



SUMMARY SHEET
Enforcement Action Report
July 2024

For the reporting period of July 1, 2024, through July 31, 2024, the Department of Environmental Services issued eighteen (18) Consent Orders with total assessed civil penalties in the amount of two hundred fourteen thousand, nine hundred thirty-five dollars (\$214,935.00). Also, five (5) Administrative Orders with total assessed civil penalties in the amount of three hundred seventy-two thousand, six hundred ninety-five dollars (\$372,695.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	2	\$72,695.00	1	\$3,600.00
Solid Waste	1	\$11,000.00	2	\$2,400.00
Hazardous Waste	0	0	0	0
Mining	0	0	0	0
Radiological Health	0	0	0	0
Infectious Waste	0	0	0	0
SUBTOTAL	3	\$83,695.00	3	\$6,000.00
Water				
Recreational Water	0	0	6	\$4,760.00
Drinking Water	0	0	4	\$6,075.00
Water Pollution	0	0	0	0
SUBTOTAL	0	0	10	\$10,835.00
Air Quality				
SUBTOTAL	0	0	3	\$167,100.00
Regional & Laboratory Services				
Onsite Wastewater	1	0	1	\$2,000.00
SUBTOTAL	1	0	1	\$2,000.00
Coastal Management				
SUBTOTAL	1	\$289,000.00	1	\$29,000.00
TOTAL	5	\$372,695.00	18	\$214,935.00



ENFORCEMENT ACTION REPORT July 2024

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 24-0017-UST
Order Date: July 26, 2024
Individual/Entity: **Devine Property C, LLC**
Facility: Jimmy's Tackle, Inc.
Location: 4043 Byrnes Drive
St. Stephen, SC 29479
Mailing Address: 656 Stoneboro Court
Charleston, SC 29412
County: Berkeley
Previous Orders: 22-0406-UST (\$3,600.00)
Permit/ID Number: 12695
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq.; and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.21(a)(3), 280.31(a), 280.70(c) (2012 & Supp 2023) and § 44-2-60(A).

Summary: Devine Property C, LLC (Individual/Entity) owns underground storage tanks (USTs) in Berkeley County, South Carolina. On September 1, 2023, and October 25, 2023, the Department conducted file reviews of the Facility and issued Notices of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to permanently close USTs that do not meet the performance standards of Section 280.21; failed to maintain and operate a corrosion protection system; failed to properly abandon a temporarily closed UST system after twelve (12) months; and failed to pay annual tank registration fees.

Action: The Individual/Entity is required to: submit either a UST Tank and Sludge Disposal Form for the permanent closure of all USTs at the Facility, within forty-five (45) days of the Department's approval of the UST Tank and Sludge Disposal Form, permanently close all USTs at the Facility, and within sixty (60) days of permanent closure of all USTs, submit an UST Closure and Assessment Report; or passing metal integrity test results, and subsequent passing tank tightness test results and passing cathodic protection system test results for all USTs at the facility; and pay annual tank registration fees and associated late fees for fiscal year 2024 in the amount of four hundred eighty-four dollars (\$484.00). The Department has assessed a total civil penalty in the amount of thirty-four thousand, nine hundred seventy-

Mailing Address: 3104 Commerce Drive
Richburg, SC 29729
County: Lancaster
Previous Orders: None
Permit/ID Number: 10348
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2023).

Summary: HMS BP Kershaw, LLC (Individual/Entity) owns underground storage tanks (USTs) in Lancaster County, South Carolina. The Department conducted a routine compliance inspection on March 21, 2024, and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to equip an UST with overfill prevention equipment.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**).

Solid Waste Enforcement

4) Order Type and Number: Administrative Order 24-04-SW
Order Date: July 23, 2024
Individual/Entity: **Bryan Gosnell**
Facility: TMS # 1230801003
Location: 518 Bowen Street
Anderson, South Carolina 29625
Mailing Address: 2905 Sunset Forest Road
Anderson, South Carolina 29626
County: Anderson
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018); Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, Part I.A.8. and III.B.6. (Rev. 2008 & Supp. 2016).

Summary: Bryan Gosnell (Individual/Entity) owns property located in Anderson County, South Carolina. Based on a complaint, the Department conducted an inspection and issued a Notice of Alleged Violation on December 19, 2023. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act as follows: the Individual/Entity operated a Class 1 landfill without a Department-issued permit.

Action: The Individual/Entity is required to: immediately cease accepting any solid waste debris at the unpermitted landfill; remove the land-clearing debris from the Site that was separated from the burned area, dispose of it at a facility permitted by the Department to accept that type of solid waste, and submit disposal receipts to the Department; fully extinguish the fire such that there is no smoldering and ensure preventative measures are taken to prevent reignition of the fire; close the unpermitted Class 1 landfill by applying a two (2) foot thick final earth cover graded to promote positive drainage with a side slope not exceeding 3:1, test for certification of cap closure at a rate of two (2) thickness tests per acre as defined by best engineering and construction practices, have verified by a professional engineer, and submit the closure report to the Department, see the finished surface of the disposal area with native grasses or other suitable ground cover to provide a minimum of 75% vegetative cover with no substantial bare spots, and using a form approved by the Department, record with the appropriate Register of Deeds, a notation in the record of ownership of the property – or some other instrument that is normally examined during a title search – that will, in perpetuity, notify any potential purchaser of the property, that the land or a portion therein has been landfilled. The Department has assessed a total civil penalty in the amount of eleven thousand dollars (\$11,000.00). The Individual/Entity shall pay a civil penalty in the amount of eleven thousand dollars (**\$11,000.00**).

5) <u>Order Type and Number:</u>	Consent Order 24-10-SW
<u>Order Date:</u>	July 18, 2024
<u>Individual/Entity:</u>	St. Andrews Public Service District
<u>Facility:</u>	TMS #s 3091500001
<u>Location:</u>	2228 North Westcher Drive Charleston, South Carolina
<u>Mailing Address:</u>	1775 Ashley River Road Charleston, South Carolina 29407
<u>County:</u>	Charleston
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	Proposed Permit # TRAN-00301
<u>Violations Cited:</u>	South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 <u>et seq.</u> (2002 & Supp. 2018); and Solid Waste Management: Transfer of Solid Waste Regulation and Part D.1. (2012).

Summary: St. Andrews Public Service District (Individual/Entity) owns the Site located in Charleston County, South Carolina. The Department conducted a routine inspection in accordance with a Disaster Debris Management Site permit application on August 15, 2023, and additional follow-up inspections on January 30, April 29, and May 29, 2024. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act as follows: operated a transfer station without a Department-issued permit.

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty of two thousand, four hundred dollars (\$2,400.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, four hundred dollars (**\$2,400.00**).

6) Order Type and Number: Consent Order 24-09-SW
Order Date: July 18, 2024
Individual/Entity: **A&J Recycling, LLC**
Facility: TMS #s 3-03-00-015.01, 3-03-00-015.03, and 3-03-00-15.12
Location: 501 Mount Olive Road
Cowpens, South Carolina 29330
Mailing Address: P.O. Box 1106
Cowpens, South Carolina 29330
County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018); the South Carolina Pollution Control Act (2008 & Supp. 2014); and Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation and Part I.A.8., Part V.A.258.1.c. (Rev. 2008 & Supp. 2016).

Summary: A&J Recycling, LLC (Individual/Entity), operated a metal recycling yard in Spartanburg County, South Carolina. Based on a complaint, the Department conducted inspections on January 20, March 31, May 1, June 1, August 9, and September 12, 2023. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act and the South Carolina Pollution Control Act, as follows: operated a Class 3 landfill without a Department-issued permit and failed to clean up spills of contaminants from the operation of a small-scale shredder.

Action: The Individual/Entity is required to: immediately install and maintain best management practices to control stormwater and prevent erosions and stormwater runoff from exiting the Site; submit a sampling and analysis plan for soil and groundwater at the Site; complete separation of autofluff, metals, and soils at the Site and submit proof of proper disposal of the autofluff; and dispose of all contaminated soil from the Site and submit proof of proper disposal. The Department has assessed a total civil penalty of eight thousand, five hundred dollars (\$8,500.00). The Individual/Entity shall pay a **suspended penalty** in the amount of eight thousand, five hundred dollars (**\$8,500.00**).

BUREAU OF WATER

Recreational Waters Enforcement

7) Order Type and Number: Consent Order 24-053-RW
Order Date: July 8, 2024
Individual/Entity: **Diamond Jubilee Pelham, LLC**

Facility: Comfort Suites
Location: 1371 Garlington Road
Greenville, SC 29615
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-1310B
Violations Cited: S.C. Code Ann. Regs. 61-51.J

Summary: Diamond Jubilee Pelham, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Greenville County, South Carolina. The Department conducted inspections on March 25, 2024, and May 24, 2024, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis on the first inspection; and the bound and numbered logbook was not maintained a minimum of three times a week by the pool operator of record on the second inspection.

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

8) Order Type and Number: Consent Order 24-054-RW
Order Date: July 22, 2024
Individual/Entity: **Ocean Towers Homeowners Association, Inc.**
Facility: Ocean Towers
Location: 4311 South Ocean Boulevard
North Myrtle Beach, SC 29582
Mailing Address: 1125 48th Avenue North
Myrtle Beach, SC 29577-5424
County: Horry
Previous Orders: None
Permit/ID Number: 26-777-1 & 26-778-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ocean Towers Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and kiddie pool located in Horry County, South Carolina. The Department conducted inspections on May 29, 2024, and July 1, 2024, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the plaster on the pool floor was deteriorated; a skimmer was missing a weir; the chlorine and pH levels were not within the acceptable range of water quality standards; and the bound and numbered log book was not maintained on a daily basis.

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

9) Order Type and Number: Consent Order 24-055-RW
Order Date: July 29, 2024
Individual/Entity: **Creekside Cottages Owners' Association, Inc.**
Facility: Creekside Cottages
Location: 29 Cottage Drive
Murrells Inlet, SC 29576
Mailing Address: 3081 Deville Street
Myrtle Beach, SC 29577
County: Georgetown
Previous Orders: None
Permit/ID Number: 22-1060B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Creekside Cottages Owners' Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Georgetown County, South Carolina. The Department conducted inspections on June 4, 2024, and July 15, 2024, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; and the chlorine and pH levels were not within the acceptable range of water quality standards.

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

10) Order Type and Number: Consent Order 24-056-RW
Order Date: July 29, 2024
Individual/Entity: **SK Holding Group, LLC**
Facility: Beachwalk Motel
Location: 1703 S. Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-368-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: SK Holding Group, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on May 28, 2024, and June 27, 2024, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline was not attached to the pool wall; a ladder was not tight and secure; the water level was too low; skimmers were missing weirs; skimmer covers were cracked; the drinking water fountain was not operating properly; a gate did not self-close and latch; 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 deteriorated; and 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.

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

11)	<u>Order Type and Number:</u>	Consent Order 24-057-RW
	<u>Order Date:</u>	July 31, 2024
	<u>Individual/Entity:</u>	Liberty & New Life, LLC
	<u>Facility:</u>	Shady Rest Motel
	<u>Location:</u>	900 S. Ocean Boulevard Myrtle Beach, SC 29577
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-328-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Liberty & New Life, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on May 28, 2024, and July 1, 2024, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the water level was too low; skimmers were missing weirs; the chlorine and pH levels were not within the acceptable range of water quality standards; and the bound and numbered log book was not maintained on a daily basis.

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

12)	<u>Order Type and Number:</u>	Consent Order 24-058-RW
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Order Date: July 31, 2024
Individual/Entity: **Smith Family Partners, LLC**
Facility: Bar Harbor Motor Inn
Location: 100 N Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-440-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Smith Family Partners, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on June 6, 2024, and July 8, 2024, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the lifeline was not attached to the pool wall; a ladder was missing bumpers; a skimmer basket was missing; and there was no drinking water fountain.

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

DRINKING WATER ENFORCEMENT

13) Order Type and Number: Consent Order 24-027-DW
Order Date: July 3, 2024
Individual/Entity: **The Glen at Clover MHP Clover SC, LLC**
Facility: Glen at Clover
Location: 628 Adriatic Lane
Clover, SC 29710
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 4660064
Violations Cited: S.C. Code Ann. Regs. 61-58.6.B(1)

Summary: The Glen at Clover MHP Clover SC, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in York County, South Carolina. On May 14, 2024, violations were issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to timely report total coliform sample results to the Department.

Action: The Individual/Entity is required to: submit to the Department a plan for ensuring that all bacteriological monitoring and reporting requirements are met in accordance with Regs. 61-58. The Department has assessed a total civil penalty in the amount of three thousand dollars (\$3,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) and pay a stipulated penalty in the amount of one thousand dollars (\$1,000.00) should any requirement of the Order not be met.

14) Order Type and Number: Consent Order 24-028-DW
Order Date: July 10, 2024
Individual/Entity: **Cemitha, Inc.**
Facility: Lake Lodge Apartments
Location: 120 Lake Villa Road, Lexington, SC 29072
Mailing Address: 2110 Two Notch Road, Lexington, SC 29072
County: Lexington
Previous Orders: None
Permit/ID Number: 3270301
Violations Cited: S.C. Code Ann. Regs. 61-58.17.K(1)(a)

Summary: Cemitha, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. On May 14, 2024, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level for E. coli.

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

15) Order Type and Number: Consent Order 24-029-DW
Order Date: July 17, 2024
Individual/Entity: **Palmetto Shores RV Management, LLC**
Facility: Palmetto Shores RV Resort
Location: 5215 Dingle Pond Road
Summerton, SC 29148
Mailing Address: Same
County: Clarendon
Previous Orders: None
Permit/ID Number: 1470801
Violations Cited: S.C. Code Ann. Regs. 61-58.1.B(1), 61-58.1.K(1), 61-58.7 and 61-58.8.B

Summary: Palmetto Shores RV Management, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Clarendon County, South Carolina. The Department conducted an operational and maintenance inspection on March 8, 2024, and the PWS was rated unsatisfactory. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the exterior of the storage tank was dirty; an Emergency Preparedness Plan was not developed and available for Department review; written procedures and maintenance logs for the operation and maintenance of the PWS were not provided for Department review; the PWS was modified by the addition of a water softener treatment system prior to the issuance by the Department of a permit to construct and an approval to operate; and an operator of the appropriate grade was not monitoring the treatment system.

Action: The Individual/Entity is required to: correct all the deficiencies documented during the operational and maintenance inspection; provide for a South Carolina professional engineer to complete an evaluation of the unpermitted water softener treatment system; and submit a corrective action plan with a schedule for completion to the Department for review and approval. The Department has assessed a total civil penalty in the amount of sixteen thousand dollars (\$16,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) and pay a stipulated penalty in the amount of fourteen thousand dollars (\$14,000.00) should any requirement of the Order not be met.

16) <u>Order Type and Number:</u>	Consent Order 24-030-DW
<u>Order Date:</u>	July 31, 2024
<u>Individual/Entity:</u>	Country Park, LLC
<u>Facility:</u>	Country Park Mobile Home Park
<u>Location:</u>	5811 Edmund Highway Lexington, SC 29073
<u>Mailing Address:</u>	Same
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3260187
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.6.B(1) & 61-58.17.F(2)

Summary: Country Park, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. On May 15, 2024, violations were issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to conduct routine monitoring for bacteriological contaminants during the April 2024 monitoring period; and failed to timely report total coliform positive results to the Department.

Action: The Individual/Entity is required to: submit to the Department a plan for ensuring that all bacteriological monitoring and reporting requirements are met in

accordance with Regs. 61-58. The Department has assessed a total civil penalty in the amount of seven thousand seventy-five dollars (\$7,075.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand seventy-five dollars (**\$2,075.00**) and pay a stipulated penalty in the amount of five thousand dollars (\$5,000.00) should any requirement of the Order not be met.

BUREAU OF AIR QUALITY

17) Order Type and Number: Consent Order 24-025-A
Order Date: July 10, 2024
Individual/Entity: **Archer-Daniels-Midland Company**
Facility: Archer Daniels Midland – Kershaw Facility
Location: 413 North Hampton Street
Kershaw, SC 29445
Mailing Address: PO Box 338
Kershaw, SC 29445
County: Lancaster
Previous Orders: None
Permit/ID Number: 1460-0077-CA
Violations Cited: S.C. Code Ann. Regs 61-62.1, Section II, *Permit Requirements*.
Project Manager: Amanda Steuer

Summary: Archer Daniels Midland – Kershaw Facility (Individual/Entity) operates an oil seed processing plant that uses a solvent extraction technique at its facility in Kershaw County, South Carolina. On May 4, 2023, September 22, 2023, and January 29, 2024, the Department received semiannual reports. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: failed to limit the solvent loss ratio to 0.18 gal/ton from December 2022 to March 2024.

Action: The Individual/Entity is required to: submit to the Department monthly reports of the bi-weekly maintenance checks, leak detection results, and trend data, along with any corrective actions taken based on the results, and updated hexane emission calculations for the solvent loss ratio. These monthly reports shall start with April 2024 and be submitted to the Department’s Technical Management Section for a period of no less than eighteen (18) months and shall continue until receipt of written notification from the Department. The Department has assessed a total civil penalty in the amount of one hundred thirty-six thousand dollars (\$136,000.00). The Individual/Entity shall pay a penalty of one hundred thirty-six thousand dollars (**\$136,000.00**) and pay a stipulated penalty in the amount of ten thousand dollars per month (\$10,000/month) to be assessed for the period April 1, 2024, to April 30, 2025, for each month where ADM-Kershaw incurs an additional violation of its permit requirements by remaining out of compliance with the 0.18 gal/ton limit for the solvent loss ratio. Each payment in the amount of ten thousand dollars (\$10, 000) shall be due within thirty (30) days of notice from the

Department after the receipt of any monthly report required by this Order for the period of January 2024 through December 2024, provided such report indicates that ADM-Kershaw remains out of compliance with the 0.18 gal/ton limit for the solvent loss ratio based on a 12-month rolling average.

18) Order Type and Number: Consent Order 24-026-A
Order Date: July 10, 2024
Individual/Entity: **Pilgrim's Pride Corporation**
Facility: Pilgrim's Pride Corporation
Location: 2050 Highway 15 South
Sumter, SC 29150
Mailing Address: 2050 Highway 15 South
Sumter, SC 29150
County: Sumter
Previous Orders: None
Permit/ID Number: CM-2140-0006
Violations Cited: U.S. EPA 40 CFR Part 60, Subpart IIII and S.C. Code Ann. Regs. 61-62.60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*, U.S. EPA 40 CFR Part 63, Subpart ZZZZ and S.C. Code Ann. Regs, 61-62.63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, S.C. Code Ann. Regs. 61-62.1 Section II, *Permit Requirements*
Project Manager: Emma Groff

Summary: Pilgrim's Pride Corporation (Individual/Entity) operates a poultry processing facility in Sumter County, South Carolina. On March 30, 2023, the Department conducted an inspection of the facility. The Individual/Entity has violated U.S. EPA and South Carolina Air Pollution Control Regulations, as follows: failed to demonstrate continuous compliance by conducting and maintain documentation of the required maintenance on two emergency engines; failed to maintain documentation specifying emergency operation and non-emergency operation hours for one emergency engine; failed to document all measurements, performance evaluations, calibrations, adjustments, and maintenance for the gauges associated with five scrubbers; failed to maintain a copy of the most recent Department-issued source test summary letter; failed to conduct a source test for volatile organic compound (VOC) emissions from the five scrubbers; and, failed to maintain a list of exempt sources on site with the documentation to support the exemption.

Action: The Individual/Entity shall: comply with all terms and conditions set forth in the Permit; comply with all applicable performance and maintenance requirements in accordance with Subpart IIII and Subpart ZZZZ; and conduct a follow up source test for VOC emissions from the five scrubbers no later than October 31, 2027. The Department has assessed a total civil penalty in the amount of twenty-three thousand dollars (\$23,000.00). The Individual/Entity shall pay a civil penalty of twenty-three thousand dollars (**\$23,000.00**).

19) Order Type and Number: Consent Order
Order Date: July 3, 2024
Order Type and Number: Consent Order 24-027-A
Individual/Entity: **Tri County Pallet Company Inc.**
Facility: Tri County Pallet Company Inc.
Location: 5460 Red Oak Road Barnwell, SC
Mailing Address: PO Box 624 Barnwell, SC, 29812
County: Barnwell
Previous Orders: None
Permit/ID Number: 0300-0026
Violations Cited: S.C. Code Ann. Regs. 61-62.5, Standard No. 3, Section III(G)(1), S.C. Code Ann. Regs. 61-62.1, Section IV(D)(1), IV(F)(1), and S.C. Code Ann. Regs. 61-62.1 Section II, *Permit Requirements*
Project Manager: **Brandon Jackson**

Summary: Tri County Pallet Company Inc. (Individual/Entity) constructs custom wood pallets at its facility located in Barnwell County, South Carolina. On May 27, 2021, December 15, 2021, and January 24, 2023, the Individual/Entity conducted a performance test on the incinerator. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: failed to notify the Department at least two weeks prior to conducting a source test on the incinerator, failed to submit a written report of the source test results to the Department within thirty (30) days of conducting the source test for the incinerator following the May 27, 2021, and December 15, 2021, source tests; and failed to limit opacity to 20% during the January 24, 2023, source test.

Action: The Individual/Entity is required to: limit opacity to 20% over a six-minute average for the incinerator. The Department has assessed a total civil penalty in the amount eight thousand one-hundred dollars (\$8,100.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand one-hundred dollars (**\$8,100.00**).

BUREAU OF REGIONAL AND LABORATORY SERVICES

On-Site Wastewater Enforcement

20) Order Type and Number: Administrative Order 24-055-OSWW
Order Date: July 15, 2024
Individual/Entity: **Richard J. Miller and Gianna R. Miller**
Facility: Richard J. Miller and Gianna R. Miller
Location: 208 Godfrey Road
Simpsonville, SC 29681
Mailing Address: Same as Location
County: Greenville
Previous Orders: None
Permit Number: None

Violations Cited:

S.C. Code Ann. Regs. 61-56

Summary: Richard J. Miller and Gianna R. Miller (Individual/Entity) own property located in Greenville County, South Carolina. The Department conducted an investigation on May 10, 2024, and observed portions of the OSWW system was installed over the property line and determined the number of bedrooms had increased without obtaining a permit to upgrade the OSWW system. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to obtain a permit to construct to upgrade the OSWW system for the increased number of bedrooms and allowed portions of the OSWW system to be installed across the property line.

Action: The Individual/Entity is required to apply for a permit to construct to upgrade the OSWW system within five (5) days; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

21) <u>Order Type and Number:</u>	Consent Order 24-041-OSWW
<u>Order Date:</u>	July 2, 2024
<u>Individual/Entity:</u>	Casey Spurlock, DBA Diamond C. Construction
<u>Facility:</u>	Casey Spurlock, DBA Diamond C. Construction
<u>Location:</u>	790 Daily Road Baldwin, GA 30511
<u>Mailing Address:</u>	Same as location
<u>County:</u>	Oconee
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Casey Spurlock, DBA Diamond C. Construction, (Individual/Entity) installed an OSWW system on property located in Oconee County, South Carolina. The Department conducted a final inspection on February 8, 2024, and observed the maximum depth was exceeded, the setback from a drainage ditch was not maintained, less than seven feet of undisturbed soil between drainline trenches, less than nine inches of cover over the entire OSWW system, and greater than two inches of fall along drainline trenches. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: exceeded the maximum depth allowed on the permit, installed closer than the allowed setback from a drainage ditch, less than seven feet of undisturbed soil between drainline trenches, less than nine inches of cover over the entire OSWW system, and greater than two inches of fall along drainline trenches.

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the requirements of the permit to construct and the regulation. The Department has assessed a total civil penalty in the amount of two thousand dollars

(\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars **(\$2,000.00)**.

Bureau of Coastal Management

22) Order Type and Number: Administrative Order AF-0000960
Order Date: July 1, 2024
Individual/Entity: **Rom L. Reddy and Renee Reddy**
Facility: N/A
Location: 118 Ocean Boulevard
Isle of Palms, SC 29451
Mailing Address: 118 Ocean Boulevard
Isle of Palms, SC 29451
County: Charleston
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. §48-39-130(A) & (C); S.C. Code Ann. Regs. 30-2(B); S.C. Code Ann. §48-39-130(D)(6); S.C. Code Ann. Regs 30-15(H)(5)(a); Emergency Order 23-EO-11, Requirement #4; Emergency Order 23-EO-11, Requirement #9; S.C. Code Ann. Regs 30-13(N)(3)(c); S.C. Code Ann. Regs. 30-8(B); S.C. Code Ann. Regs. 30-8(B); S.C. Code Ann. Regs 30-8(B).

Summary: Rom L. Reddy (Individual) is the current owner of certain property located on and adjacent to the Atlantic Ocean. Renee Reddy (Individual, and together with Rom Reddy, Individuals), is his spouse and also lives at the property. An inspection was conducted on October 5, 2023, with regard to unauthorized impacts to the critical area. Department staff sent Notice to Comply AI-0007507 on October 20, 2023, requiring the removal of unauthorized non-beach-compatible materials from the critical area. The Department issued Cease and Desist Directives in January, February and March 2024 regarding unauthorized activity in the critical area. Notice of Alleged Violation/Admission Letter AI-0008331 was issued on May 22, 2024. The Individual/Entity has violated the S.C. Coastal Tidelands and Wetlands Act (Act) and Coastal Division Regulations (Regulations) by making unauthorized alterations to the Beaches Critical Area at the Site.

Action: The Individuals are required to: remove all unauthorized non-beach-compatible materials and restore Beaches Critical Area at the Site. The Department has assessed a total civil penalty in the amount of two hundred eighty-nine thousand dollars (\$289,000.00). The Individuals shall pay a civil penalty in the amount of two hundred eighty-nine thousand dollars **(\$289,000.00)**.

23) Order Type and Number: Consent Order AF-0000293 and AF-0000294
Order Date: July 22, 2024

<u>Individual/Entity:</u>	Northwest Properties of Hickory, LLC
<u>Facility:</u>	N/A
<u>Location:</u>	1277 Debordieu Boulevard and adjacent lot Georgetown, SC
<u>Mailing Address:</u>	1118 8 th Street Circle NW Hickory, NC 28601
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	S.C. Code Ann. §48-39-130(A) & (C); S.C. Code Ann. Regs. 30-2(B); S.C. Code Ann. §48-39-130(D)(1)(a); S.C. Code Ann. Regs. 30- 15(H)(2); S.C. Code Ann. Regs. 30-8(B); S.C. Code Ann. Regs. 30-13(L)(3)(a-c); S.C. Code Ann. Regs. 30-15(H); S.C. Code Ann. Regs. 30-15(H)(3)(d); S.C. Code Ann. Regs. 30- 15(H)(3)(e); S.C. Code Ann. Regs. 30-15(H)(3)(g); S.C. Code Ann. Regs. 30-15(H)(3)(h).

Summary: Northwest Properties of Hickory, LLC (Individual/Entity) owned property at 1277 Debordieu Boulevard and the adjacent vacant lot at the time this Order was executed. Northwest Properties of Hickory, LLC is responsible for the unauthorized placement of sandbags (some of which are known to contain non-beach compatible fill material), fabric wrap, and additional non-beach compatible fill materials seaward of the setback line and in the beach/dune system critical area. By these actions, the Individual/Entity has violated the S.C. Coastal Tidelands and Wetlands Act (Act) and Coastal Division Regulations (Regulations).

Action: The Individual/Entity is required to: provide the Department with evidence of a financially binding commitment in an amount that is reasonably estimated to cover the cost of removal of the geotextile sandbags at the Sites and provide evidence of a restrictive covenant recorded in the Register of Deeds Office of Georgetown County that gives clear notice of the study at the Sites and the requirements of the Order. The Department has assessed a total civil penalty in the amount of thirty-seven thousand five hundred dollars (\$37,500.00). The Individual/Entity shall pay a civil penalty in the amount of twenty-nine thousand dollars (**\$29,000.00**).

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