Hospital System. Premier’s Partnership for Patients Hospital Engagement Network Newsletter, August 2016

Poster: “A Novel Two-Tiered Approach to Increase Healthcare Worker Influenza Vaccination Rates” – Association for Professionals in Infection Control and Epidemiology (APIC) National Conference June 2013

Abstract: “Impact of Staff Engagement on Changing Compliance with the Ventilator-Associated Pneumonia Bundle” – submitted for Partnership for Health and Accountability (PHA) Quality and Patient Safety Award July 2009

Poster: “Impact of Staff Engagement on Changing Compliance with the Ventilator-Associated Pneumonia Bundle” – APIC National Conference June 2009

Poster: “Measuring Leadership Competencies for Public Health Nurses” – Georgia Public Health Association Conference September 2006

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(x) ACTION/DECISION

() INFORMATION

Date: October 12, 2017

To: S.C. Board of Health and Environmental Control

From: Bureau of Radiological Health

Re: Notice of Proposed Regulation Amending R.61-63, *Radioactive Materials (Title A)*.

I. Introduction

The Bureau of Radiological Health ("Bureau") proposes the attached Notice of Proposed Regulation amending Regulation 61-63, *Radioactive Materials (Title A)*, for publication in the October 27, 2017, *S.C. State Register*. Legal authority for this amendment resides in S.C. Code Section 13-7-40 (Supp. 2016), designating the Department of Health and Environmental Control ("Department") as the agency responsible for the control and regulation of radiation sources. General Assembly review is not required due to the amendment being promulgated to maintain compliance with federal law.

II. Facts


1. The federal Atomic Energy Act of 1954 enables the United States Nuclear Regulatory Commission ("Commission") to enter into agreements with state governors allowing for state regulation of byproduct, source, and special nuclear materials. 42 U.S.C. Section 2121. The Commission enters into such agreements if it finds the state regulatory program is in compliance with applicable federal regulations. *Id.* To renew South Carolina's ongoing agreement with the Commission, the Bureau requests approval to amend Regulation 61-63, ensuring state standards comply with the Commission's regulatory updates. The proposed amendments update Parts II, V, VII and XII of the regulation.
2. A Notice of Drafting for the amendment was published in the April 28, 2017 *S.C. State Register*. The Department received no public comments by the May 29, 2017, close of the comment period.
3. Appropriate Department staff conducted an internal review of the proposed amendment on April 27, 2017.
4. The Bureau submitted draft text of the proposed amendments to the Technical Advisory Radiation Control Council ("TARCC") on June 5, 2017, for review. The Bureau received no comments from TARCC resulting from this review.
5. The Bureau also submitted copies to the Commission for review on June 6, 2017. The Commission responded with comments dated July 25, 2017. The Bureau integrated these comments into the proposed amendments where applicable.

III. Request for Approval

The Bureau of Radiological Health respectfully requests the Board to grant approval of the attached Notice of Proposed Regulation for publication in the October 27, 2017 *S.C. State Register*.



Aaron A. Gant, Chief
Bureau of Radiological Health



Shelly Beanson Kelly, Director
Division of Health Regulation

Attachments:

- A. Notice of Proposed Regulation
- B. Notice of Drafting published in the April 28, 2017 *S.C. State Register*
- C. Nuclear Regulatory Commission comments

ATTACHMENT A

**STATE REGISTER NOTICE OF PROPOSED REGULATION
FOR REGULATION 61-63, Radioactive Materials (Title A)**

October 27, 2017

Document No. _____

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

CHAPTER 61

Statutory Authority: 1976 Code Section 13-7-40

Regulation 61-63. Radioactive Materials (Title A)

Preamble:

The federal Atomic Energy Act of 1954 enables the United States Nuclear Regulatory Commission (“Commission”) to enter into agreements with state governors allowing for state regulation of byproduct, source, and special nuclear materials. 42 U.S.C. Section 2121. The Commission enters into such agreements if it finds the state regulatory program complies with applicable federal regulations. *Id.* To renew South Carolina’s ongoing agreement with the Commission, the Department of Health and Environmental Control (“DHEC”) proposes amendments to Regulation 61-63 for compliance with the Commission’s federal regulatory updates. The proposed amendments add clarification or corrections to Parts II, V, VII, and XII of the regulation. Additionally, for Part II, the proposed amendments enable specific licensees to install and service generally licensed devices. For Part XII, Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material, the proposed amendments enable individuals receiving security-related information to protect it from public disclosure. DHEC proposes these amendments for compliance with federal regulations 10 C.F.R. Parts 19, 20, 30, 31, 32, 34, 37, 40, 61 and 71.

In accordance with S.C. Code Section 1-23-120(H), the proposed amendments do not require legislative review as DHEC promulgates the amendments to comply with federal law indicated above.

A Notice of Drafting for this amendment was published in the *S.C. State Register* on April 28, 2017.

Section-by-Section Discussion of Proposed Amendments:

2.3.5

Revised to add text for clarification.

2.4.2.4

Revised to add text for clarification.

2.4.2.6 through subparagraphs 2.4.2.6.3

Added to allow specific licensees to install and service generally licensed devices.

2.7.14.8.2

Revised to add text for clarification.

2.20.2.2.13

Revised to add text for clarification.

2.20.2.3

Revised to add text for clarification.

2.20.2.5.6.1

Revised to add text for clarification.

2.22.1

Revised to delete reference and add new exceptions.

2.22.5 through subparagraphs 2.22.5.3.5

Added to allow a general license for transportation of NRC-approved packages.

2.22.6 through subparagraphs 2.22.6.4.2

Added to allow a general license for transportation of foreign -approved packages.

2.22.7 through subparagraphs 2.22.7.2

Added to require maintenance of records.

2.22.8 through subparagraphs 2.22.8.3.1

Added to describe the quality assurance requirements.

2.22.9 through subparagraphs 2.22.9.1

Added to describe the quality assurance organization.

2.22.10 through subparagraphs 2.22.10.3

Added to describe how changes are to be made to quality assurance program.

2.22.11 through subparagraphs 2.22.11.1

Added to describe the quality assurance records' requirements.

3.55.1.1

Revised to change text for accuracy of information.

5.6.1

Revised to add text for clarification and add new web address.

7.32.8

Added. This provision was previously omitted during a prior revision.

12.5.2.2

Revised to change reference.

12.7.1.5

Revised to add text for clarification.

12.7.3.1

Text is removed and added to reflect correct name and email address. Web address added.

12.8.1.10

Revised to add text for clarification.

12.12.4.1

Revised to remove text.

12.23.1.1

Revised to remove and replace web address.

12.23.6

Added to require the protection of security related information.

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may submit written comments on the amendment by writing to James K. Peterson by mail at Bureau of Radiological Health, Division of Radioactive Material Licensing and Compliance, South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, SC 29201; by facsimile at 803-545-4412; or by email at petersjk@dhec.sc.gov. To be considered, comments must be received no later than 5:00 p.m. on November 27, 2017, the close of the public comment period. Comments received shall be submitted in a "Summary of Public Comments and Department Responses" for the Board of Health and Environmental Control's consideration at the public hearing.

Interested persons may also make oral and/or written comments on the amendment at a public hearing to be conducted by the Board of Health and Environmental Control at its regularly scheduled meeting on December 7, 2017. The Board will conduct the public hearing in the Board Room, Third floor, Aycock Building of the Department of Health and Environmental Control at 2600 Bull Street, Columbia, South Carolina 29201. The Board meeting commences at 10:00 a.m. at which time the Board will consider items on its agenda in the order presented. The order of presentation for public hearings will be noted in the Board's agenda published by the Department twenty-four (24) hours in advance of the meeting at the following address: <http://www.scdhec.gov/Agency/docs/AGENDA.PDF>. Persons desiring to make oral comments at the hearing are asked to limit their statements to five (5) minutes or less and, as a courtesy, are asked to provide written copies of their presentation for the record. Due to admittance procedures at the DHEC Building, all visitors should enter through the Bull Street entrance and register at the front desk.

The DHEC Regulation Development Update (accessible at <http://www.scdhec.gov/Agency/RegulationsAndUpdates/RegulationDevelopmentUpdate/>) provides a summary of the proposed amendment, a link to the proposed amendment, and applicable contact information. Interested persons may also obtain a copy of the proposed amendment by contacting James K. Peterson at the above mailing address or by email at petersjk@dhec.sc.gov.

Statement of Need and Reasonableness:

The following is based on an analysis of the factors listed in 1976 Code Section 1-23-115(C)(1)-(3) and (9)-(11):

DESCRIPTION OF REGULATION, ITS PURPOSE, LEGAL AUTHORITY, AND PLAN FOR IMPLEMENTATION:

Purpose: The Department of Health and Environmental Control proposes amendments to Regulation 61-63 for compliance with federal regulations 10 CFR Parts 19, 20, 30, 31, 32, 34, 37, 40, 61 and 71.

Legal Authority: 1976 Code Section 13-7-40.

Plan for Implementation: The proposed regulation is available electronically on the South Carolina Legislature website. The DHEC Regulation Development Update (accessible at <http://www.scdhec.gov/Agency/RegulationsAndUpdates/RegulationDevelopmentUpdate/>) also provides a link to the proposed regulation. Printed copies are available for a fee from the Department's Freedom of Information Office.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The federal Atomic Energy Act of 1954 enables the United States Nuclear Regulatory Commission ("Commission") to enter into agreements with state governors allowing for state regulation of byproduct, source, and special nuclear materials. 42 U.S.C. Section 2121. The Commission enters into such agreements if it finds the state regulatory program complies with applicable federal regulations. To renew South Carolina's ongoing agreement with the Commission, the Department of Health and Environmental Control proposes amendments to Regulation 61-63 for compliance with the Commission's federal regulatory updates. The amendments are beneficial in that they ensure state oversight of required standards.

DETERMINATION OF COSTS AND BENEFITS:

Neither the state nor its political subdivisions will incur additional cost through implementation of this amendment. Existing staff and resources will be utilized to implement this amendment to the regulation. The amendment will not create any significant additional cost to the regulated community since requirements or changes to the regulations will be substantially consistent with the current guidelines and review guidelines utilized by the Department.

UNCERTAINTIES OF ESTIMATES: None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

These amendments seek to ensure an effective regulatory program for radioactive material users under state jurisdiction and protection of the public and workers from unnecessary exposure to ionizing radiation.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None. Federal requirements will apply to all affected users. The proposed amendments eliminate possible duplicative or redundant requirements.

Text:

Deleted text is ~~stricken~~

New text is underlined.

Revise 2.3.5 as shown.

2.3.5 No person may initially transfer or distribute source material to persons generally licensed under RHA 2.3.1.1 and 2.3.1.2, or equivalent regulations of the NRC or of an Agreement State, unless authorized

by a specific license issued in accordance with RHA 2.6 or equivalent provisions of the NRC or an Agreement State. This prohibition does not apply to analytical laboratories returning processed samples to the client who initially provided the sample. Initial distribution of source material to persons generally licensed by RHA 2.3.1 of this section before August 27, 2013, without specific authorization may continue for one (1) year beyond this date. Distribution may also be continued until the Department takes final action on a pending application for license or license amendment to specifically authorize distribution submitted on or before August 27, 2014.

Revise 2.4.2.4 as shown.

2.4.2.4 The general license in RHA 2.4.2.1 does not authorize the manufacture or import of devices containing radioactive material.

Add 2.4.2.6 and subparagraphs 2.4.2.6.1 through 2.4.2.6.3 as shown.

2.4.2.6 Any person who holds a specific license issued by the NRC or an Agreement State authorizing the holder to manufacture, install, or service a device described in RHA 2.4.2 through 2.4.2.5 is hereby granted a general license to install and service such device and a general license to install and service such device in South Carolina, provided that:

2.4.2.6.1 [Reserved]

2.4.2.6.2 The device has been manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license issued to such person by the NRC or Agreement State.

2.4.2.6.3 Such person assures that any labels required to be affixed to the device under regulations of the NRC or Agreement State which licensed manufacture of the device bear a statement that removal of the label is prohibited.

Revise 2.7.14.8.2 as shown.

2.7.14.8.2 Each person licensed under RHA 2.7.14 shall report annually all transfers of devices to persons for use under a general license in an NRC or Agreement State's regulations that are equivalent to RHA 2.4.4 to the NRC or responsible Agreement State agency. The report must state the total quantity of tritium or promethium-147 transferred, identify each general licensee by name, state the kinds and numbers of luminous devices transferred, and specify the quantity of tritium or promethium-147 in each kind of device. If no transfers have been made to a particular NRC licensee or Agreement State during the reporting period, this information must be reported to the NRC or responsible Agreement State agency upon request of the Department.

Revise 2.20.2.2.13 as shown.

2.20.2.2.13 Any person who desires to apply byproduct material to, or to incorporate byproduct material into, the products exempted in RHA 2.20.2.2, or who desires to initially transfer for sale or distribution such products containing byproduct material, should apply for a specific license pursuant to RHA 2.5, which license states that the product may be distributed by the licensee to persons exempt from the regulations pursuant to RHA 2.20.2.2.

Revise 2.20.2.3 as shown.

2.20.2.3 Gas and aerosol detectors containing byproduct material. Except for persons who manufacture, possess, produce, or initially transfer for sale or distribution gas and aerosol detectors containing byproduct material, any person is exempt from the requirements for a license of Parts II, III, IV, V, VI, VIII, and XI in these regulations to the extent that such person receives, possesses, uses, transfers, owns, or acquires byproduct material in gas and aerosol detectors designed to protect health, safety, or property, and manufactured, processed, produced, or initially transferred in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission pursuant to Section 32.26 of 10 CFR Part 32 which license authorizes the initial transfer of the product for use under this section. This exemption also covers gas and aerosol detectors manufactured or distributed before November 30, 2007, in accordance with a specific license issued by a Licensing State with comparable provisions to 10 CFR 32.26 authorizing distribution to persons exempt from regulatory requirements.

Any person who desires to manufacture, process, or produce gas and aerosol detectors containing byproduct material, or to initially transfer such products for use under RHA 2.20.2.3, should apply for a license under 10 CFR 32.26 and for a certificate of registration in accordance with RHA 2.29.

Revise 2.20.2.5.6.1 as shown.

2.20.2.5.6.1 Except for persons who manufacture, process, produce, or initially transfer for sale or distribution industrial devices containing byproduct material designed and manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing an ionized atmosphere, any person is exempt from the requirements for a license of Parts II, III, IV, V, VI, VIII, and XI set forth in Regulation 61-63, Radioactive Materials (Title A) to the extent that such person receives, possesses, uses, transfers, owns, or acquires byproduct material, in these certain detecting, measuring, gauging, or controlling devices and certain devices for producing an ionized atmosphere, and manufactured, processed, produced, or initially transferred in accordance with a specific license issued pursuant to Section 32.30 of 10 CFR Part 32, which license authorizes the initial transfer of the device for use under this section. This exemption does not cover sources not incorporated into a device, such as calibration and reference sources.

Revise 2.22.1 as shown.

2.22.1 The transportation of radioactive material shall be in accordance with the requirements in 10 CFR Part 71 ~~as revised January 1, 2006~~, which is incorporated by reference, with the exception of the following sections: 71.2, 71.6, 71.11, 71.14(b), 71.19, ~~71.24~~, 71.31, 71.33, 71.35, 71.37, 71.38, 71.39, 71.41, 71.43, 71.45, 71.51, 71.52, 71.53, 71.55, 71.59, 71.61, 71.63, 71.64, 71.65, 71.70, 71.71, 71.73, 71.74, 71.75, 71.77, 71.85(a)-(c), 71.91(b), 71.99, ~~and 71.100, 71.101(c)(2), 71.101(g)~~ 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123 and 71.125. The provisions of this section apply to the transportation of radioactive material, or delivery of radioactive material to a carrier for transportation, regardless of whether or not the carrier is also subject to the rules and regulations of the Nuclear Regulatory Commission contained in Title 10 CFR Part 71 and other agencies of the United States having jurisdiction.

Add 2.22.5 and subparagraphs 2.22.5.1 through 2.22.5.3.5 as shown.

2.22.5 General license: NRC-approved package.

2.22.5.1 A general license is issued to any licensee of the Department to transport, or to deliver to a carrier for transport, licensed material in a package for which a license, Certificate of Compliance (CoC), or other approval has been issued by the NRC.

2.22.5.2 This general license applies only to a licensee who has a quality assurance program approved by the Department as satisfying the provisions of 10 CFR 71 subpart H or equivalent State regulations.

2.22.5.3 Each licensee issued a general license under 2.22.5.1 of this section shall—

2.22.5.3.1 Maintain a copy of the NRC issued CoC, or other approval of the package, and the drawings and other documents referenced in the approval relating to the use and maintenance of the packaging and to the actions to be taken before shipment;

2.22.5.3.2 Comply with the terms and conditions of the license, certificate, or other approval, as applicable, and the applicable requirements of 10 CFR 71 subparts A, G, and H of this part or equivalent State regulations; and

2.22.5.3.3 Submit in writing before the first use of the package to: ATTN: Document Control Desk, Director, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards, using an appropriate method listed in 10 CFR 71.1(a), the licensee's name and license number and the package identification number specified in the package approval.

2.22.5.4 This general license applies only when the package approval authorizes use of the package under this general license.

2.22.5.5 For a Type B or fissile material package, the design of which was approved by NRC before April 1, 1996, the general license is subject to the additional restrictions of 71.19.

Add 2.22.6 and subparagraphs 2.22.6.1 through 2.22.6.4.2 as shown.

2.22.6 General license: Use of foreign-approved package.

2.22.6.1 A general license is issued to any licensee of the Department to transport, or to deliver to a carrier for transport, licensed material in a package, the design of which has been approved in a foreign national competent authority certificate, that has been revalidated by the DOT as meeting the applicable requirements of 49 CFR 171.23.

2.22.6.2 Except as otherwise provided in this section, the general license applies only to a licensee having a quality assurance program approved by the Department as satisfying the applicable provisions of 10 CFR 71 subpart H or equivalent State regulations.

2.22.6.3 This general license applies only to shipments made to or from locations outside the United States.

2.22.6.4 Each licensee issued a general license under 2.22.6.1 of this section shall—

2.22.6.4.1 Maintain a copy of the applicable certificate, the revalidation, and the drawings and other documents referenced in the certificate, relating to the use and maintenance of the packaging and to the actions to be taken before shipment; and

2.22.6.4.2 Comply with the terms and conditions of the certificate and revalidation, and with the applicable requirements of 10 CFR 7 subparts A, G, and H or equivalent State regulations.

Add 2.22.7 and subparagraphs 2.22.7.1 through 2.22.7.2 as shown.

2.22.7 Records.

2.22.7.1 The licensee, certificate holder, and an applicant for a CoC, shall make available to the Department for inspection, upon reasonable notice, all records required by this part. Records are only valid if stamped, initialed, or signed and dated by authorized personnel, or otherwise authenticated.

2.22.7.2 The licensee, certificate holder, and an applicant for a CoC shall maintain sufficient written records to furnish evidence of the quality of packaging. The records to be maintained include results of the determinations required by 10 CFR 71.85; design, fabrication, and assembly records; results of reviews, inspections, tests, and audits; results of monitoring work performance and materials analyses; and results of maintenance, modification, and repair activities. Inspection, test, and audit records must identify the inspector or data recorder, the type of observation, the results, the acceptability, and the action taken in connection with any deficiencies noted. These records must be retained for three (3) years after the life of the packaging to which they apply.

Add 2.22.8 and subparagraphs 2.22.8.1 through 2.22.8.3 as shown.

2.22.8 Quality assurance requirements.

2.22.8.1 Purpose. This subpart describes quality assurance requirements applying to design, purchase, fabrication, handling, shipping, storing, cleaning, assembly, inspection, testing, operation, maintenance, repair, and modification of components of packaging that are important to safety. As used in this subpart, "quality assurance" comprises all those planned and systematic actions necessary to provide adequate confidence that a system or component will perform satisfactorily in service. Quality assurance includes quality control, which comprises those quality assurance actions related to control of the physical characteristics and quality of the material or component to predetermined requirements. Each certificate holder and applicant for a package approval is responsible for satisfying the quality assurance requirements that apply to design, fabrication, testing, and modification of packaging subject to this subpart. Each licensee is responsible for satisfying the quality assurance requirements that apply to its use of a packaging for the shipment of licensed material subject to this subpart.

2.22.8.2 Establishment of program. Each licensee, certificate holder, and applicant for a CoC shall establish, maintain, and execute a quality assurance program satisfying each of the applicable criteria of 10 CFR Part 71.101 through 71.137 or equivalent State regulations and satisfying any specific provisions that are applicable to the licensee's activities including procurement of packaging. The licensee, certificate holder, and applicant for a CoC shall execute the applicable criteria in a graded approach to an extent that is commensurate with the quality assurance requirement's importance to safety.

2.22.8.3 Approval of program. Before the use of any package for the shipment of licensed material subject to this subpart, each licensee shall obtain Department approval of its quality assurance program. Each licensee shall file a description of its quality assurance program, including a discussion of which requirements of this subpart are applicable and how they will be satisfied, by submitting the description to: ATTN: South Carolina Department of Health and Environmental Control, Bureau of Radiological Health, 2600 Bull Street, Columbia, South Carolina 29201.

Add 2.22.9 and subparagraph 2.22.9.1 as shown.

2.22.9 Quality assurance organization.

2.22.9.1 The licensee, certificate holder, and applicant for a CoC shall be responsible for the establishment and execution of the quality assurance program. The licensee, certificate holder, and applicant for a CoC may delegate to others, such as contractors, agents, or consultants, the work of establishing and executing the quality assurance program, or any part of the quality assurance program, but shall retain responsibility for the program. These activities include performing the functions associated with attaining quality objectives and the quality assurance functions.

Add 2.22.10 and subparagraphs 2.22.10.1 through 2.22.10.3 as shown.

2.22.10 Changes to quality assurance program.

2.22.10.1 Each quality assurance program approval holder shall submit a description of a proposed change to its Department-approved quality assurance program that will reduce commitments in the program description as approved by the Department. The quality assurance program approval holder shall not implement the change before receiving Department approval.

2.22.10.1.1 The description of a proposed change to the Department-approved quality assurance program must identify the change, the reason for the change, and the basis for concluding that the revised program incorporating the change continues to satisfy the applicable requirements of 10 CFR 71 subpart H.

2.22.10.1.2 [Reserved]

2.22.10.2 Each quality assurance program approval holder may change a previously approved quality assurance program without prior Department approval, if the change does not reduce the commitments in the quality assurance program previously approved by the Department. Changes to the quality assurance program that do not reduce the commitments shall be submitted to the Department every twenty-four (24) months. In addition to quality assurance program changes involving administrative improvements and clarifications, spelling corrections, and non-substantive changes to punctuation or editorial items, the following changes are not considered reductions in commitment:

2.22.10.2.1 The use of a quality assurance standard approved by the Department that is more recent than the quality assurance standard in the certificate holder's or applicant's current quality assurance program at the time of the change;

2.22.10.2.2 The use of generic organizational position titles that clearly denote the position function, supplemented as necessary by descriptive text, rather than specific titles, provided that there is no substantive change to either the functions of the position or reporting responsibilities;

2.22.10.2.3 The use of generic organizational charts to indicate functional relationships, authorities, and responsibilities, or alternatively, the use of descriptive text, provided that there is no substantive change to the functional relationships, authorities, or responsibilities;

2.22.10.2.4 The elimination of quality assurance program information that duplicates language in quality assurance regulatory guides and quality assurance standards to which the quality assurance program approval holder has committed to on record; and

2.22.10.2.5 Organizational revisions that ensure that persons and organizations performing quality assurance functions continue to have the requisite authority and organizational freedom, including sufficient independence from cost and schedule when opposed to safety considerations.

2.22.10.3 Each quality assurance program approval holder shall maintain records of quality assurance program changes.

Add 2.22.11 and subparagraph 2.22.11.1 as shown.

2.22.11 Quality assurance records.

2.22.11.1 The licensee, certificate holder, and applicant for a CoC shall maintain sufficient written records to describe the activities affecting quality. These records must include changes to the quality assurance program as required by 10 CFR 71.106, the instructions, procedures, and drawings required by 10 CFR 71.111 to prescribe quality assurance activities, and closely related specifications such as required qualifications of personnel, procedures, and equipment. The records must include the instructions or procedures that establish a records retention program that is consistent with applicable regulations and designates factors such as duration, location, and assigned responsibility. The licensee, certificate holder, and applicant for a CoC shall retain these records for three (3) years beyond the date when the licensee, certificate holder, and applicant for a CoC last engage in the activity for which the quality assurance program was developed. If any portion of the quality assurance program, written procedures or instructions is superseded, the licensee, certificate holder, and applicant for a CoC shall retain the superseded material for three (3) years after it is superseded.

Revise 3.55.1.1 as shown.

3.55.1.1 A waste generator, collector, or processor who transports, or offers for transportation, low-level radioactive waste intended for ultimate disposal at a licensed low-level radioactive waste land disposal facility must prepare a ~~Manifest~~manifest reflecting information requested on applicable NRC Forms 540 (Uniform Low-Level Radioactive Waste Manifest [Shipping Paper]) and 541 (Uniform Low-Level Radioactive Waste Manifest [Container and Waste Description]) and, if necessary, on applicable NRC Form 542 (Uniform Low-Level Radioactive Waste Manifest [Manifest Index and Regional Compact Tabulation]). NRC Forms 540 and 540A must be completed and must physically accompany the pertinent low-level waste shipment. Upon agreement between shipper and consignee, NRC Forms 541 and 541A and 542 and 542A may be completed, transmitted, and stored in electronic media with the capability for producing legible, accurate, and complete records on the respective forms. For guidance in completing these forms, refer to the instructions that accompany the forms. Copies of manifests required by this appendix may be legible carbon copies, photocopies, or computer printouts that reproduce the data in the format of the uniform manifest. NRC Forms 540, 540A, 541, 541A, 542, and 542A, and the accompanying instructions, in hard copy, may be obtained from the ~~Information and Records Management Branch, Office of Information Resources Management~~ Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-7232. This appendix includes information requirements of the Department of Transportation. Information on hazardous, medical, or other waste, required to meet Environmental Protection Agency (EPA) regulations, is not addressed in this section, and must be provided on the required EPA forms. However, the required EPA forms must accompany the Uniform Low-Level Radioactive Waste Manifest required by this part. Licensees are not required by the Department to comply with the manifesting requirements of this part when they ship:

Revise 5.6.1 as shown.

5.6.1 Each radiographic exposure device, source assembly or sealed source, and all associated equipment must meet the requirements specified in American National Standard N432-1980 "Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography," (published as NBS Handbook 136 issued January 1981). This publication has been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. This publication

may be purchased from the American National Standards Institute, Inc., 25 West 43rd Street, New York, New York 10036; Telephone (212) 642-4900. Copies of the document are available for inspection at the Nuclear Regulatory Commission library, 11545 Rockville Pike, Rockville, Maryland, 20852-2738. ~~A copy of the document is also on file at the Office of the Federal Register, 800 North Capitol Street NW, Suite 700, Washington, DC 20408.~~ A copy of the document is also on file at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202)741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

Engineering analyses may be submitted by an applicant or licensee to demonstrate the applicability of previously performed testing on similar individual radiography equipment components. Upon review, the Department may find this an acceptable alternative to actual testing of the component pursuant to the referenced standard.

Add 7.32.8 as shown.

7.32.8 In addition to the other requirements of this section, the licensee shall store, or have stored, manifest and other information pertaining to receipt and disposal of radioactive waste in an electronic recordkeeping system.

7.32.8.1 The manifest information that must be electronically stored is:

7.32.8.1.1 That required in Part III, Appendix D, RHA 3.55 with the exception of shipper and carrier telephone numbers and shipper and consignee certifications; and

7.32.8.1.2 That information required in RHA 7.32.5.

7.32.8.2 As specified in facility license conditions, the licensee shall report the stored information, or subsets of this information, on a computer-readable medium, or other medium as required by the Department.

Revise 12.5.2.2 as shown.

12.5.2.2 Each licensee shall name one or more individuals to be reviewing officials. After completing the background investigation on the reviewing official, the licensee shall provide under oath or affirmation, a certification that the reviewing official is deemed trustworthy and reliable by the licensee. The fingerprints of the named reviewing official must be taken by a law enforcement agency, Federal or State agencies that provide fingerprinting services to the public, or commercial fingerprinting services authorized by a State to take fingerprints. The licensee shall recertify that the reviewing official is deemed trustworthy and reliable every ten (10) years in accordance with RHA ~~12.6.2~~12.6.3.

Revise 12.7.1.5 as shown.

12.7.1.5 Licensees shall use the information obtained as part of a criminal history records check solely for the purpose of determining an individual's suitability for unescorted access authorization to Category 1 or Category 2 quantities of radioactive materials, access to safeguards information, or safeguards information modified handling.

Revise 12.7.3.1 as shown.

12.7.3.1 For the purpose of complying with Subpart B, Department licensees shall submit to the U.S. Nuclear Regulatory Commission, Director Division of Facilities and Security U.S NRC 11545 Rockville Pike Rockville, MD 20852-2738 ATTN: Criminal History Program, Mail Stop ~~T-03B46MTWB-05 B32M~~, one completed, legible standard fingerprint card (Form FD-258, ORIMDNRCOOOZ), electronic fingerprint scan or, where practicable, other fingerprint record for each individual requiring unescorted access to Category 1 or Category 2 quantities of radioactive material. Copies of these forms may be obtained by writing the Office of ~~Information Services~~ the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by calling 1-630-829-9565, or by email to *FORMS.Resource@nrc.gov*. Guidance on submitting electronic fingerprints can be found at <http://www.nrc.gov/site-help/e-submittals.html>.

Revise 12.8.1.10 as shown.

12.8.1.10 Commercial vehicle drivers for road shipments of Category 1 and Category 2 quantities of radioactive material;

Revise 12.12.4.1 as shown.

12.12.4.1 ~~Except as provided in 10 CFR 37.43(d)(9), licensees~~ Licensees authorized to possess Category 1 or Category 2 quantities of radioactive material shall limit access to and unauthorized disclosure of their security plan, implementing procedures, and the list of individuals that have been approved for unescorted access.

Revise as 12.23.1.1 shown.

12.23.1.1 The notification must be made to the Department and to the office of each appropriate governor or governor's designee. The contact information, including telephone numbers and mailing addresses, of governors and governors' designees, is available on the NRC's Web site at ~~<http://nrc.stp.ornl.gov/special/designee.pdf>~~ <https://scp.nrc.gov/special/designee.pdf>. A list of the contact information is also available upon request from the Director, Division of Material Safety, State, Tribal, and Rulemaking Programs, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The notification to the Department may be made by email to *RAMQC_shipments@dhec.sc.gov* or by fax to 803-898-0391. Notifications to the Department must be to the Director, Division of Land & Waste Management, Bureau of Waste Management, 2600 Bull Street, Columbia, SC 29201.

Add 12.23.6 as shown.

RHA 12.23.6 Protection of information. State officials, State employees, and other individuals, whether or not licensees of the Commission or an Agreement State, who receive schedule information of the kind specified in RHA 12.23.2 shall protect that information against unauthorized disclosure as specified in RHA 12.12.4 of this part.

ATTACHMENT B

**STATE REGISTER NOTICE OF DRAFTING
PROPOSED AMENDMENT OF R.61-63, Radioactive Material (Title A)
April 28, 2017**

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
CHAPTER 61**

Statutory Authority: 1976 Code Section 13-7-40

Notice of Drafting:

The South Carolina Department of Health and Environmental Control (“DHEC”) proposes amending Regulation 61-63, Radioactive Materials (Title A). Interested persons are invited to submit written comments to James K. Peterson, Division Director, Division of Radioactive Material Licensing and Compliance, Bureau of Radiological Health, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201 or via email at petersjk@dhec.sc.gov. To be considered, comments must be received no later than 5:00 p.m. on May 29, 2017, the close of the drafting comment period.

Synopsis:

The federal Atomic Energy Act of 1954 enables the United States Nuclear Regulatory Commission (“Commission”) to enter into agreements with states governors allowing for state regulation of byproduct, source, and special nuclear materials. 42 U.S.C. Section 2121. The Commission enters into such agreements if it finds that the state regulatory program is in compliance with applicable federal regulations. *Id.* In order to renew South Carolina’s ongoing agreement with the Commission, DHEC proposes amending Regulation 61-63 to ensure state standards are in compliance with the Commission’s regulatory updates. Specifically, DHEC's proposed amendments will revise Parts II, V, VII, and XII for consistency with federal regulations.

The Department may also make revisions for grammatical errors, typographical errors, and other such changes.

Legislative review will not be required.

ATTACHMENT C



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 25, 2017

David Scaturo, P.E., PG, Director
Dept. of Health & Environmental Control
South Carolina Bureau of Land and Waste Management
2600 Bull Street
Columbia, SC 29201

Dear Mr. Scaturo:

We have reviewed the proposed revisions to the South Carolina Radiological Health Rules Department Regulation, received by our office on June 7, 2017. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and Regulation Amendment Tracking System Identification Numbers (RATS IDs) 2015-1, 2015-2, 2015-3, 2015-4, and 2015-5 as identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with Andrew Roxburgh on July 24, 2017.

As a result of our review, we have seven comments that have been identified in the enclosure. Please note that we have limited our review to regulations required for compatibility and/or health and safety. Under our current procedure, a finding that the South Carolina regulations meet the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final South Carolina regulations. However, we have determined that if your proposed regulations were adopted, incorporating our comments and without other significant change, they would meet the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements."

We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in NMSS Procedure SA-201, "Review of State Regulatory Requirements," please highlight the final changes, and provide a copy to Division of Material Safety, State, Tribal, and Rulemaking Programs, NMSS.

The SRS Data Sheet summarizes our knowledge of the status of other South Carolina regulations, as indicated. Please let us know if you note any inaccuracies, or have any comments on the information contained in the SRS Data Sheet. This letter, including the SRS Data Sheet, is posted on the NMSS State Communication Portal:

<https://scp.nrc.gov/rulemaking.html>.

D. Scaturro

-2-

If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact Michelle Beardsley, State Regulation Review Coordinator, at 267-884-2305 (michelle.beardsley@nrc.gov) or Lizette Roldan-Otero, Ph.D. at 817-200-1596 (lizette.roldan@nrc.gov).

Sincerely,

/RA Paul Michalak for/

Kevin Williams, Deputy Director
Division of Material Safety, State, Tribal
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

Enclosures:

1. Compatibility Comments
2. South Carolina SRS Data Sheet

D. Scaturro

-2-

SUBJECT: SOUTH CAROLINA PROPOSED REGULATIONS TO RATS IDS 2015-1, 2015-2,
2015-3, 2015-4, AND 2015-5

DISTRIBUTION: SP[05]
DIR RF (17-46)
Monica Ford, RSAO
South Carolina File

OFFICE	ASPB	ASPB	OGC	ASPB:BC	MSTR:DD
NAME	LRoldan-Otero	MBeardsley	TCampbell NLO via email	PMichalak	PMichalak for KWilliams
DATE	7/12/17	7/12/17	7/21/17	7/25/17	7/25/17

ML17195A360

OFFICIAL RECORD COPY

Package ML17158B468

COMPATIBILITY COMMENTS ON SOUTH CAROLINA PROPOSED REGULATIONS

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	RHA 2.22.1	71.70 71.85(a)-(c) 71.91(b)	2015-3	NRC NRC NRC	<p>Incorporations by reference</p> <p>Preliminary determinations</p> <p>Records</p> <p>SC needs to add 71.70, 71.85(a)-(c), and 71.91(b) to the list of excluded regulations since they are Compatibility Category NRC.</p> <p>SC needs to make the change as stated above in order to meet the Compatibility Category NRC designation assigned to 10 CFR 71.70, 71.85(a)-(c), and 71.91(b).</p>
2	RHA 2.22.1	71.101(c)(2)	2015-3	NRC	<p>Quality assurance requirements</p> <p>SC needs to replace 71.101 with 71.101(c)(2) in their list of excluded regulations.</p> <p>SC needs to make the change as stated above in order to meet the Compatibility Category NRC designation assigned to 10 CFR 71.101(c)(2).</p>
3	RHA 2.22.1	71.101(g)	2015-3	C	<p>Quality assurance requirements</p> <p>SC needs to add 71.101(g) to the list of the regulations they will adopt by reference.</p> <p>SC needs to make the change as stated above in order to meet the Compatibility Category C designation assigned to 10 CFR 71.101(g).</p>
4	RHA 2.22.1	71,17 71.21	2015-3	B B	<p>General license: NRC approved package</p> <p>General license: Use of foreign</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>approved package</p> <p>Records</p> <p>Quality assurance requirements</p> <p>Quality assurance organization</p> <p>Changes to quality assurance program</p> <p>Quality assurance records</p> <p>SC needs to indicate that:</p> <ol style="list-style-type: none"> 1) Their regulations apply to their general licensees, and the general licensee's quality assurance program (QAP) needs to be approved by SC and not the NRC; 2) The submittals required by these parts, i.e. QAPs and first use of package, should be sent to the SC agency, and provide the agency contact information; 3) The terms "Certificate of Compliance (CoC), applicant, and certificate holder apply solely to the NRC. <p>SC needs to make the changes as stated above in order to meet the Compatibility Category B designation assigned to 10 CFR 71.17, and 71.21, and the Compatibility Category C designation assigned to 10 CFR 71.91(c) and (d), 71.101(a)(b) and (c)(1), 71.103(a), 71.106, and 71.135.</p>
	71.91(c) and (d)		C	
	71.101(a)(b) and (c)(1)		C	
	71.103(a)		C	
	71.106		C	
	71.135		C	

5	RHA 3.55.1.1	10 CFR Part 20 Appendix G	2015-5	B	<p>Standards for Protection Against Radiation</p> <p>SC needs to remove the phrase "Information and Records Management Branch, Office of Information Resources Management" and replace it with, "Office of the Chief Information Officer. In addition, SC needs to update the phone number to (301) 415-7232.</p> <p>SC needs to make the change as stated above in order to meet the Compatibility Category B designation assigned to 10 CFR Part 20 Appendix G.</p>
6	RHA 12.7.3.1	37.27(c)(1)	2015-5	B	<p>Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material</p> <p>SC needs to update the Mail Stop to TWB-05 B32M, and remove the zip code extension "2738".</p> <p>SC needs to make the change as stated above in order to meet the Compatibility Category B designation assigned to 10 CFR 37.27(c)(1).</p>
7	RHA 12.23.1.1	37.77(a)(1)	2015-5	B	<p>Advance notification of shipment of category 1 quantities of radioactive material</p> <p>SC needs to add the sentence "A list of the contact information is also available upon request from the Director, Division of Material Safety, State, Tribal, and Rulemaking Programs, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001." to RHA 12.23.1.1.</p> <p>SC needs to make the change as stated above in order to meet the Compatibility Category B designation assigned to 10 CFR 37.77(a)(1).</p>

STATE REGULATION STATUS

State: South Carolina

Tracking Ticket Number: 17-45
Date: July 25, 2017

[# 5 amendment(s) reviewed identified by a * at the beginning of the equivalent NRC requirement.]

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1991-1	Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (Superceded by 1997-5)	01/10/1994	Final	No Comments 06/14/1995	South Carolina has adopted these Final Regulations equivalent to RATS ID: 1997-5.
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 (Superceded by 1997-5)	none	Not Required	Not Required	South Carolina has adopted these Final Regulations equivalent to RATS ID: 1997-5.
1991-3	Standards for Protection Against Radiation Part 20 56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183;	01/01/1994	Final	No Comments 06/14/1995	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40, and 70 56 FR 64980;	10/15/1994	Final	No Comments 06/14/1995	
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 (Superceded by 2002-2)	01/27/1995	Final	No Comments 06/14/1995	South Carolina has adopted these Final Regulations equivalent to RATS ID: 2002-2.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1992-2	Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30 and 35 57 FR 45566	none	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30 and 40 58 FR 39628	10/25/1996	Final	No Comments 08/25/1999	
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Final	No Comments 08/25/1999	
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Final	No Comments 06/14/1995	
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, and 70 58 FR 68726; 59 FR 1618	none	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1994-2	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards Part 40 59 FR 28220	07/01/1997	Not Applicable	Not Applicable	South Carolina does not have authority to regulate this material under its Agreement

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, and 70 59 FR 36026	08/15/1997	Final	No Comments 08/25/1999	
1995-1	Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use Parts 30, 32, and 35 59 FR 61767; 59 FR 65243; 60 FR 322	01/01/1998	Final	No Comments 08/25/1999	
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final	No Comments 08/25/1999	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20 and 61 60 FR 15649; 60 FR 25983	03/01/1998	Final	No Comments 08/25/1999	
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superceded by 1997-5)	06/30/1998	Final	No Comments 08/25/1999	South Carolina has adopted these Final Regulations equivalent to RATS ID: 1997-5.
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19 and 20 60 FR 36038	08/14/1998	Final	No Comments 08/25/1999	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, and 70 60 FR 38235	11/24/1998	Final	No Comments 08/25/1999	
1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20 and 35 60 FR 48623 (Superseded by 2002-2 and 2005-2)	10/20/1998	Final	No Comments 08/25/1999	South Carolina has adopted these Final Regulations equivalent to RATS ID: 2002-2 and 2005-2.
1996-1	Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 (Superseded by 2004-1)	04/01/1999	Final	No Comments 08/25/1999	South Carolina has adopted these Final Regulations equivalent to RATS ID: 2004-1
1996-2	One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40, and 70 61 FR 1109	02/15/1999	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1996-3	Termination or Transfer of Licensed Activities: Recordkeeping Requirements Parts 20, 30, 40, 61, and 70 61 FR 24669	06/17/1999	Final	No Comments 08/25/1999	
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Final ML080170513	No Comments 02/11/2008 ML080390388	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1997-2	Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662	02/27/2000	Final ML072200323	No Comments 08/23/2007 ML072340245	
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20 and 35 62 FR 4120	05/29/2000	Final ML072200323	No Comments 08/23/2007 ML072340245	
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 (Superseded by 2004-1)	02/10/2000	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-97-078) South Carolina has adopted these Final Regulations equivalent to RATS ID: 2004-1.
1997-5	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations Parts 30, 34, 71, and 150 62 FR 28947	06/27/2000	Final ML072200323	No Comments 08/23/2007 ML072340245	
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, and 70 62 FR 39057	08/20/2000	Final ML080170513	No Comments 02/11/2008 ML080390388	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1997-7	Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea Part 30 62 FR 63634	01/02/2001	Final ML072200323	No Comments 08/23/2007 ML072340245	
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, and 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML072200323	No Comments 08/23/2007 ML072340245	
1998-2	Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40, and 70 63 FR 29535	07/01/2001	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1998-3	License Term for Medical Use Licenses Part 35 63 FR 31604 (Superseded by 2002-2)	07/10/2001	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-98-074) South Carolina has adopted these Final Regulations equivalent to RATS ID: 2002-2.
1998-4	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059	07/09/2001	Final ML072200322	No Comments 09/25/2007 ML072680002	
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 32, 35, 36, and 39 63 FR 39477; 63 FR 45393	10/26/2001	Final ML072200322	No Comments 09/25/2007 ML072680002	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	Final	No Comments 08/25/1999	
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	of Applicable	Not Applicable	South Carolina does not have authority to regulate this material under its Agreement.
1999-2	Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information Part 31 64 FR 42269	10/04/2002	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1999-3	Respiratory Protection and Controls to Restrict Internal Exposure Part 20 64 FR 54543; 64 FR 55524	02/02/2003	Final ML030550104	No Comments 03/12/2003 ML030720133	
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Final ML030550104	No Comments 03/12/2003 ML030720133	
2000-2	New Dosimetry Technology Parts 34, 36, and 39 65 FR 63750	01/08/2004	Final ML030550104	No Comments 03/12/2003 ML030720133	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, and 32 65 FR 79162	02/16/2004	Final ML080300391	No Comments 02/26/2008 ML080560369	
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Final ML051580125	No Comments 06/30/2005 ML051810477	
2002-2	Medical Use of Byproduct Material Parts 20, 32, and 35 67 FR 20249	10/24/2005	Final ML051580125	No Comments 06/30/2005 ML051810477	
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, and 70 68 FR 57327	12/03/2006	Final ML070310150	No Comments 02/23/2007 ML070520002	
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	Final ML070310150	No Comments 02/23/2007 ML070520002	
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	Final ML073340385	No Comments 01/02/2008 ML080020336	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Final ML073340385	No Comments 01/02/2008 ML080020336	
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	License Condition ML052850130	No Comments 10/13/2005 ML052870003	
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40, and 70 71 FR 15005	03/27/2009	Final ML073340385	No Comments 01/02/2008 ML080020336	
2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007	P ML14126A326 License Condition ML102571587 Final ML14338A663	No Comments 07/29/2014 ML14126A091 No Comments 10/20/2010 ML102770366 No Comments 03/06/2015 ML14338A526	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	Final ML102571587 License Condition ML082960009	No Comments 10/20/2010 ML102770366 No Comments 11/10/2008 ML083010017	
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Final ML110120272	No Comments 02/23/2011 ML110450089	
2007-2	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, and 150 72 FR 58473	12/17/2010	Final ML110120272	No Comments 02/23/2011 ML110450089	
2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, and 150 72 FR 55864	11/30/2010	Final ML102571587 Final ML14338A663	Comments 10/20/2010 ML102770366 No Comments 03/06/2015 ML14338A526	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2007-4	Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901	06/05/2008	License Condition ML080730310 License Condition ML090500020	No Comments 03/27/2008 ML080870445 No Comments 03/10/2009 ML090540009	For the Bureau of Radiological Health Licensees. For the Division of Waste Management Licensees.
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19 and 20 72 FR 68043	02/15/2011	Final ML102571587	No Comments 10/20/2010 ML102770366	
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Final ML110120272	No Comments 02/23/2011 ML110450089	
2011-1	Decommissioning Planning Parts 20, 30, 40, and 70 76 FR 35512	12/17/2015	P ML14126A326 Final ML14338A663	Comments 07/29/2014 ML14126A091 No Comments 03/06/2015 ML14338A526	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2011-2	Licenses, Certifications, and Approvals for Materials Licenses Parts 30, 36, 39, 40, 70, and 150 76 FR 56951	11/14/2014	P ML14126A326 Final ML14338A663	No Comments 07/29/2014 ML14126A091 No Comments 03/06/2015 ML14338A526	
2012-1	Change of Compatibility of 10 CFR 31.5 and 31.6 (See RATS ID: 2001-1 for Rule text) 77 FR 3640	01/25/2015	Proposed ML14338A663 Final ML15097A500	Comments 03/06/2015 ML14338A526 Comment 05/04/2015 ML15097A479	
2012-2	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71 77 FR 34194	08/10/2015	Proposed ML14338A663	No Comments 03/06/2015 ML14338A526	
2012-3	Technical Corrections Parts 30, 34, 40, and 71 77 FR 39899	08/06/2015	Proposed ML14126A326 Final ML15097A500	No Comments 07/29/2014 ML14126A091 No Comments 05/04/2015 ML15097A479	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40, and 70 77 FR 43666	10/23/2015	P ML14126A326 Final ML14338A663 Revised Final ML15097A500	Comments 07/29/2014 ML14126A091 Comments 03/06/2015 ML14338A526 No Comments 05/04/2015 ML15097A479	
2013-1	Physical Protection of Byproduct Material, 10 CFR Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, and 71 78 FR 16922	03/19/2016	P ML14126A326 Final ML14338A663 Revised Final ML15097A500	Comments 07/29/2014 ML14126A091 Comments 03/06/2015 ML14338A526 No Comments 05/04/2015 ML15097A479	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions Parts 30, 40, and 70 78 FR 32310	08/27/2016	P ML14126A326 Final ML14338A663 Revised Final ML15097A500	Comments 07/29/2014 ML14126A091 Comments 03/06/2015 ML14338A526 No Comments 05/04/2015 ML15097A479	
*2015-1	Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments Part 70 79 FR 57721, 80 FR 143	01/26/2018	Proposed ML17158B470	No Comments 07/25/17 ML17158B468	
*2015-2	Safeguards Information - Modified Handling Categorization, Change for Materials Facilities Parts 30, 37, 73, and 150 79 FR 58664, 80 FR 3865	01/28/2018	Proposed ML17158B470	No Comments 07/25/17 ML17158B468	
*2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements Part 71 80 FR 33987	07/13/2018	Proposed ML17158B470	Comments 07/25/17 ML17158B468	
*2015-4	Miscellaneous Corrections, Parts 37 and 40 80 FR 45841	09/02/2018	Proposed ML17158B470	No Comments 07/25/17 ML17158B468	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
*2015-5	Miscellaneous Corrections, Parts 19, 20, 30, 32, 37, 40, 61, 70, 71, and 150 80 FR 74974	12/31/2018	Proposed ML17158B470	Comments 07/25/17 ML17158B468	
N/A	10 CFR Part 71 provisions not associated with a specific RATS ID	N/A	Proposed ML14338A663 Final ML15097A500	Comments 03/06/2015 ML14338A526 No Comments 05/04/2015 ML15097A479	