

SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
June 7, 2018


\_\_\_\_\_ ACTION/DECISION

  X   INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period April 1, 2018 through April 30, 2018.
3. **FACTS:** For the period of April 1, 2018 through April 30, 2018, the Office of Environmental Affairs issued seventy-six (76) Consent Orders with total assessed civil penalties in the amount of \$151,669.00 and two (2) Administrative Orders with total assessed civil penalties in the amount of \$2,000.00.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Agreements	Consent Orders	Assessed Penalties
<b>Land and Waste Management</b>					
UST Program	0	0	0	3	\$3,000.00
Aboveground Tanks	0	0	0	0	0
Solid Waste	0	0	0	0	0
Hazardous Waste	0	0	0	3	\$31,849.00
Infectious Waste	0	0	0	3	\$4,785.00
Mining	0	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>\$39,634.00</b>
<b>Water</b>					
Recreational Water	1	\$1,000.00	0	20	\$21,420.00
Drinking Water	0	0	0	5	\$9,000.00
Water Pollution	0	0	0	1	\$2,240.00
Dam Safety	0	0	0	0	0
<b>SUBTOTAL</b>	<b>1</b>	<b>\$1,000.00</b>	<b>0</b>	<b>26</b>	<b>\$32,660.00</b>
<b>Air Quality</b>					
<b>SUBTOTAL</b>	<b>1</b>	<b>\$1,000.00</b>	<b>0</b>	<b>4</b>	<b>\$47,000.00</b>
<b>Environmental Health Services</b>					
Food Safety	0	0	0	34	\$32,375.00
Onsite Wastewater	0	0	0	3	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>37</b>	<b>\$32,375.00</b>
<b>OCRM</b>					
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>2</b>	<b>\$2,000.00</b>	<b>0</b>	<b>76</b>	<b>\$151,669.00</b>

Submitted by:



Myra C. Reece  
Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
June 7, 2018**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Underground Storage Tank Enforcement**

- 1)     Order Type and Number:                     Consent Order 18-0060-UST  
       Order Date:                                 April 12, 2018  
       Individual/Entity:                         **SF&H, Inc.**  
       Facility:                                     SF&H Inc.  
       Location:                                    201 South Main Street  
  Bethune, SC 29009  
       Mailing Address:                         P.O. Box 126  
  Bethune, SC 29009  
       County:                                     Kershaw  
       Previous Orders:                         None  
       Permit/ID Number:                     10802  
       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)  
  (2017).  
       Project Manager:                         **Beverly McLeod**

Summary: SF&H, Inc. (Individual/Entity), located in Bethune, South Carolina, owns and operates underground storage tanks. On February 26, 2018, the Department conducted a routine inspection and issued a Notice of Alleged Violation because there was stick in the drop tube shutoff valve on the regular unleaded tank. On February 27, 2018, the Department received proof that the gauging stick had been removed from the drop tube shutoff valve. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation, as follows: failed to maintain overfill prevention equipment on an underground storage tank system.

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

**Additional Information: The civil penalty is the only requirement of the Order.**

- 2)     Order Type and Number:                     Consent Order 18-0063-UST  
       Order Date:                                 April 12, 2018  
       Individual/Entity:                         **7-Eleven, Inc.**  
       Facility:                                     7-Eleven 40478  
       Location:                                    1257 St. James Avenue  
  Summerville, SC 29483  
       Mailing Address:                         P.O. Box 711

Dallas, TX 75221  
County: Berkeley  
Previous Orders: None  
Permit/ID Number: 19716  
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) (2017).  
**Project Manager:** Beverly McLeod

Summary: 7-Eleven, Inc. (Individual/Entity), located in Dallas, Texas, owns and operates underground storage tanks located in Summerville, South Carolina. On March 7, 2018, the Department conducted a routine inspection and issued a Notice of Alleged Violation because there was stick in the drop tube shutoff valve on the diesel tank. The stick was removed while the Department's Inspector was on site. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation, as follows: failed to maintain overfill prevention equipment on an underground storage tank system.

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

**Additional Information: The civil penalty is the only requirement of the Order and has been paid in full.**

3) Order Type and Number: Consent Order 18-0071-UST  
Order Date: April 18, 2018  
Individual/Entity: **Corner Pantry, Inc.**  
Facility: Corner Pantry 135  
Location: 1609 Beltline Blvd.  
Columbia, SC 29204  
Mailing Address: P.O. Box 50127  
Columbia, SC 29250-0127  
County: Richland  
Previous Orders: None  
Permit/ID Number: 07725  
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) (2017).  
**Project Manager:** Beverly McLeod

Summary: Corner Pantry, Inc. (Individual/Entity), located in Columbia, South Carolina, owns and operates underground storage tanks located in Columbia, South Carolina. On March 8, 2018, the Department conducted a routine inspection and issued a Notice of Alleged Violation because there was stick in the drop tube shutoff valve on the regular unleaded tank. On March 14, 2018, the Department received proof that the stick had been removed from the drop tube shutoff valve on the regular unleaded tank. The Individual/Entity has violated the SUPERB Act and the South

Carolina Underground Storage Tank Control Regulation, as follows: failed to maintain overfill prevention equipment on an underground storage tank system.

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

**Additional Information: The civil penalty is the only requirement of the Order and has been paid in full.**

### **Hazardous Waste Enforcement**

- 4) Order Type and Number: Consent Order 18-08-HW  
Order Date: April 11, 2018  
Individual/Entity: **Tapco International Corporation**  
Facility: Tapco International Corporation  
Location: 3217 Highway 301 South  
Latta, SC 29562  
Mailing Address: Same  
County: Dillon  
Previous Orders: None  
Permit/ID Number: SCR 000 776 386  
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, R.61-79.262.12(c), and R.61-79.262.34(a)(4)/R.61-79.265.15(d) (2012 and Supp. 2016).  
**Project Manager: Erin Way**

Summary: Tapco International Corporation (Individual/Entity) operates a facility in Latta, South Carolina. On October 16, 2017, the Department conducted an inspection. The Individual/Entity has violated the Hazardous Waste Management Regulations as follows: failed to accurately determine if a waste is a hazardous waste; offered hazardous waste to a transporter, treatment, storage, or disposal facility that had not received an EPA identification number for hazardous waste or a Department permit for hazardous waste; and, failed to record the time that the inspection took place in the inspection log.

Action: The Individual/Entity has agreed to pay a civil penalty in the amount of sixteen thousand, fifty dollars (**\$16,050.00**).

**Additional Information: The requirements of the Order are due on May 11, 2018.**

- 5) Order Type and Number: Consent Order 18-07-HW  
Order Date: April 12, 2018  
Individual/Entity: **AVX Corporation**  
Facility: AVX Corporation  
Location: 1 AVX Boulevard  
Fountain Inn, SC 29644

Mailing Address: Same  
County: Greenville  
Previous Orders: N/A  
Permit/ID Number: SC0 000 099 598  
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §44-56-10 *et seq.* (2002 and Supp. 2016), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2016).  
**Project Manager: Lorria Caswell**

Summary: AVX Corporation (Individual/Entity) is an international manufacturer and supplier of electronic passive components, sensors, controls and interconnect solutions at its facility located in Fountain Inn, South Carolina. The Department conducted an inspection on July 18 and July 19, 2017. The Individual/Entity violated the Hazardous Waste Management Regulations as follows: failed to keep containers holding hazardous waste closed, except when it is necessary to add or remove waste; failed to accumulate hazardous waste in containers at or near the point of generation where wastes initially accumulate, which is under the control of the operator; failed to mark containers either with the words: "Hazardous Waste" or with other words that identify the contents of the container; failed to ensure that the date upon which each period of accumulation began was clearly marked and visible on each container; failed to receive copies of manifests and contact the designated facility within 35 days to determine the status of the hazardous waste; failed to submit an Exception Report to the Department within 45 days; failed to maintain and operate the facility to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste; failed to maintain aisle space to allow the unobstructed movement of personnel and emergency equipment; and, failed to record the date and nature of any repairs or other remedial action in an inspection log or summary.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of seven thousand, seven hundred ninety-nine dollars (**\$7,799.00**).

**Additional Information: The civil penalty is due on or before May 14, 2018.**

6) Order Type and Number: Consent Order 18-09-HW  
Order Date: April 30, 2018  
Individual/Entity: **Industrial Container Services, LLC**  
Facility: Industrial Container Services, LLC  
Location: 2819 Industrial Avenue  
North Charleston, SC 29405  
Mailing Address: 944 North Racine  
Chicago, IL 60642  
County: Charleston  
Previous Orders: None  
Permit/ID Number: SCD 003 339 702  
Violations Cited: The South Carolina Hazardous Waste Management Act S.C. Code Ann. §44-56-130(3) *et seq.* (2002); The South Carolina Hazardous Waste Management Regulations, 6 and 7 S.C. Code Ann. Regs. 61-79.270.30(l)(3), R.61-79.264.145(a)(1), R.61-79.264.145(d)(3), R.61-79.270.40(a)/Permit Condition I.E.12, and, R.61-79.270.40(b) (2012 and Supp. 2016).

**Project Manager:**

**Erin Way**

**Summary:** Industrial Container Services, LLC (Individual/Entity) operated a facility in North Charleston, South Carolina. In March 2017, and on September 15, 2017, and September 17, 2017, the Department received documentation from the facility. The Individual/Entity violated the Hazardous Waste Management Regulations as follows: failed to notify the Department of a change in ownership in accordance with the provisions of section 270.40; failed to submit an original signed duplicate of the standby trust agreement to the Department; failed to establish a standby trust fund which meets the requirements of the trust fund specified in Section 264.145(a); failed to follow the procedures for a transfer of the postclosure permit to a new owner that require the permit be modified or revoked and reissued under 270.40(b) or 270.41(b)(2) to identify the new permittee and incorporate such other requirements as may be necessary; and, as the old owner or operator of the facility, failed comply with the requirements of Part 264, Subpart H (Financial Requirements) until the new owner or operator has demonstrated that he or she is complying with requirements of that Subpart.

**Action:** The Individual/Entity is required to: pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

**Additional Information: The requirements of the Order are due on May 30, 2018.**

**Infectious Waste Enforcement**

- 7) **Order Type and Number:** Consent Order 18-01-IW  
**Order Date:** April 30, 2018  
**Individual/Entity:** Medical Waste Solutions of Georgia, LLC  
**Facility:** Medical Waste Solutions of Georgia  
**Location:** 411 Pacific Avenue  
Bremen, GA 30110  
**Mailing Address:** Same  
**County:** Greenville  
**Previous Orders:** None  
**Permit/ID Number:** IWT000008  
**Violations Cited:** The South Carolina Infectious Waste Management Act S.C. Code Ann. §44-93-10 *et seq.* (Rev. 2002 and Supp. 2016); The South Carolina Infectious Waste Management Regulations, 8 S.C. Code Ann. Regs. 61-105(N)(1), 61-105(O)(1)(a-g), 61-105(O)(3), and 61-105(DD) (2012).  
**Project Manager:** **Tyra Cunningham**

**Summary:** Medical Waste Solutions of Georgia, LLC (Individual/Entity), located in Bremen, Georgia, owns and operates a medical waste disposal company. On January 5, 2018, the Department issued a letter to the Individual/Entity notifying the company of transportation violations discovered during an inspection at a facility that generates infectious waste in Greenville, SC. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulations, as follows: transferred infectious waste in SC without a registration, failed to have financial responsibility, and failed to pay fees. On

February 7, 2018, the Individual/Entity registered with the Department, provided proof of financial responsibility, and paid infectious waste fees.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of three thousand, one hundred eighty-five dollars (**3,185.00**).

**Additional Information: The civil penalty is the only requirement of the Order and is to be paid monthly over five months. The first payment was made on April 13, 2018 in the amount of \$535.00.**

8) Order Type and Number: Consent Order 18-04-IW  
Order Date: April 30, 2018  
Individual/Entity: **Palmetto Primary Care Physicians - Trident**  
Facility: Palmetto Primary Care Physicians - Trident  
Location: 9313 Medical Plaza Drive, Suite 202  
Charleston, SC 29406  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit/ID Number: SC10-1173G  
Violations Cited: The South Carolina Infectious Waste Management Act S.C. Code Ann. §44-93-10 *et seq.* (Rev. 2002 and Supp. 2016); The South Carolina Infectious Waste Management Regulations, 8 S.C. Code Ann. Regs. 61-30.D(1) and R.61-30.G(12)(b) (2012).  
**Project Manager: Erin Way**

Summary: Palmetto Primary Care Physicians (Individual/Entity) operated a facility in North Charleston, South Carolina. On July 24, 2017, the Department mailed an invoice for generator registration fees for July 1, 2017 through July 1, 2018. Subsequent invoices including late penalties were mailed on August 31, 2017, October 13, 2017 and October 24, 2017. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulations as follows: failed to pay delinquent fees and late payments remaining unpaid at the end of ninety (90) days from the date of issuance of its initial invoice; and, failed to pay the fee of \$150.00 for generators of 50 pounds per month through 999 pounds per month.

Action: The Individual/Entity is required to: comply with the South Carolina Infectious Waste Management Act and Regulations; pay annual fees as outlined in the Environmental Protection Fees Regulation; pay the annual generator registration fee and associated late payments in the amount of two hundred six dollars and twenty-five cents (\$206.25); and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

**Additional Information: The requirements of the Order have been met.**

- 9) Order Type and Number: Consent Order 18-05-IW  
Order Date: April 30, 2018  
Individual/Entity: **Palmetto Primary Care Physicians**  
Facility: Palmetto Primary Care Physicians  
Location: 300 Maple Street West  
Hampton, SC 29924  
Mailing Address: Same  
County: Hampton  
Previous Orders: None  
Permit/ID Number: SC25-0035G  
Violations Cited: The South Carolina Infectious Waste Management Act S.C. Code Ann. §44-93-10 *et seq.* (Rev. 2002 and Supp. 2016); The South Carolina Infectious Waste Management Regulations, 8 S.C. Code Ann. Regs. 61-30.D(1) and R.61-30.G(12)(b) (2012).  
**Project Manager: Erin Way**

Summary: Palmetto Primary Care Physicians (Individual/Entity) operated a facility in North Charleston, South Carolina. On July 24, 2017, the Department mailed an invoice for generator registration fees for July 1, 2017 through July 1, 2018. Subsequent invoices including late penalties were mailed on August 31, 2017, October 16, 2017 and October 24, 2017. The Individual/Entity violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulations as follows: failed to pay delinquent fees and late payments remaining unpaid at the end of ninety (90) days from the date of issuance of its initial invoice; and, failed to pay the fee of \$150.00 for generators of 50 pounds per month through 999 pounds per month.

Action: The Individual/Entity is required to: comply with the South Carolina Infectious Waste Management Act and Regulations; pay annual fees as outlined in the Environmental Protection Fees Regulation; pay the annual generator registration fee and associated late payments in the amount of two hundred six dollars and twenty-five cents (\$206.25); and, pay a civil penalty in the amount of eight hundred dollars (\$800.00).

**Additional Information: The requirements of the Order have been met.**

## **BUREAU OF WATER**

### **Recreational Waters Enforcement**

- 10) Order Type and Number: Administrative Order 18-007-RW  
Order Date: January 23, 2018  
Individual/Entity: **The Retreat at Edisto Co-Owners Association, Inc.**  
Facility: The Retreat at Edisto  
Location: 126 Jungle Road  
Edisto Island, SC 29438  
Mailing Address: Same



County: Colleton  
Previous Orders: None  
Permit/ID Number: 15-1001B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)  
Project Manager: **Tessa Sullivan**

Summary: The Retreat at Edisto Co-Owners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 15, 2017, and July 12, 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 plaster on the pool floor was chipped; a skimmer was missing a weir; the pH level was not within the acceptable range of water quality standards; the bound and numbered log book was missing the required weekly readings for cyanuric acid; and a skimmer lid was cracked.

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 dollars (**\$1,000.00**). The civil penalty has been paid.

**Additional Information: The pool had 2 violations for O&M = \$1,000.00.**

**The Individual/Entity appealed the AO, however the Board declined to schedule a final review conference and the Department's decision became the final agency decision. The effective date of the AO was February 7, 2018. The Individual/Entity submitted a corrective action plan and the scheduled due date to complete corrective actions is pending.**

**June 15, 2017 – the plaster on the pool floor was chipped, a skimmer was missing a weir, the pH level was not within the acceptable range of water quality standards, and the bound and numbered log book was missing the required weekly readings for cyanuric acid.**

**July 12, 2017 – a skimmer was missing a weir, a skimmer lid was cracked, and the bound and numbered log book was missing the required weekly readings for cyanuric acid.**

11) Order Type and Number: Consent Order 18-072-RW  
Order Date: April 2, 2018  
Individual/Entity: **Sea Gate Villas Association, Inc.**  
Facility: Sea Gate Villas  
Location: 10200 Lake Shore Drive  
Myrtle Beach, SC 29572  
Mailing Address: P.O. Box 7706  
Myrtle Beach, SC 29572  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-454-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)  
Project Manager: **Kristin E. Bevill**

Summary: Sea Gate Villas Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 7, 2017, and July 11, 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: there was no drinking water fountain; the chlorine level was not

within the acceptable range of water quality standards; the emergency notification device was not operating; only one "Shallow Water – No Diving Allowed" sign was posted; and the bound and numbered log book was not maintained on a daily basis. On July 26, 2017, a follow-up inspection was conducted and it was determined that all of the deficiencies had been addressed except for the installation of a drinking water fountain.

Action: The Individual/Entity is required to: submit a swimming pool change order request form for the installation of a drinking water fountain; install the drinking water fountain within fifty feet of the pool; and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

Additional Information: There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.

June 7, 2017 – there was no drinking water fountain, the chlorine level was not within the acceptable range of water quality standards, only one "Shallow Water – No Diving Allowed" sign was posted, and the bound and numbered log book was not maintained on a daily basis.

July 11, 2017 – there was no drinking water fountain, the chlorine level was not within the acceptable range of water quality standards, and the emergency notification device was not operating.

July 26, 2017 - a follow-up inspection was conducted and it was determined that all of the deficiencies had been addressed except for the installation of a drinking water fountain.

12) <u>Order Type and Number:</u>	Consent Order 18-067-RW
<u>Order Date:</u>	April 3, 2018
<u>Individual/Entity:</u>	<b>The Eaglewood Retreat Homeowners Association, Inc.</b>
<u>Facility:</u>	The Eaglewood Retreat
<u>Location:</u>	1010 Freedom Peak Charleston, SC 29407
<u>Mailing Address:</u>	Same
<u>County:</u>	Charleston
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	10-1127B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<u>Project Manager:</u>	<b>Jaime Teraoka</b>

Summary: The Eaglewood Retreat Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 14, 2017, and August 10, 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 chlorine and pH levels were not within the acceptable range of water quality standards; there was debris in the skimmer baskets; the gate did not self-close and latch; and the cyanuric acid level was not checked weekly.

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**).

**Additional Information:** There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.

**June 14, 2017** – the pH level was not within the acceptable range of water quality standards, and the cyanuric acid level was not checked weekly.

**August 10, 2017** – there was debris in the skimmer baskets, the chlorine and pH levels were not within the acceptable range of water quality standards, the gate did not self-close and latch, and the cyanuric acid level was not checked weekly.

13) <u>Order Type and Number:</u>	Consent Order 18-068-RW
<u>Order Date:</u>	April 4, 2018
<u>Individual/Entity:</u>	<b>Village at Little River Homeowners Association</b>
<u>Facility:</u>	Village at Little River
<u>Location:</u>	1461 Baldwin Court Little River, SC 29566
<u>Mailing Address:</u>	1442 Baldwin Court Little River, SC 29566
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-L55-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<b><u>Project Manager:</u></b>	<b>Kristin E. Bevill</b>

**Summary:** Village at Little River Homeowners Association (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 6, 2017, and July 10, 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 skimmer was missing a weir; skimmer lids were missing or cracked; there was no drinking water fountain; the chlorine level was not within the acceptable range of water quality standards; the current pool operator of record information was not posted to the public; and the log book was not properly bound and numbered, and was not maintained on a daily basis. On August 3, 2017, a follow-up inspection was conducted and it was determined that all of the deficiencies had been addressed.

**Action:** The Individual/Entity is required to: pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The civil penalty has been paid.

**Additional Information:** There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00. The Consent Order and project have been closed.

**June 6, 2017** – the current pool operator of record information was not posted to the public, and the log book was not properly bound and numbered.

**July 10, 2017**– a handrail was not tight and secure, a skimmer was missing a weir, skimmer lids were broken or missing, there was no drinking water fountain, the chlorine level was not within the acceptable range of water quality standards, and the log book was not maintained on a daily basis.

**August 3, 2017** – a follow-up inspection was conducted and it was determined that all of the deficiencies had been addressed.

14) Order Type and Number: Consent Order 18-069-RW  
Order Date: April 4, 2018  
Individual/Entity: **Myrtlewood Vacations, LLC**  
Facility: Myrtlewood Villas  
Location: 1410 48<sup>th</sup> Avenue Extension North  
Myrtle Beach, SC 29577  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-1813C  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)  
Project Manager: **Jaime Teraoka**

Summary: Myrtlewood Vacations, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool. On June 1, 2017, June 27, 2017, and July 28, 2017, the kiddie 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 water level was too low; 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 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 two thousand, forty dollars (**\$2,040.00**).

**Additional Information: There were 3 violations for O&M = \$2,400.00. An adjustment factor of 15% was given = \$2,040.00.**

**June 1, 2017 – the water level was too low, and the pH level was not within the acceptable range of water quality standards.**

**June 27, 2017 – the chlorine and pH levels were not within the acceptable range of water quality standards.**

**July 28, 2017 – the pH level was not within the acceptable range of water quality standards, and the bound and numbered log book was not maintained on a daily basis.**

15) Order Type and Number: Consent Order 18-070-RW  
Order Date: April 9, 2018  
Individual/Entity: **RKD, LLC**  
Facility: Quality Inn  
Location: 103 Red Bank Road  
Goose Creek, SC 29445  
Mailing Address: Same  
County: Berkeley  
Previous Orders: 16-078-RW (\$680.00)  
Permit/ID Number: 08-053-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)  
Project Manager: **Nicole Kish**

Summary: RKD, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 13, 2017, and July 31, 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

weir had stopped moving and had blocked off the skimmer from the main body of water; the drinking water fountain was missing; a skimmer lid was cracked; a ladder was missing a bumper; 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; 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 one thousand, three hundred sixty dollars (**\$1,360.00**). The Individual/Entity submitted a corrective action plan and corrected the deficiencies.

**Additional Information: There were 2 violations for O&M = \$800.00, but because the Individual/Entity had a previous Consent Order for failure to properly operate and maintain the pool during the 2016 pool season, an additional 100% of the \$800.00 penalty was assessed = \$1,600.00. An adjustment factor of 15% was given = \$1,360.00.**

**June 13, 2017 – a weir had stopped moving and had blocked off the skimmer from the main body of water, the drinking water fountain was missing, the cyanuric acid level was above the water quality standards acceptable limit, and the bound and numbered log book was not maintained on a daily basis.**

**July 31, 2017 – a ladder was missing a bumper, a skimmer lid was cracked, the chlorine level was not within the acceptable range of water quality standards, and the bound and numbered log book was not maintained on a daily basis.**

16) <u>Order Type and Number:</u>	Consent Order 18-071-RW
<u>Order Date:</u>	April 10, 2018
<u>Individual/Entity:</u>	<b>McGonigal Investment Group, LLC</b>
<u>Facility:</u>	Castaway Beach Inn
<u>Location:</u>	1717 South Ocean Boulevard North Myrtle Beach, SC 29582
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-535-1 & 26-Q44-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<b><u>Project Manager:</u></b>	<b>Tessa Sullivan</b>

Summary: McGonigal Investment Group, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of two pools. On June 22, 2017, and August 10, 2017, the pools were inspected 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; a skimmer was missing a weir; there was no drinking water fountain; only one "Shallow Water - No Diving Allowed" sign was posted; only one "No Lifeguard On Duty – Swim At Your Own Risk" sign was posted; a bolt cover was missing; there was no life ring; tiles were missing on the pool walls; 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 one thousand, three hundred sixty dollars (**\$1,360.00**). The civil penalty has been paid.

Additional Information: There were 2 pools and each pool had 2 violations for O&M – 2 x \$800.00 = \$1,600.00. An adjustment factor of 15% was given = \$1,360.00.

June 22, 2017 – a ladder was missing bumpers, a skimmer was missing a weir, there was no drinking water fountain, only one “Shallow Water – No Diving Allowed” sign was posted, only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted, a bolt cover was missing, and there was no life ring.

August 10, 2017 – a ladder was missing bumpers, tiles were missing on the pool walls, a skimmer was missing a weir, the bound and numbered log book was not maintained on a daily basis, and only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted.

17) <u>Order Type and Number:</u>	Consent Order 18-073-RW
<u>Order Date:</u>	April 11, 2018
<u>Individual/Entity:</u>	<b>Golf Forest Homeowner’s Association</b>
<u>Facility:</u>	Golf Forest at Colonial Charters
<u>Location:</u>	2173 Goodson Drive Longs, SC 29568
<u>Mailing Address:</u>	2137 Goodson Drive Longs, SC 29568
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-L82-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<u>Project Manager:</u>	<b>Kristin E. Bevill</b>

Summary: Golf Forest Homeowner’s Association (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 30, 2017, and June 29, 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 skimmer was missing a weir; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and the facility address was not posted at the emergency notification device. On July 31, 2017, a follow-up inspection was conducted and it was determined that all of the deficiencies had been addressed.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The civil penalty has been paid.

Additional Information: There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00. The Consent Order and project have been closed.

May 30, 2017 – the pH level was not within the acceptable range of water quality standards, and the cyanuric acid level was above the water quality standards acceptable limit.

June 29, 2017 – a skimmer was missing a weir, the pH level was not within the acceptable range of water quality standards, the cyanuric acid level was above the water quality standards acceptable limit, and the facility address was not posted at the emergency notification device.

July 31, 2017 – a follow-up inspection was conducted and it was determined that all of the deficiencies had been addressed.

18) Order Type and Number: Consent Order 18-074-RW  
Order Date: April 11, 2018  
Individual/Entity: **Clemson Lofts P1, LLC**  
Facility: Clemson Lofts  
Location: 111 Cochran Road  
Clemson, SC 29631  
Mailing Address: P.O. Box 4369  
Jackson, WY 83001  
County: Pickens  
Previous Orders: None  
Permit/ID Number: 39-1074B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)  
Project Manager: **Nicole Kish**

Summary: Clemson Lofts P1, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On May 30, 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 chlorine and pH levels were not within the acceptable range of water quality standards; there were no "No Lifeguard On Duty - Swim At Your Own Risk" signs posted; the pool rules sign was missing; there were no "Shallow Water – No Diving Allowed" signs posted; the current pool operator of record information was not posted to the public; the bound and numbered log book was not maintained on a daily basis; and the drinking water fountain was inoperable.

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.

Additional Information: There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.

May 30, 2017 – the chlorine and pH levels were not within the acceptable range of water quality standards, there were no "No Lifeguard On Duty - Swim At Your Own Risk" signs posted, the pool rules sign was missing, there were no "Shallow Water – No Diving Allowed" signs posted, the current pool operator of record information was not posted to the public, and the bound and numbered log book was not maintained on a daily basis.

July 5, 2017 – the chlorine level was not within the acceptable range of water quality standards, and the drinking water fountain was inoperable.

19) Order Type and Number: Consent Order 18-075-RW  
Order Date: April 11, 2018  
Individual/Entity: **The Channel, LLC**  
Facility: The Channel at Bowen Apartments  
Location: 1000 Channel Marker Way  
Hanahan, SC 29410  
Mailing Address: Same  
County: Berkeley  
Previous Orders: None  
Permit/ID Number: 08-1062B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)  
Project Manager: **Jaime Teraoka**

Summary: The Channel, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 30, 2017, and August 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: a ladder was not tight and secure; a skimmer was missing a weir; skimmer covers were broken; the gate did not self-close and latch; the cyanuric acid level was above the water quality standards acceptable limit; the emergency notification device was not operational; and the chlorine level was not within the acceptable range of water quality standards.

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.

Additional Information: There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.

June 30, 2017 – a ladder was not tight and secure, a skimmer was missing a weir, skimmer covers were broken, the gate did not self-close and latch, the cyanuric acid level was above the water quality standards acceptable limit, and the emergency notification device was not operational.

August 15, 2017 – the chlorine level was not within the acceptable range of water quality standards, and the cyanuric acid level was above the water quality standards acceptable limit.

20) Order Type and Number: Consent Order 18-076-RW  
Order Date: April 11, 2018  
Individual/Entity: **Brandenburg Properties, LLC**  
Facility: Savannah Oaks Apartments  
Location: 1402 Groves Boulevard  
North Augusta, SC 29841  
Mailing Address: 700 West Buena Vista  
North Augusta, SC 29841  
County: Aiken  
Previous Orders: None  
Permit/ID Number: 02-042-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)  
Project Manager: **Nicole Kish**



Summary: Brandenburg Properties, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 13, 2017, and July 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 missing bumpers; the shepherd's crook was not the approved length; the bound and numbered log book was not maintained on a daily basis; the drinking water fountain was inoperable; the pH level was not within the acceptable range of water quality standards; the emergency notification device was not operational; and the pool rules sign was faded and was not legible.

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.

Additional Information: There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.

June 13, 2017 – a handrail was not tight and secure, a ladder was missing bumpers, the shepherd's crook was not the approved length, and the bound and numbered log book was not maintained on a daily basis.

July 27, 2017 – a handrail was not tight and secure, a ladder was missing bumpers, the drinking water fountain was inoperable, the pH level was not within the acceptable range of water quality standards, the emergency notification device was not operational, the pool rules sign was faded and illegible, and the bound and numbered log book was not maintained on a daily basis.

21) <u>Order Type and Number:</u>	Consent Order 18-077-RW
<u>Order Date:</u>	April 16, 2018
<u>Individual/Entity:</u>	<b>Upstate Hotel Group, LLC</b>
<u>Facility:</u>	Baymont Inn Simpsonville
<u>Location:</u>	380 Heritage Point Drive Simpsonville, SC 29681
<u>Mailing Address:</u>	Same
<u>County:</u>	Pickens
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	39-059-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<u>Project Manager:</u>	<b>Nicole Kish</b>

Summary: Upstate Hotel Group, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 15, 2017, and July 13, 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 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; there was debris in the skimmer baskets; and the drinking water fountain and foot rinse shower were not operational.

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.

**Additional Information:** There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00. The Consent Order and project have been closed.

**June 15, 2017** – the pH level was not within the acceptable range of water quality standards, and the cyanuric acid level was above the water quality standards acceptable limit.

**July 13, 2017** – 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, there was debris in the skimmer baskets, and the drinking water fountain and foot rinse shower were not operational.

22) <u>Order Type and Number:</u>	Consent Order 18-081-RW
<u>Order Date:</u>	April 17, 2018
<u>Individual/Entity:</u>	<b>Seaside Homeowners' Association of North Myrtle Beach, Inc.</b>
<u>Facility:</u>	Seaside Resort
<u>Location:</u>	2301 South Ocean Boulevard North Myrtle Beach, SC 29582
<u>Mailing Address:</u>	7400 North Kings Highway Myrtle Beach, SC 29572
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-1495D
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<b><u>Project Manager:</u></b>	<b>Kristin E. Bevill</b>

**Summary:** Seaside Homeowners' Association of North Myrtle Beach, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a spa. On June 23, 2017, and July 25, 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: a skimmer was missing a weir; 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 emergency notification device was not operating.

**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**).

**Additional Information:** There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.

**June 23, 2017** – a skimmer was missing a weir, 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 emergency notification device was not operating.

**July 25, 2017** – the chlorine and pH levels were not within the acceptable range of water quality standards.

23) Order Type and Number: Consent Order 18-078-RW  
Order Date: April 18, 2018  
Individual/Entity: **Elite Hotels, LLC**  
Facility: Home 2 Suites  
Location: 900 Woody Jones Boulevard  
Florence, SC 29501  
Mailing Address: Same  
County: Florence  
Previous Orders: None  
Permit/ID Number: 21-1025B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)  
Project Manager: **Nicole Kish**

Summary: Elite Hotels, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On January 6, 2017, June 5, 2017, September 26, 2017, and November 29, 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 chlorine and pH levels were not within the acceptable range of water quality standards; a ladder was missing bumpers; 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 two thousand, forty dollars (**\$2,040.00**). The civil penalty has been paid. The Individual/Entity submitted a corrective action plan and corrected the deficiencies.

**Additional Information: There were 4 violations for O&M = \$2,400.00. An adjustment factor of 15% was given = \$2,040.00. The Consent Order and project have been closed. This is an indoor pool.**

**January 6, 2017 – a ladder was missing bumpers, and the pH level was not within the acceptable range of water quality standards.**

**June 5, 2017 – the pH level was not within the acceptable range of water quality standards.**

**September 26, 2017 – the chlorine level was not within the acceptable range of water quality standards.**

**November 29, 2017 – a ladder was missing bumpers, 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.**

24) Order Type and Number: Consent Order 18-079-RW  
Order Date: April 20, 2018  
Individual/Entity: **Deer Meadow Village Apartments, LLC**  
Facility: Deer Meadow Village Apartments  
Location: 8100 Garners Ferry Road  
Columbia, SC 29209  
Mailing Address: 201 North Elm Street  
Greensborough, NC 27401  
County: Richland  
Previous Orders: None  
Permit/ID Number: 40-1056B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

**Project Manager:**

**Nicole Kish**

**Summary:** Deer Meadow Village Apartments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On August 7, 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 was missing a bolt cover; the water was cloudy and the main drain grates were not visible; a skimmer was missing a weir; the life ring was deteriorated; the facility address was not posted at the emergency notification device; the pool rules sign did not list all of the required rules; the bound and numbered log book was not available for review; and the chlorine level was not within the acceptable range of water quality standards.

**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.

**Additional Information:** There was 1 violation for O&M = \$400.00. An adjustment factor of 15% was given = \$340.00.

**July 5, 2017, and July 19, 2017** - Department staff conducted inspections of the pool and the pool was closed to the public.

**August 7, 2017** - Department staff conducted an inspection of the pool and the pool was open to the public with the previously documented deficiencies from the July 5, 2017, and the July 19, 2017, inspections. A violation was issued.

**August 22, 2017-** Department staff conducted an inspection of the pool. The pool was closed to the public. All of the deficiencies from the previous inspections had been addressed. The only deficiency was the pH level was not within the acceptable range of water quality standards.

25) **Order Type and Number:** Consent Order 18-083-RW  
**Order Date:** April 20, 2018  
**Individual/Entity:** **Core Campus Columbia I, LLC**  
**Facility:** Hub on Campus Columbia  
**Location:** 1426 Main Street  
Columbia, SC 29201  
**Mailing Address:** 3508 Far West Blvd., Suite 355  
Austin, TX 78731  
**County:** Richland  
**Previous Orders:** 17-107-RW (\$1,020.00)  
**Permit/ID Number:** 40-1141D  
**Violations Cited:** S.C. Code Ann. Regs. 61-51(J)  
**Project Manager:** **Nicole Kish**

**Summary:** Core Campus Columbia I, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a spa. On January 2, 2018, and April 3, 2018, 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: a handrail was not tight and secure; the chlorine and pH levels were not within the acceptable range of water quality standards; the emergency notification device was not operational; the current pool operator of record information was not posted to the public; the disinfection equipment was not operational; the

water level was too low; the water was green; there was a green precipitate in the skimmer and on the spa thermometer; the main drain grates were broken; and the automatic controller was not operating.

**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, three hundred sixty dollars **(\$1,360.00)**. The Individual/Entity submitted a corrective action plan and corrected the deficiencies.

**Additional Information:** There were 2 violations for O&M = \$800.00. 100% of the \$800.00 penalty (\$800.00) was added for violation recurrence because this was the second violation/Order within a three-year period. \$800.00 + \$800.00 = \$1,600.00 An adjustment factor of 15% was given = \$1,360.00.

**January 2, 2018** – a handrail was not tight and secure, the chlorine and pH levels were not within the acceptable range of water quality standards, the emergency notification device was not operational, the current pool operator of record information was not posted to the public, and the disinfection equipment was not operating.

**April 3, 2018** – a handrail was not tight and secure, the water was green, the water level was too low, there was a green precipitate in the skimmer and on the spa thermometer, the chlorine and pH levels were not within the acceptable range of water quality standards, the main drain grates were broken, the current pool operator of record information was not posted to the public, and the automatic controller was not operating.

26) <u>Order Type and Number:</u>	Consent Order 18-080-RW
<u>Order Date:</u>	April 23, 2018
<u>Individual/Entity:</u>	<b>OHM JAI Jalaram Bapa, LLC</b>
<u>Facility:</u>	El Dorado Motel
<u>Location:</u>	2800 South Ocean Boulevard Myrtle Beach, SC 29577
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-257-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<b><u>Project Manager:</u></b>	<b>Kristin E. Bevill</b>

**Summary:** OHM JAI Jalaram Bapa, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 13, 2017, July 3, 2017, and July 25, 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 pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the bound and numbered log book was not available for review during the June 13, 2017 inspection; and the bound and numbered log book was not maintained on a daily basis during the July 3, 2017 inspection.

**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 two thousand, forty dollars (**\$2,040.00**). The civil penalty has been paid.

**Additional Information:** There were 3 violations for O&M = \$2,400.00. An adjustment factor of 15% was given = \$2,040.00.

**June 13, 2017** – the gate did not self-close and latch, and the bound and numbered log book was not available for review.

**July 3, 2017** – the cyanuric acid level was above the water quality standards acceptable limit, and the bound and numbered log book was not maintained on a daily basis.

**July 25, 2017** – the pH level was not within the acceptable range of water quality standards, and the cyanuric acid level was above the water quality standards acceptable limit.

27) <u>Order Type and Number:</u>	Consent Order 18-082-RW
<u>Order Date:</u>	April 23, 2018
<u>Individual/Entity:</u>	<b>Manager for CCHH, Inc.</b>
<u>Facility:</u>	Country Club of Hilton Head
<u>Location:</u>	70 Skull Creek Drive Hilton Head Island, SC 29926
<u>Mailing Address:</u>	Same
<u>County:</u>	Beaufort
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	07-351-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<b><u>Project Manager:</u></b>	<b>Kristin E. Bevill</b>

**Summary:** Manager for CCHH, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On July 3, 2017, and July 25, 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 "Shallow Water – No Diving Allowed" signs did not have the appropriate size lettering; and the "No Lifeguard On Duty – Swim At Your Own Risk" signs did not have the appropriate size lettering.

**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**).

**Additional Information:** There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.

**July 3, 2017** – the "Shallow Water – No Diving Allowed" signs did not have the appropriate size lettering, and the "No Lifeguard On Duty – Swim At Your Own Risk" signs did not have the appropriate size lettering.

**July 25, 2017** – the "Shallow Water – No Diving Allowed" signs did not have the appropriate size lettering, and the "No Lifeguard On Duty – Swim At Your Own Risk" signs did not have the appropriate size lettering.

28)	<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> <u>Project Manager:</u>	Consent Order 18-084-RW April 24, 2018 <b>City of Goose Creek</b> Crowfield Golf and Country Club 300 Hamlet Drive Goose Creek, SC 29445 519-A North Goose Creek Blvd. Goose Creek, SC 29445 Berkeley None 08-067-1 S.C. Code Ann. Regs. 61-51(J) <b>Nicole Kish</b>
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Summary: The City of Goose Creek (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 13, 2017, and August 2, 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 chlorine level was not within the acceptable range of water quality standards; the current pool operator of record information was not posted to the public; the bound and numbered log book was not maintained on a daily basis; and the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.

Action: The Individual/Entity 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)**.

**Additional Information: There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.**

**June 13, 2017 – the chlorine level was not within the acceptable range of water quality standards, the current pool operator of record information was not posted to the public, and the bound and numbered log book was not maintained on a daily basis.**

**August 2, 2017 – 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 the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.**

29)	<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 18-085-RW April 25, 2018 <b>Simi Hospitality, Inc</b> Creeside Lands Inn 2545 Savannah Highway Charleston, SC 29414 Same Charleston 14-300-DW (\$840.00) 15-108-RW (\$1,000.00) 10-492-1 S.C. Code Ann. Regs. 61-51(J)
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**Project Manager:**

**Nicole Kish**

**Summary:** Simi Hospitality, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On June 6, 2017, and July 20, 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 chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the life ring did not have a permanently attached rope; 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 two thousand, seven hundred twenty dollars **(\$2,720.00)**.

**Additional Information:** There were 2 violations for O&M = \$800.00, but because the Individual/Entity had a previous Order for failure to properly operate and maintain the pool and for reopening the pool prior to receiving Department approval during the 2014 pool season, and a previous Order for failure to properly operate and maintain the pool during the 2015 pool season, an additional 300% of the \$800.00 penalty was assessed = \$2,400.00.  $\$800.00 + \$2,400.00 = \$3,200.00$ . An adjustment factor of 15% was given = \$2,720.00.

**June 6, 2017** – the pH level was not within the acceptable range of water quality standards, the cyanuric acid level was above the water quality standards acceptable limit, the life ring did not have a permanently attached rope, and the current pool operator of record information was not posted to the public.

**July 20, 2017** – the chlorine level was not within the acceptable range of water quality standards, and the cyanuric acid level was above the water quality standards acceptable limit.

30) <u>Order Type and Number:</u>	Consent Order 18-086-RW
<u>Order Date:</u>	April 26, 2018
<u>Individual/Entity:</u>	<b>M and M Corporation of South Carolina</b>
<u>Facility:</u>	Baymont Inn & Suites
<u>Location:</u>	240 E. Exchange Boulevard Columbia, SC 29209
<u>Mailing Address:</u>	Same
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-428-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)
<b><u>Project Manager:</u></b>	<b>Jaime Teraoka</b>

**Summary:** M and M Corporation of South Carolina (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On July 7, 2017, and August 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: a ladder and handrail were not tight and secure; the pool furniture was not at least four feet from the edge of the pool; there was debris in the



skimmer baskets; a 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 the throw rope was tangled; the pool rules sign was not completely filled out; the current pool operator of record information was not posted to the public; the bound and numbered log book was not maintained on a daily basis; the cyanuric acid level was not checked weekly; the pool floor was dirty; the plaster on the pool floor was chipped; there was standing water on the pool deck; a main drain grate was missing; and the bolts on the shepherd's crook were facing the wrong direction. On August 17, 2017, a follow-up inspection was conducted and it was determined that all of the deficiencies listed above had been addressed.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

**Additional Information: There were 2 violations for O&M = \$800.00. An adjustment factor of 15% was given = \$680.00.**

**July 7, 2017 – a ladder was not tight and secure, the pool furniture was not at least four feet from the edge of the pool, there was debris in the skimmer baskets, a gate did not self-close and latch, the chlorine level was not within the acceptable range of water quality standards, the life ring was deteriorated, the pool rules sign was not completely filled out, the current pool operator of record information was not posted to the public, and the bound and numbered log book was not maintained on a daily basis.**

**August 15, 2017 – a ladder and handrail were not tight and secure, the pool floor was dirty, the plaster on the pool floor was chipped, there was standing water on the pool deck, the chlorine and pH levels were not within the acceptable range of water quality standards, a main drain grate was missing, the life ring throw rope was tangled, the bolts on the shepherd's crook were facing the wrong direction, the pool rules sign was not completely filled out, the current pool operator of record information was not posted to the public, and the bound and numbered log book was not maintained on a daily basis.**

**August 17, 2017 – Department staff conducted a follow-up inspection of the pool and it was determined that all of the deficiencies listed above had been addressed.**

### **Drinking Water Enforcement**

31) <u>Order Type and Number:</u>	Consent Order 18-011-DW
<u>Order Date:</u>	April 2, 2018
<u>Individual/Entity:</u>	Laurel Street Village II, LP
<u>Facility:</u>	Laurel Street Village II
<u>Location:</u>	West of Saluda Street Honea Path, SC 29654
<u>Mailing Address:</u>	295 W Crossville Road, Suite 720 Roswell, GA 30075
<u>County:</u>	Anderson
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	31836-WS
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.1.K(1)

**Project Manager:**

**Jaime Teraoka**

**Summary:** Laurel Street Village II, LP (Individual/Entity) owns and is responsible for the proper construction, installation, and operation of a drinking water distribution system. On February 14, 2018, Department staff conducted an inspection at the PWS and it was determined that the drinking water distribution system had been placed into operation prior to obtaining written approval to operate. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: failed to obtain written approval to operate from the Department prior to placing the drinking water distribution system into operation. On February 21, 2018, the Department issued written approval to operate the drinking water distribution system.

**Action:** The Individual/Entity is required to: submit to the Department for review and approval a standard operating procedure to ensure that the requirements for obtaining written approval to operate are followed prior to placing permitted construction into operation; and pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

**Additional Information:** There was one violation for failure to obtain written approval to operate from the Department prior to placing a drinking water distribution system into operation. There was a moderate potential for harm because the distribution system did not have any violations in design or construction. There was a moderate extent of deviation because a permit to construct was issued prior to commencement of construction activities = \$1,000.00. On January 30, 2018, the Individual/Entity submitted a request, via email, to obtain approval to operate. However, they did not submit all of the required information (O&M letter from the water provider and bacteriological sampling results). On February 14, 2018, Department staff visited the facility and determined that the drinking water distribution system had been placed into operation. On February 21, 2018, Department staff received the additional information required to issue the approval to operate; and the approval to operate was issued that same day.

32) **Order Type and Number:** Consent Order 18-012-DW  
**Order Date:** April 11, 2018  
**Individual/Entity:** **City of Florence**  
**Facility:** City of Florence  
**Location:** 324 West Evans Street  
Florence, SC 29501  
**Mailing Address:** Same  
**County:** Florence  
**Previous Orders:** None  
**Permit/ID Number:** 2110001  
**Violations Cited:** S.C. Code Ann. Regs. 61-58.10.H(4)(a)(ii)  
& 61-58.10.H(6)(c)(i)  
**Project Manager:** **Tessa Sullivan**

**Summary:** The City of Florence (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On February 5, 2018, and February 12, 2018, 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 turbidity level of representative samples of the

PWS's filtered water exceeded one nephelometric turbidity unit (NTU); and the PWS failed to notify the Department as soon as possible, but no later than the end of the next business day that the PWS exceeded the turbidity level of one NTU.

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to address the violations; submit a standard operating procedure that will be followed to ensure that all monitoring and reporting requirements are complied with; pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**); and pay a stipulated penalty in the amount of four thousand dollars (\$4,000.00) should any requirement of the Order not be met. The civil penalty has been paid.

**Additional Information: The total settlement penalty was \$8,000.00. \$4,000.00 was assessed for the reporting violation and \$4,000.00 was stipulated for the turbidity violations. Public Notice has been issued.**

33) <u>Order Type and Number:</u>	Consent Order 18-013-DW
<u>Order Date:</u>	April 11, 2018
<u>Individual/Entity:</u>	<b>Boscaglia Properties, LLC</b>
<u>Facility:</u>	Newberry Park Estates
<u>Location:</u>	127 Sutton Lane Newberry, SC 29108
<u>Mailing Address:</u>	Same
<u>County:</u>	Newberry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3660003
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7
<b><u>Project Manager:</u></b>	<b>Jaime Teraoka</b>

Summary: Boscaglia Properties, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On December 6, 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 sanitary seal and part of the well casing were severely rusted; the electrical wiring for the well and pump was not sealed in to the sanitary seal; the wellhead did not have a screened vent; the insulation in the roof of the pump room was deteriorated; the wooden door and roof of the well house were rotted and had large openings; there was no valve maintenance, system flushing, leak detection and repair, procedures manual, emergency plan or system map documentation available for Department review; the gate to the fence around the hydro-pneumatic storage tank did not have a lock; the hydro-pneumatic storage tank did not have an air compressor to regulate pressure inside the tank; the hydro-pneumatic storage tank was too large for the population currently served; there was graffiti on the hydro-pneumatic storage tank; and the area around the hydro-pneumatic storage tank and well house was overgrown with grass and brush.

Action: The Individual/Entity is required 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.

**Additional Information:** The total settlement penalty was \$4,000.00. \$4,000.00 was stipulated. The previous sanitary survey conducted on December 3, 2012, was rated satisfactory.

34) Order Type and Number: Consent Order 18-014-DW  
Order Date: April 18, 2018  
Individual/Entity: **Karma Entertainment, Inc.**  
Facility: Club Karma  
Location: 2641 Speedway Boulevard  
Hardeeville, SC 29927  
Mailing Address: Same  
County: Jasper  
Previous Orders: 17-009-DW (\$4,000.00 Stipulated)  
Permit/ID Number: 2770906  
Violations Cited: S.C. Code Ann. Regs. 61-58.7 &  
61-30(G)(2)(a)  
**Project Manager:** **Tessa Sullivan**

Summary: Karma Entertainment, Inc. (Individual/Entity) leases and is responsible for the proper operation and maintenance of a public water system (PWS). On October 19, 2017, the Department sent final notice to the Individual/Entity requiring payment of the annual Safe Drinking Water Act fee for fiscal year 2018; and on January 23, 2018, 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: there was a distribution line leak; there was a crack in the concrete well pad; the floor of the well house was covered with dirt and debris; the well house door was in disrepair and could not be closed; a sample tap on the side of the building was dismantled; bacteriological contaminant sampling conducted at the PWS during the month of January 2018 resulted in samples that tested present for total coliform; and the annual Safe Drinking Water Act fee for fiscal Year 2018 had not been paid.

Action: The Individual/Entity is required to: correct the deficiencies; submit a corrective action plan to include proposed steps to address the causes of the total coliform; pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**); pay a stipulated penalty in the amount of four thousand dollars (\$4,000.00) should any requirement of the Order not be met; and pay the annual Safe Drinking Water Act fee for fiscal year 2018, which totals three hundred seventy-eight dollars and thirteen cents (\$378.13).

**Additional Information:** The total settlement penalty was \$8,000.00. \$4,000.00 for failure to properly operate and maintain with a violation recurrence factor of 100% because of the previous Order in 2017 = \$8,000.00. \$4,000.00 was assessed for the violation recurrence and \$4,000.00 was stipulated because the previous sanitary survey conducted on May 31, 2017, received a rating of "satisfactory." Consent Order No. 17-009-DW was for failure to properly operate and maintain the PWS during the March 16, 2017 sanitary survey. When the inspector went back out on May 31, 2017 to conduct the follow-up, all of the deficiencies had been addressed.

The fee amount was \$275.00 and the penalty amount for fees unpaid after ninety days was \$103.13. In order to comply with the provisions of the federal Safe Drinking Water Act, the Department is authorized to collect a fee

from each public water system. The amount of the fee is based upon the number of taps. The fees collected are used to implement the Safe Drinking Water Act Regulatory Program. Fees remaining unpaid after thirty days are sent notice with no penalty; fees remaining unpaid after sixty days are sent notice with an additional 10% penalty; and fees remaining unpaid after ninety days are sent notice with an additional 25% penalty, in addition to the sixty-day penalty. Notices regarding invoice number QK70348-8, were sent to the Owner on September 19, 2017 (sixty-day notice) and October 19, 2017 (ninety-day notice), requesting the submittal of the annual Safe Drinking Water Act fee for fiscal year 2018.

35) Order Type and Number: Consent Order 18-015-DW  
Order Date: April 24, 2018  
Individual/Entity: **Phyllis Grant, Individually and d.b.a. Sheldon Convenience Store**  
Facility: Sheldon Convenience Store  
Location: 32 Horse Tail Road  
Yemassee, SC 29945  
Mailing Address: Same  
County: Beaufort  
Previous Orders: None  
Permit/ID Number: 0770927  
Violations Cited: S.C. Code Ann. Regs. 61-30(G)(2)(a)  
**Project Manager: Nicole Kish**

Summary: Phyllis Grant, Individually and d.b.a. Sheldon Convenience Store (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system. On October 20, 2017, the Department sent final notice to the Individual/Entity requiring payment of the annual Safe Drinking Water Act fee for fiscal year 2018. The Individual/Entity has violated the Environmental Protection Fees Regulation as follows: failed to pay to the Department the annual Safe Drinking Water Act fee for fiscal Year 2018.

Action: The Individual/Entity is required to: pay to the Department the owed annual Safe Drinking Water Act fee for fiscal year 2018, which totals two hundred seventy-five dollars (\$275.00).

**Additional Information: The fee amount was \$275.00. In order to comply with the provisions of the federal Safe Drinking Water Act, the Department is authorized to collect a fee from each public water system. The amount of the fee is based upon the number of taps. The fees collected are used to implement the Safe Drinking Water Act Regulatory Program. Notices regarding invoice number QK70743-0, were sent to the Owner on August 22, 2017 (thirty-day notice), September 20, 2017 (sixty-day notice), and October 20, 2017 (ninety-day notice), requesting the submittal of the annual Safe Drinking Water Act fee for fiscal year 2018.**

## Water Pollution Enforcement

- 36) Order Type and Number: Consent Order 18-014-W  
Order Date: April 24, 2018  
Individual/Entity: **Lowcountry Regional Water System**  
Facility: LRWS Wastewater Treatment Facility  
Location: Off of Secondary Road #69 near the Coosawhatchie River in the Town of Brunson, SC  
  
Mailing Address: 513 Elm Street West  
Hampton, SC 29224  
  
County: Hampton  
Previous Orders: None  
Permit/ID Number: SC0042382  
Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2016); 24 S.C. Code Ann. Regs. 61-9.122.41 (d)(2016).  
**Project Manager: Jerel O. Lee**

Summary: The Lowcountry Regional Water System (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Hampton County, South Carolina. On October 4, 2017, a Notice of Violation was issued to the Individual/Entity as the result of failure to comply with effluent limits in its National Pollutant Discharge Elimination (NPDES) permit. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits for pH as specified in its NPDES permit.

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 two thousand, two hundred forty dollars (**\$2,240.00**).

**Additional Information: None.**

## BUREAU OF AIR QUALITY

- 37) Order Type and Number: Administrative Order 18-021-A  
Order Date: April 16, 2018  
Individual/Entity: **Jeff Fletcher**  
Facility: Residential Property  
Location: 1003 Shoresbrook Road  
Spartanburg, SC 29301  
  
Mailing Address: Same  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: 5 South Carolina Code Ann. Regs. 61-62.2,  
*Prohibition of Open Burning*  
**Project Manager: Matthew Brewer**

Summary: Mr. Jeff Fletcher (Individual/Entity), resides at 1003 Shoresbrook Rd. in Spartanburg, S.C. On November 14, 2016, the Department conducted an investigation in response to a complaint of open burning. The Individual/Entity has violated South Carolina Air Pollution Control Regulations as follows: burned materials other than those allowed by Section I of the regulation, specifically, plastic, metal, and insulation.

Action: The Individual/Entity is required to: henceforth cease all open burning except as in compliance with 5 S.C. Code Ann. Regs. 61-62.2, Prohibition of Open Burning; and pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)**.

**Additional Information: Mr. Fletcher did not respond to the Department and did not submit a Request for Board Review.**

38) Order Type and Number: Consent Order 18-019-A  
Order Date: April 2, 2018  
Individual/Entity: **Insulfab Plastics, Inc.**  
Facility: Insulfab Plastics, Inc.  
Location: 834 Hayne Street  
Spartanburg, SC 29301  
Mailing Address: P.O. Box 4277  
Spartanburg, SC 29305  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: 2060-0236  
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.1, Section II,  
*Permit Requirements*  
**Project Manager: Matthew Brewer**

Summary: Insulfab Plastics, Inc. (Individual/Entity), located in Spartanburg, South Carolina, manufactures thermoplastic containers. On September 19, 2016, the Department conducted a comprehensive inspection. The Individual/Entity has violated South Carolina Air Pollution Control Regulations as follows: failed to record daily pressure drop readings during source operation; failed to maintain records of weekly operation and maintenance checks; and failed to maintain records of the date, time, and duration that one of the baghouses was taken offline for maintenance.

Action: The Individual/Entity is required to: henceforth operate and maintain a pressure drop gauge on each module of the baghouses, and perform operation and maintenance checks on at least a weekly basis; henceforth maintain records of baghouse pressure drop readings and operation and maintenance checks, including corrective actions taken, on site in written or electronic logs for a period of at least five years from the date generated; and pay a civil penalty in the amount of five thousand dollars **(\$5,000.00)**.

**Additional Information: Insulfab was not accurately recording pressure drop readings since 2014 or maintaining records of O&M checks for its four baghouses. Additionally, Insulfab was not complying with requirements for a spare baghouse allowed by an exemption letter. The facility has submitted appropriate permit modification requests and has begun maintaining facility records as required.**

39) Order Type and Number: Consent Order 18-020-A  
Order Date: April 12, 2018  
Individual/Entity: **Michelin North America, Inc.**  
Facility: Michelin North America, Inc.  
Location: 1000 International Drive  
Spartanburg, SC 29303  
Mailing Address: P.O. Box 5049  
Spartanburg, SC 29304  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: 2060-0065  
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.1, Section II,  
*Permit Requirements*  
Project Manager: **Matthew Brewer**

Summary: Michelin North America, Inc. (Individual/Entity), located in Spartanburg, South Carolina, manufactures tires. On September 22, 2016, the Individual/Entity conducted a Department-approved source performance test. The Individual/Entity has violated South Carolina Air Pollution Control Regulations as follows: failed to achieve an average capture efficiency of 85%; failed to notify the Department prior to conducting a retest; failed to submit a written report of the final source test results to the Department within 30 days following the completion of the source test; and failed to submit a written plan to the Department following noncompliant results.

Action: The Individual/Entity is required to: henceforth comply with the applicable notification, testing, and reporting requirements of 5 S.C. Code Ann. Regs. 61-62.1, Section IV - Source Tests; and pay a civil penalty in the amount of twenty-seven thousand dollars (**\$27,000.00**).

**Additional Information: Michelin failed to achieve 85% capture efficiency during a source conducted on 9/22/2016. Michelin passed a retest on 9/23/16. Michelin did not notify the Department of the failed source test on 9/22/2016. The Department discovered this violation during review of the test report submitted for 9/23/16. Michelin has since installed a total enclosure that achieves 100% capture.**

40) Order Type and Number: Consent Order 18-022-A  
Order Date: April 20, 2018  
Individual/Entity: **Pacific Industrial Development Corp.**  
Facility: Pacific Industrial Development Corp.  
Location: 5396 North Blackstock Road  
Spartanburg, SC 29303  
Mailing Address: 4788 Runway Blvd.  
Ann Arbor, MI 48108  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: 2060-0548  
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.1, Section II,  
*Permit Requirements*  
Project Manager: **Matthew Brewer**



Summary: Pacific Industrial Development Corp. (Individual/Entity), located in Spartanburg, South Carolina, manufactures alumina-based products. On January 18, 2017, the Department conducted a comprehensive inspection. The Individual/Entity has violated South Carolina Air Pollution Control Regulations as follows: failed to obtain a construction permit from the Department prior to installing sources of air contaminants associated with its manufacturing facility; and submit a written notification to the Department of the date construction was commenced for each new source, postmarked within 30 days after such date.

Action: The Individual/Entity is required to: henceforth apply for and obtain required Department-issued permits prior to constructing, altering, or adding to any source of air contaminants, including the installation of control devices in accordance with the applicable requirements of 5 S.C. Code Ann. Regs. 61-62.1; and pay a civil penalty in the amount of six thousand dollars **(\$6,000.00)**.

**Additional Information: PIDC began moving equipment to its facility in November 2016 without first applying for and obtaining a construction permit. PIDC did not operate and to date has not operated the permitted equipment. Conditional Major Permit 2060-0548 was issued on 4/1/2018 authorizing operation of its equipment/process.**

41) <u>Order Type and Number:</u>	Consent Order 18-023-A
<u>Order Date:</u>	April 30, 2018
<u>Individual/Entity:</u>	<b>Thomas Concrete of South Carolina, Inc.</b>
<u>Facility:</u>	Moore Plant; Gaffney Plant; Springfield Plant
<u>Location:</u>	134 Moats Fowler Road Anderson, SC 29626
<u>Mailing Address:</u>	Same
<u>County:</u>	Spartanburg & Cherokee
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2060-0223; 2060-0224; 0600-0057
<u>Violations Cited:</u>	5 S.C. Code Ann. Regs. 61-62.1, Section II,
<i>Permit Requirements</i>	
<b><u>Project Manager:</u></b>	<b>Matthew Brewer</b>

Summary: Thomas Concrete of South Carolina, Inc. (Individual/Entity), operates concrete batch plants located in Spartanburg and Cherokee counties. On May 22, 2017, August 18, 2017, and September 15, 2017, the Department conducted comprehensive inspections. The Individual/Entity has violated South Carolina Air Pollution Control Regulations as follows: failed to submit written notifications of the date construction was commenced and the actual date initial startup of the Moore Plant; failed to submit a written request for a new or revised operating permit to cover the Moore Plant; failed to submit to the Department a complete description of modifications that were at variance with the documentation of the construction permitting determination prior to commencing operation of the Moore Plant; failed to perform and/or maintain records of weekly inspections performed during truck load-out at the Moore Plant; failed to record system pressure drop on each control device daily during source operation at the Gaffney Plant; failed to maintain all records required to demonstrate compliance with the limits established under the permit on site for a period of at least 5 years from the date the records were generated at the

Gaffney Plant; failed to maintain records of calibration checks, adjustments, and maintenance performed on the magnehelic gauge for the dust collection system at the Springfield Plant; and failed to perform and/or maintain records of weekly inspections performed during truck and/or mixer load-outs at the Springfield Plant.

**Action:** The Individual/Entity is required to: henceforth submit written notifications in accordance 5 S.C. Code Ann. Regs. 61-62.1; henceforth maintain all records required to demonstrate compliance with the limits established under the Department-issued permit on site for a period of at least 5 years from the date the record was generated; henceforth record system pressure drop on each control device daily during source operation; henceforth visually inspect truck and/or mixer load-outs weekly for leaks or visible emissions in the exhaust during the load-out, and maintain records of the results of each inspection along with any corrective action taken; henceforth maintain records of calibration checks, adjustments, and maintenance performed on the magnehelic gauge for the dust collection system; and pay a civil penalty in the amount of nine thousand dollars (**\$9,000.00**).

**Additional Information:** On April 25, 2018, the civil penalty was received with the executed order.

## **BUREAU OF ENVIRONMENTAL HEALTH SERVICES**

### **Food Safety Enforcement**

42) <u>Order Type and Number:</u>	Consent Order 2017-206-03-102
<u>Order Date:</u>	April 2, 2018
<u>Individual/Entity:</u>	<b>Pizza Hut #014534 Carry-Out</b>
<u>Facility:</u>	Pizza Hut #014534 Carry- Out
<u>Location:</u>	497 South Herlong Road Rock Hill, SC 29732
<u>Mailing Address:</u>	201 Rue De Jean, Suite 200 Lafayette, LA 70508
<u>County:</u>	York
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	46-206-00278
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Kelly Easey</b>

**Summary:** Pizza Hut #014534 Carry-Out (Individual/Entity) is a restaurant located in Rock Hill, South Carolina. The Department conducted inspections on June 15, 2016, June 8, 2017, June 16, 2017, June 27, 2017, and July 6, 2017. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to keep food contact surfaces, nonfood contact surfaces, and utensils clean and free of accumulation of dust, dirt, food residue and other debris; failed to maintain the physical facilities in good repair; failed to clean the physical facilities as often as necessary to keep them clean; and failed to convey sewage to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

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)**.

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. If multiple violations occur under different categories, the penalty is assessed at the higher category range and increased based on the number of consecutive violations. The civil penalty of one thousand dollars **(\$1,000.00)** was assessed based on the consecutive priority foundation violations observed during the inspection dated June 27, 2017. The civil penalty of five hundred dollars **(\$500.00)** was assessed based on the consecutive core violations observed during the inspection dated June 16, 2017. The civil penalty of two hundred fifty dollars **(\$250.00)** was assessed based on the consecutive core violation observed during the inspection dated July 6, 2017. On April 16, 2018, the Department received a payment in full.

43) <u>Order Type and Number:</u>	Consent Order 2017-206-06-083
<u>Order Date:</u>	April 2, 2018
<u>Individual/Entity:</u>	<b>Alyse's Restaurant</b>
<u>Facility:</u>	Alyse's Restaurant
<u>Location:</u>	1040 Highway 17 South Surfside Beach, SC 29575
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	26-206-11424
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>N. Shannon Archie</b>

Summary: Alyse's Restaurant (Individual/Entity) is a restaurant located in Surfside Beach, South Carolina. The Department conducted inspections on June 8, 2016, February 17, 2017, and June 16, 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)**.

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars **(\$1,000.00)** was assessed based on the consecutive priority violation observed during the inspection dated June 16, 2017. The Individual/Entity was given a reduction of two hundred dollars **(\$200.00)** for the cooperation and efforts to quickly return the establishment to compliance. The Department has entered into a payment plan with the Individual/Entity for the civil penalty.

44)	<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 Number:</u> <u>Violations Cited:</u> <u>Project Manager:</u>	Consent Order 2018-206-01-001 April 2, 2018 <b>El Titanic American &amp; Mexican</b> El Titanic American & Mexican 605 South Main Street Belton, SC 29627 Same Anderson 2017-206-01-003, \$800.00 04-206-02961 S.C. Code Ann. Regs. 61-25 <b>Melissa Allen</b>
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Summary: El Titanic American & Mexican (Individual/Entity) is a restaurant located in Belton, South Carolina. The Department conducted inspections on January 20, 2017, January 30, 2017, December 6, 2017, and December 18, 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 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 two thousand dollars **(\$2,000.00)**.

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the continued consecutive priority violation observed during the inspection dated December 6, 2017. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the continued consecutive priority violation observed during the inspection dated December 18, 2017. The Department has entered into a payment plan with the Individual/Entity for the civil penalty.**

**The previous consent orders were issued when the Individual/Entity violated the South Carolina Retail Food Establishment Regulation by failing to maintain proper holding temperatures of time/temperature control for safety foods.**

45)	<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 Number:</u> <u>Violations Cited:</u>	Consent Order 2018-206-03-008 April 2, 2018 <b>Subway at Super Wal-Mart</b> Subway at Super Wal-Mart 970 East Liberty Street York, SC 29745 684 Waterford Glen Way Rock Hill, SC 29730 York None 46-206-01948 S.C. Code Ann. Regs. 61-25
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**Project Manager:**

**Kelly Easey**

Summary: Subway at Super Wal-Mart (Individual/Entity) is a restaurant located in York, South Carolina. The Department conducted inspections on October 31, 2017, November 8, 2017, and January 16, 2018. 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 six hundred thirty-five dollars (**\$635.00**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated January 16, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance; and a reduction of one hundred sixty-five dollars (\$165.00) for capital improvements made to the facility. On March 29, 2018, the Department received payment in full.**

46) Order Type and Number: Consent Order 2018-206-03-018  
Order Date: April 2, 2018  
Individual/Entity: **Wendy's #28**  
Facility: Wendy's #28  
Location: 1825 J A Cochran Bypass  
Chester, SC 29706  
Mailing Address: 166 Southgate Drive, Suite 10  
Boone, NC 28607  
County: Chester  
Previous Orders: None  
Permit Number: 12-206-00334  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: Wendy's #28 (Individual/Entity) is a restaurant located in Chester, South Carolina. The Department conducted inspections on February 2, 2017, February 6, 2017, February 2, 2018, and February 9, 2018. 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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority**

Foundation, and Core. The civil penalty of two thousand dollars (\$2,000.00) was assessed based on the consecutive priority violation observed during the inspections dated February 2, 2018, and February 9, 2018. The Individual/Entity was given a reduction of four hundred dollars (\$400.00) for the cooperation and efforts to quickly return the establishment to compliance; and a reduction of two hundred fifty dollars (\$250.00) for capital improvements made to the facility. On April 16, 2018, the Department received a payment in full.

47) Order Type and Number: Consent Order 2018-206-03-020  
Order Date: April 2, 2018  
Individual/Entity: **Subway #15341**  
Facility: Subway #15341  
Location: 416-A East Liberty Street  
York, SC 29745  
Mailing Address: P.O. Box 10111  
Rock Hill, SC 29731  
County: York  
Previous Orders: None  
Permit Number: 46-206-01045  
Violations Cited: S.C. Code Ann. Regs. 61-25  
Project Manager: **Kelly Easey**

Summary: Subway #15341 (Individual/Entity) is a restaurant located in York, South Carolina. The Department conducted inspections on March 3, 2017, March 10, 2017, February 9, 2018, and February 14, 2018. 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).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of two thousand dollars (\$2,000.00) was assessed based on the consecutive priority violation observed during the inspections dated February 9, 2018, and February 14, 2018. The Individual/Entity was given a reduction of four hundred dollars (\$400.00) for the cooperation and efforts to quickly return the establishment to compliance. The Department has entered into a payment plan with the Individual/Entity for the civil penalty.**

48) Order Type and Number: Consent Order 2018-206-03-021  
Order Date: April 2, 2018  
Individual/Entity: **Kroger- Deli/Bakery**  
Facility: Kroger- Deli/Bakery  
Location: 1082 Roberts Branch Parkway  
Columbia, SC 29147

Mailing Address: 1014 Vine Street  
Cincinnati, OH 45202  
County: Richland  
Previous Orders: None  
Permit Number: 40-206-07819  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: Kroger- Deli/Bakery (Individual/Entity) is a deli/bakery located in Columbia, South Carolina. The Department conducted inspections on October 18, 2016, September 14, 2017, and January 23, 2018. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to provide individual disposable towels at each hand washing sink or group of adjacent handwashing sinks.

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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of five hundred dollars (\$500.00) was assessed based on the priority foundation violation during the inspection dated January 23, 2018. The Individual/Entity was given a reduction of one hundred dollars (\$100.00) for the cooperation and efforts to quickly return the establishment to compliance. On March 30, 2018, the Department received payment in full.**

49) Order Type and Number: Consent Order 2018-206-06-014  
Order Date: April 2, 2018  
Individual/Entity: **Kings Sushi II**  
Facility: Kings Sushi II  
Location: 801 Highway 17 North  
North Myrtle Beach, SC 29582  
Mailing Address: 224 Haley Lane  
Conway, SC 29527  
County: Horry  
Previous Orders: None  
Permit Number: 26-206-13150  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: Kings Sushi II (Individual/Entity) is a restaurant located in North Myrtle Beach, South Carolina. The Department conducted inspections on June 27, 2017, October 23, 2017, and January 25, 2018. 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**).

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated January 25, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance. On March 29, 2018, the Department received payment in full.

50) Order Type and Number: Consent Order 2018-206-06-018  
Order Date: April 2, 2018  
Individual/Entity: **Empire Fire Mongolian Grill**  
Facility: Empire Fire Mongolian Grill  
Location: 4036 Highway 17 South  
North Myrtle Beach, SC 29582  
Mailing Address: Same  
County: Horry  
Previous Orders: 2018-206-06-002 (\$800.00)  
Permit Number: 26-206-13126  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: Empire Fire Mongolian Grill (Individual/Entity) is a restaurant located in North Myrtle Beach, South Carolina. The Department conducted an inspection on February 14, 2018. 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 dollars (**\$1,000.00**).

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the continued consecutive priority violation observed during the inspection dated February 14, 2018. On March 29, 2018, the Department received payment in full.

The previous consent order was issued when the Individual/Entity violated the South Carolina Retail Food Establishment Regulation by failing to maintain proper holding temperatures of time/temperature control for safety foods; and by failing to clean the physical facilities as often as necessary to keep them clean.

51) Order Type and Number: Consent Order 2018-206-06-021  
Order Date: April 2, 2018  
Individual/Entity: **I Noodles**  
Facility: I Noodles



Location: 1486 Highway 17  
Little River, SC 29566  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit Number: 26-206-12762  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: I Noodles (Individual/Entity) is a restaurant located in Little River, South Carolina. The Department conducted inspections on July 3, 2017, October 19, 2017, and February 14, 2018. 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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated February 14, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance. On March 28, 2018, the Department received payment in full.**

52) Order Type and Number: Consent Order 2017-206-05-012  
Order Date: April 9, 2018  
Individual/Entity: **La Jaiba Loca**  
Facility: La Jaiba Loca  
Location: 245 Ascauga Lake Road  
Graniteville, SC 29829  
Mailing Address: Same  
County: Aiken  
Previous Orders: None  
Permit Number: 02-206-02998  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: La Jaiba Loca (Individual/Entity) is a restaurant located in Graniteville, South Carolina. The Department conducted inspections on August 22, 2016, August 31, 2016, June 20, 2017, and October 25, 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 clearly mark the date by which food shall be consumed on the premises, sold, or discarded when held at a temperature of 41°F or less for a maximum of seven (7) days. This applies only to refrigerated, ready-to-eat, time/temperature control for safety food prepared and held in a food establishment for more than twenty-four (24)

hours; and failed to ensure that when time without temperature control is used as a public health control, the food in unmarked containers or packages shall be discarded.

**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)**.

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. If multiple violations occur under different categories, the penalty is assessed at the higher category range and increased based on the number of consecutive violations. The civil penalty of one thousand dollars **(\$1,000.00)** was assessed based on the consecutive priority violation observed during the inspection dated October 25, 2017. The Individual/Entity was given a reduction of two hundred dollars **(\$200.00)** for the cooperation and efforts to quickly return the establishment to compliance. The Department has entered into a payment plan with the Individual/Entity for the civil penalty.

53) <u>Order Type and Number:</u>	Consent Order 2017-206-06-070
<u>Order Date:</u>	April 9, 2018
<u>Individual/Entity:</u>	<b>Clubhouse Pub &amp; Grub</b>
<u>Facility:</u>	Clubhouse Pub & Grub
<u>Location:</u>	10225 Ocean Highway Pawleys Island, SC 29585
<u>Mailing Address:</u>	1612 Running Water Road Murrells Inlet, SC 29576
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	22-206-06106
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Kelly Easey</b>

**Summary:** Clubhouse Pub & Grub (Individual/Entity) is a restaurant located in Pawleys Island, South Carolina. The Department conducted inspections on May 27, 2016, March 14, 2017, and March 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 seven hundred forty dollars **(\$740.00)**.

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars **(\$1,000.00)** was assessed based on the consecutive priority violation observed during the inspection dated March 24, 2017. The Individual/Entity was given a reduction of two hundred dollars **(\$200.00)** for the cooperation and efforts to quickly

return the establishment to compliance; and a reduction of sixty dollars (\$60.00) for capital improvements made to the facility. On April 9, 2018, the Department received payment in full.

54) Order Type and Number: Consent Order 2018-206-03-023  
Order Date: April 9, 2018  
Individual/Entity: **Miyo's of Lexington**  
Facility: Miyo's of Lexington  
Location: 5594 Sunset Boulevard  
Lexington, SC 29072  
Mailing Address: 209 Wood Moor Place  
Columbia, SC 29212  
County: Lexington  
Previous Orders: None  
Permit Number: 32-206-05731  
Violations Cited: S.C. Code Ann. Regs. 61-25  
Project Manager: **Kelly Easey**

Summary: Miyo's of Lexington (Individual/Entity) is a restaurant located in Lexington, South Carolina. The Department conducted inspections on March 15, 2016, February 14, 2017, and February 7, 2018. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to provide individual disposable towels, a continuous towel system that supplies the user with a clean towel, a heated air hand drying drive, or a hand-drying device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures at each hand washing sink or group of adjacent handwashing sinks.

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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of five hundred dollars (\$500.00) was assessed based on the priority foundation violation during the inspection dated February 7, 2018. The Individual/Entity was given a reduction of one hundred dollars (\$100.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 9, 2018, the Department received payment in full.**

55) Order Type and Number: Consent Order 2018-206-03-027  
Order Date: April 9, 2018  
Individual/Entity: **Texas Roadhouse**  
Facility: Texas Roadhouse  
Location: 2367 Dave Lyle Boulevard  
Rock Hill, SC 29730  
Mailing Address: 6040 Dutchmans Lane  
Louisville, KY 40205  
County: York  
Previous Orders: None

Permit Number: 46-206-03142  
Violations Cited: S.C. Code Ann. Regs. 61-25  
Project Manager: **Kelly Easey**

Summary: Texas Roadhouse (Individual/Entity) is a restaurant located in Rock Hill, South Carolina. The Department conducted inspections on March 7, 2017, March 6, 2018, and March 14, 2018. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to keep food contact surfaces, nonfood contact surfaces, and utensils clean and free of accumulation of dust, dirt, food residue and other debris.

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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of five hundred dollars (\$500.00) was assessed based on the priority foundation violation during the inspection dated March 14, 2018. The Individual/Entity was given a reduction of one hundred dollars (\$100.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 9, 2018, the Department received payment in full.**

56) Order Type and Number: Consent Order 2018-206-05-001  
Order Date: April 9, 2018  
Individual/Entity: **El Camaron Feliz II**  
Facility: El Camaron Feliz II  
Location: 300 Main Street  
Graniteville, SC 29829  
Mailing Address: 41 Springwood Loop  
Warrenville, SC 29851  
County: Aiken  
Previous Orders: None  
Permit Number: 02-206-03109  
Violations Cited: S.C. Code Ann. Regs. 61-25  
Project Manager: **Kelly Easey**

Summary: El Camaron Feliz II (Individual/Entity) is a restaurant located in Graniteville, South Carolina. The Department conducted inspections on March 7, 2017, September 14, 2017, and January 16, 2018. 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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority**

**Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated January 16, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 4, 2018, the Department received payment in full.**

57) Order Type and Number: Consent Order 2018-206-06-015  
Order Date: April 9, 2018  
Individual/Entity: **Jimmyz Hibachi House**  
Facility: Jimmyz Hibachi House  
Location: 670 Highway 17 South  
Surfside Beach, SC 29575  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit Number: 26-206-13226  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: Jimmyz Hibachi House (Individual/Entity) is a restaurant located in Surfside Beach, South Carolina. The Department conducted inspections on March 22, 2017, September 6, 2017, January 29, 2018, and February 6, 2018. 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, five hundred dollars (**\$1,500.00**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of two thousand dollars (\$2,000.00) was assessed based on the consecutive priority violation observed during the inspections dated January 29, 2018, and February 6, 2018. The Individual/Entity was given a reduction of four hundred dollars (\$400.00) for the cooperation and efforts to quickly return the establishment to compliance; and a reduction of one hundred dollars (\$100.00) for capital improvements made to the facility.**

58) Order Type and Number: Consent Order 2018-206-06-019  
Order Date: April 9, 2018  
Individual/Entity: **Carolina Ale House**  
Facility: Carolina Ale House  
Location: 2915 Hollywood Drive  
Myrtle Beach, SC 29577  
Mailing Address: 710 Lady Street, Suite 101  
Columbia, SC 29201

County: Horry  
Previous Orders: None  
Permit Number: 26-206-13495  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: Carolina Ale House (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted inspections on July 6, 2017, October 24, 2017, and February 20, 2018. 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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated February 20, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 9, 2018, the Department received payment in full.**

59) Order Type and Number: Consent Order 2018-206-06-024  
Order Date: April 9, 2018  
Individual/Entity: **Circle K Store #0792**  
Facility: Circle K Store #0792  
Location: 2591 Glens Bay Road  
Surfside Beach, SC 29575  
Mailing Address: 1100 Situs Court, Suite 100  
Raleigh, NC 27606  
County: Horry  
Previous Orders: None  
Permit Number: 26-206-13091  
Violations Cited: S.C. Code Ann. Regs. 61-25  
**Project Manager: Kelly Easey**

Summary: Circle K Store #0792 (Individual/Entity) is a convenience store located in Surfside Beach, South Carolina. The Department conducted inspections on July 27, 2016, May 18, 2017, and February 21, 2018. 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 clearly mark the date by which food shall be consumed on the premises, sold, or discarded when held at a temperature of 41°F or less for a maximum of seven (7) days. This applies only to refrigerated, ready-to-eat, time/temperature control for safety food prepared and held in a food establishment for more than twenty-four (24) hours. The facility also failed to ensure that when time without temperature control is used as a public health control, the food in unmarked containers or packages shall be discarded.

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)**.

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. If multiple violations occur under different categories, the penalty is assessed at the higher category range and increased based on the number of consecutive violations. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated February 21, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance.

60) <u>Order Type and Number:</u>	Consent Order 2018-206-06-025
<u>Order Date:</u>	April 9, 2018
<u>Individual/Entity:</u>	<b>Pavilion Restaurant</b>
<u>Facility:</u>	Pavilion Restaurant
<u>Location:</u>	1931 Brookgreen Gardens Drive Murrells Inlet, SC 29576
<u>Mailing Address:</u>	P.O. Box 4900 Pawleys Island, SC 29585
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	22-206-05265
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Kelly Easey</b>

Summary: Pavilion Restaurant (Individual/Entity) is a restaurant located in Murrells Inlet, South Carolina. The Department conducted inspections on February 1, 2017, October 11, 2017, and February 21, 2018. 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)**.

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated February 21, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance.

61)	<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 Number:</u> <u>Violations Cited:</u> <u>Project Manager:</u>	Consent Order 2018-206-06-029 April 9, 2018 <b>Senor Frogs</b> Senor Frogs 1304 Celebrity Circle Myrtle Beach, SC 29588 Same Horry 2016-206-06-024 (\$1,200.00) 2017-206-06-130 (\$800.00) 26-206-09720 S.C. Code Ann. Regs. 61-25 <b>Kelly Easey</b>
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Summary: Senor Frogs (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted an inspection on March 6, 2018. 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 dollars **(\$1,000.00)**.

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the continued consecutive priority violation observed during the inspection dated March 6, 2018. On April 9, 2018, the Department received payment in full.**

**The previous consent order (2016-206-06-024) was issued when the Individual/Entity violated the South Carolina Retail Food Establishment Regulation by failing to maintain proper holding temperatures of time/temperature control for safety foods; and by failing to ensure the backflow prevention device installed on a water supply system met construction, installation, maintenance, inspection, and testing standards specified by the public water system supplying water to the retail food establishment.**

62)	<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 Number:</u> <u>Violations Cited:</u>	Consent Order 2018-206-06-030 April 9, 2018 <b>Circle K #3482</b> Circle K #3482 501 Highway 17 North Myrtle Beach, SC 29575 P.O. Box 8019 Cary, NC 27512 Horry None 26-206-13096 S.C. Code Ann. Regs. 61-25
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**Project Manager:**

**Kelly Easey**

**Summary:** Circle K #3482 (Individual/Entity) is a convenience store located in Myrtle Beach, South Carolina. The Department conducted inspections on May 15, 2017, May 31, 2017, and February 26, 2018. 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**).

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (**\$1,000.00**) was assessed based on the consecutive priority violation observed during the inspection dated February 26, 2018. The Individual/Entity was given a reduction of two hundred dollars (**\$200.00**) for the cooperation and efforts to quickly return the establishment to compliance.

63) **Order Type and Number:** Consent Order 2018-206-03-026  
**Order Date:** April 11, 2018  
**Individual/Entity:** **Lizard's Thicket #10**  
**Facility:** Lizard's Thicket #10  
**Location:** 1824 Broad River Road  
Columbia, SC 29210  
**Mailing Address:** 1036 Market Street  
Columbia, SC 29201  
**County:** Richland  
**Previous Orders:** 2017-206-03-069 (\$800.00)  
**Permit Number:** 40-206-01828  
**Violations Cited:** S.C. Code Ann. Regs. 61-25  
**Project Manager:** **Kelly Easey**

**Summary:** Lizard's Thicket #10 (Individual/Entity) is a restaurant located in Columbia, South Carolina. The Department conducted inspections on July 22, 2016, April 20, 2017, and March 5, 2018. 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 use effective methods to cool cooked time/temperature control for safety foods; and failed to demonstrate knowledge of foodborne disease prevention by having no priority violations during the 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 two hundred fifty dollars (**\$1,250.00**).

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority

Foundation, and Core. If multiple violations occur under different categories, the penalty is assessed at the higher category range and increased based on the number of consecutive violations. The civil penalty of one thousand two hundred fifty dollars (\$1,250.00) was assessed based on the continued consecutive priority violations observed during the inspection dated March 5, 2018. On April 10, 2018, the Department received a payment in full.

The previous consent order was issued when the Individual/Entity violated the South Carolina Retail Food Establishment Regulation by failing to properly cool cooked time/temperature control for safety foods; and by failing to use effective methods to cool cooked time/temperature control for safety foods.

64) <u>Order Type and Number:</u>	Consent Order 2018-206-03-028
<u>Order Date:</u>	April 11, 2018
<u>Individual/Entity:</u>	<b>City Gas &amp; Fuel</b>
<u>Facility:</u>	City Gas & Fuel
<u>Location:</u>	4808 Fish Hatchery Road Lexington, SC 29073
<u>Mailing Address:</u>	Same
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	32-206-06367
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Kelly Easey</b>

Summary: City Gas & Fuel (Individual/Entity) is a convenience store located in Lexington, South Carolina. The Department conducted inspections on April 7, 2016, March 13, 2017, and March 12, 2018. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to provide a test kit or other device that accurately measures the concentration of MG/L of sanitizing solutions.

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**).

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of five hundred dollars (\$500.00) was assessed based on the priority foundation violation during the inspection dated March 12, 2018. The Individual/Entity was given a reduction of one hundred dollars (\$100.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 20, 2018, the Department received payment in full.

65) <u>Order Type and Number:</u>	Consent Order 2017-206-03-116
<u>Order Date:</u>	April 12, 2018
<u>Individual/Entity:</u>	<b>Rock Hill Diner</b>
<u>Facility:</u>	Rock Hill Diner
<u>Location:</u>	2254 Cherry Road

	Rock Hill, SC 29730
<u>Mailing Address:</u>	Same
<u>County:</u>	York
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	46-206-03498
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>N. Shannon Archie</b>

Summary: Rock Hill Diner (Individual/Entity) is a restaurant located in Rock Hill, South Carolina. The Department conducted inspections on July 19, 2017, July 28, 2017, and October 18, 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; and failed to demonstrate knowledge of foodborne disease prevention by having no priority violations during the 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 eight hundred dollars (**\$800.00**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. If multiple violations occur under different categories, the penalty is assessed at the higher category range and increased based on the number of consecutive violations. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated October 18, 2017. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 12, 2018, the Department received payment in full.**

66)	<u>Order Type and Number:</u>	Consent Order 2018-206-06-026
	<u>Order Date:</u>	April 17, 2018
	<u>Individual/Entity:</u>	<b>Taqueria Guanajuato LLC</b>
	<u>Facility:</u>	Taqueria Guanajuato LLC
	<u>Location:</u>	3901 Dick Pond Road Myrtle Beach, SC 29588
	<u>Mailing Address:</u>	4687 Peachwood Court Myrtle Beach, SC 29588
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	26-206-13279
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
	<b><u>Project Manager:</u></b>	<b>Kelly Easey</b>

Summary: Taqueria Guanajuato LLC (Individual/Entity) is a restaurant located in Myrtle Beach, South Carolina. The Department conducted inspections on February 3, 2017, July 13, 2017, January 25, 2018, February 8, 2018, and February 22, 2018. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that a person in charge, who demonstrates knowledge by being a food protection manager, is certified by a food protection manager certification program that is recognized by the Conference for Food

Protection; failed to properly thaw time/temperature control for safety foods; and failed to demonstrate knowledge of foodborne disease prevention by having no priority violations during the 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 six hundred dollars **(\$600.00)**.

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. If multiple violations occur under different categories, the penalty is assessed at the higher category range and increased based on the number of consecutive violations. The civil penalty of five hundred dollars (\$500.00) was assessed based on the consecutive priority violation observed during the inspection dated January 25, 2018. The civil penalty of two hundred fifty dollars (\$250.00) was assessed based on the continued consecutive core violation observed during the inspection dated February 22, 2018. The Individual/Entity was given a reduction of one hundred dollars (\$100.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 17, 2018, the Department received a payment in full.**

67) <u>Order Type and Number:</u>	Consent Order 2018-206-06-020
<u>Order Date:</u>	April 18, 2018
<u>Individual/Entity:</u>	<b>Beijing Asia Bistro</b>
<u>Facility:</u>	Beijing Asia Bistro
<u>Location:</u>	4390 Highway 17 Bypass, #C3 Murrells Inlet, SC 29576
<u>Mailing Address:</u>	Same
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	22-206-06392
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Kelly Easey</b>

Summary: Beijing Asia Bistro (Individual/Entity) is a restaurant located in Murrells Inlet, South Carolina. The Department conducted inspections on June 26, 2017, August 1, 2017, January 30, 2018, and February 9, 2018. 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)**.

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of two thousand dollars (\$2,000.00) was assessed based on the consecutive priority violation observed during the inspections dated January 30, 2018, and February 9, 2018. The**

**Individual/Entity was given a reduction of four hundred dollars (\$400.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 18, 2018, the Department received payment in full.**

68) Order Type and Number: Consent Order 2018-206-06-032  
Order Date: April 18, 2018  
Individual/Entity: **Backstreet Café**  
Facility: Backstreet Café  
Location: 4109 Walnut Street  
Loris, SC 29569  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit Number: 26-206-09561  
Violations Cited: S.C. Code Ann. Regs. 61-25  
Project Manager: **Kelly Easey**

Summary: Backstreet Café (Individual/Entity) is a restaurant located in Loris, South Carolina. The Department conducted inspections on July 17, 2017, March 7, 2018, and March 15, 2018. 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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated March 15, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 18, 2018, the Department received payment in full.**

69) Order Type and Number: Consent Order 2018-206-03-009  
Order Date: April 23, 2018  
Individual/Entity: **Lowrys One Stop**  
Facility: Lowrys One Stop  
Location: 2461 Lowrys Highway  
Chester, SC 29706  
Mailing Address: Same  
County: Chester  
Previous Orders: None  
Permit Number: 12-206-00657  
Violations Cited: S.C. Code Ann. Regs. 61-25  
Project Manager: **Kelly Easey**

Summary: Lowrys One Stop (Individual/Entity) is a convenience store located in Chester, South Carolina. The Department conducted inspections on January 17, 2017, November 3, 2017, November 9, 2017, January 3, 2018, and January 10, 2018. 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 ensure that a person in charge, who demonstrates knowledge by being a food protection manager, is certified by a food protection manager certification program that is recognized by the Conference for Food Protection; failed to ensure that when time without temperature control is used as a public health control, the food in unmarked containers or packages shall be discarded; 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, four hundred dollars (**\$1,400.00**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. If multiple violations occur under different categories, the penalty is assessed at the higher category range and increased based on the number of consecutive violations. The civil penalty of one thousand two hundred fifty dollars (\$1,250.00) was assessed based on the consecutive priority violation observed during the inspection dated January 3, 2018. The civil penalty of five hundred dollars (\$500.00) was assessed based on the consecutive priority foundation violation observed during the inspection dated January 10, 2018. The Individual/Entity was given a reduction of three hundred fifty dollars (\$350.00) for the cooperation and efforts to quickly return the establishment to compliance. The Department has entered into a payment plan with the Individual/Entity for the civil penalty.**

70) <u>Order Type and Number:</u>	Consent Order 2018-206-08-003
<u>Order Date:</u>	April 23, 2018
<u>Individual/Entity:</u>	<b>Little Caesar's</b>
<u>Facility:</u>	Little Caesar's
<u>Location:</u>	63 Lady's Island Drive Beaufort, SC 29907
<u>Mailing Address:</u>	132 Creek Shoals Drive Simpsonville, SC 29681
<u>County:</u>	Beaufort
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	07-206-02631
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Melissa Allen</b>

Summary: Little Caesar's (Individual/Entity) is a restaurant located in Beaufort, South Carolina. The Department conducted inspections on July 18, 2017, December 15, 2017, December 27, 2017, and January 8, 2018. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that a person in charge, who demonstrates knowledge by being a food

protection manager, is certified by a food protection manager certification program that is recognized by the Conference for Food Protection; failed to provide a covered receptacle for sanitary napkins in the toilet room used by females; and failed to ensure the toilet room(s) located on the premises are completely enclosed and provided with tight-fitting and self-closing door(s).

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 six hundred dollars **(\$600.00)**.

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of five hundred dollars (\$500.00) was assessed based on the consecutive core violation observed during the inspection dated December 27, 2017. The civil penalty of two hundred fifty dollars (\$250.00) was assessed based on the consecutive core violation observed during the inspection dated January 8, 2018. The Individual/Entity was given a reduction of one hundred fifty dollars (\$150.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 19, 2018, the Department received payment in full.**

71) <u>Order Type and Number:</u>	Consent Order 2017-206-06-133
<u>Order Date:</u>	April 24, 2018
<u>Individual/Entity:</u>	<b>Gershons NY Deli</b>
<u>Facility:</u>	Gershons NY Deli
<u>Location:</u>	3140 Highway 17 South, Unit B Murrells Inlet, SC 29576
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	26-206-13406
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Kelly Easey</b>

Summary: Gershons NY Deli (Individual/Entity) is a restaurant located in Murrells Inlet, South Carolina. The Department conducted inspections on March 8, 2017, April 24, 2017, and October 25, 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 seven hundred fifty dollars **(\$750.00)**.

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated October 25, 2017. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to**

**quickly return the establishment to compliance; and a reduction of fifty dollars (\$50.00) for capital improvements made to the facility.**

72) Order Type and Number: Consent Order 2018-206-07-002  
Order Date: April 24, 2018  
Individual/Entity: **Momma Goldberg's Deli**  
Facility: Momma Goldberg's Deli  
Location: 230 Mathis Ferry Road  
Mount Pleasant, SC 29464  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit Number: 10-206-09177  
Violations Cited: S.C. Code Ann. Regs. 61-25  
Project Manager: **Melissa Allen**

Summary: Momma Goldberg's Deli (Individual/Entity), located in Mount Pleasant, South Carolina, is a restaurant. The Department conducted inspections on March 9, 2017, February 6, 2018, and February 16, 2018. 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**).

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated February 16, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance.**

73) Order Type and Number: Consent Order 2018-206-08-006  
Order Date: April 24, 2018  
Individual/Entity: **Huddle House**  
Facility: Huddle House  
Location: 92 Sea Island Parkway  
Beaufort, SC 29907  
Mailing Address: P.O. Box 397  
Beaufort, SC 29901  
County: Beaufort  
Previous Orders: None  
Permit Number: 07-206-02575  
Violations Cited: S.C. Code Ann. Regs. 61-25  
Project Manager: **Melissa Allen**

Summary: Huddle House (Individual/Entity), located in Beaufort, South Carolina, is a restaurant. The Department conducted inspections on September 14,



2016, August 9, 2017, and March 8, 2018. 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)**.

**Additional Information: The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of one thousand dollars (\$1,000.00) was assessed based on the consecutive priority violation observed during the inspection dated March 8, 2018. The Individual/Entity was given a reduction of two hundred dollars (\$200.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 24, 2018, the Department received payment in full.**

74) <u>Order Type and Number:</u>	Consent Order 2018-206-02-016
<u>Order Date:</u>	April 25, 2018
<u>Individual/Entity:</u>	<b>S &amp; S Cafeteria</b>
<u>Facility:</u>	S & S Cafeteria
<u>Location:</u>	1037 North Pleasantburg Drive Greenville, SC 29607
<u>Mailing Address:</u>	P.O. Box 4688 Macon, GA 28607
<u>County:</u>	Greenville
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	23-206-02540
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Melissa Allen</b>

Summary: S & S Cafeteria (Individual/Entity) is a restaurant located in Greenville, South Carolina. The Department conducted inspections on May 24, 2017, March 23, 2018, April 2, 2018, April 4, 2018, and April 6, 2018. 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 clearly mark the date by which food shall be consumed on the premises, sold, or discarded when held at a temperature of 41°F or less for a maximum of seven (7) days. This applies only to refrigerated, ready-to-eat, time/temperature control for safety food prepared and held in a food establishment for more than twenty-four (24) hours; and failed to ensure that when time without temperature control is used as a public health control, the food in unmarked containers or packages shall be discarded; failed to ensure that nonfood-contact surfaces are free of unnecessary ledges, projections, and crevices, and designed and constructed to allow easy cleaning and to facilitate maintenance; and failed to ensure floors, floor coverings, walls, wall coverings, and ceilings were designed, constructed, and installed so they are smooth and easily cleanable.

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, two hundred dollars (\$2,200.00).

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. If multiple violations occur under different categories, the penalty is assessed at the higher category range and increased based on the number of consecutive violations. The civil penalty of two thousand five hundred dollars (\$2,500.00) was assessed based on the consecutive priority violations observed during the inspections dated April 2, 2018, and April 4, 2018. The civil penalty of two hundred fifty dollars (\$250.00) was assessed based on the consecutive core violation observed during the inspection dated April 6, 2018. The Individual/Entity was given a reduction of five hundred fifty dollars (\$550.00) for the cooperation and efforts to quickly return the establishment to compliance. On April 25, 2018, the Department received payment in full.

75) <u>Order Type and Number:</u>	Consent Order 2018-206-06-028
<u>Order Date:</u>	April 25, 2018
<u>Individual/Entity:</u>	<b>Union Station Restaurant</b>
<u>Facility:</u>	Union Station Restaurant
<u>Location:</u>	333 Henry Road Hemingway, SC 29554
<u>Mailing Address:</u>	Same
<u>County:</u>	Williamsburg
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	45-206-00403
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25
<b><u>Project Manager:</u></b>	<b>Kelly Easey</b>

Summary: Union Station Restaurant (Individual/Entity) is a restaurant located in Hemingway, South Carolina. The Department conducted inspections on September 8, 2016, August 7, 2017, and February 15, 2018. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to clearly mark the date by which food shall be consumed on the premises, sold, or discarded when held at a temperature of 41°F or less for a maximum of seven (7) days. This applies only to refrigerated, ready-to-eat, time/temperature control for safety food prepared and held in a food establishment for more than twenty-four (24) hours; and failed to ensure that when time without temperature control is used as a public health control, the food in unmarked containers or packages shall be discarded.

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).

**Additional Information:** The penalty is assessed beginning on the third inspection and weighted based on the category or degree in which the violation has been linked to the risk of foodborne illness; i.e. Priority, Priority Foundation, and Core. The civil penalty of five hundred dollars (\$500.00) was assessed based on the priority foundation violation during the inspection dated February 15, 2018. The Individual/Entity was given a reduction of one

hundred dollars (\$100.00) for the cooperation and efforts to quickly return the establishment to compliance.

### On-Site Wastewater Enforcement

76) Order Type and Number: Consent Order 18-06-OSWW  
Order Date: April 11, 2018  
Individual/Entity: **Dennis Sohns**  
Facility: Dennis Sohns  
Location: 217 Pinecrest Drive  
Lot Numbers 1, 3, 5, 7, and 8  
Moncks Corner, SC 29461  
Mailing Address: 1807 Fishing Island Road  
Moncks Corner, SC 29461  
County: Berkeley  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56  
Project Manager: **Timothy Kinney**

Summary: Dennis Sohns (Individual/Entity) owns property located in Moncks Corner, South Carolina. The Department conducted a complaint investigation on January 26, 2018, and observed the discharge of wastewater to the surface of the ground. 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 repair the OSWW system to immediately stop the discharging of wastewater to the drainage ditch; or immediately vacate the residence to eliminate the discharge of wastewater to the OSWW system and ensure the residence remains vacated until adequate repairs had been made to the OSWW system to eliminate the discharges.

Additional Information: On January 26, 2018, the Department conducted and verified a complaint investigation regarding wastewater surfacing to the surface of the ground. During the investigation, Department staff found several malfunctioning OSWW systems with sewage flowing to the adjacent property. On January 29, 2018, the Department conducted and verified another complaint investigation regarding wastewater surfacing to the surface of the ground. During the investigation, Department staff found several malfunctioning OSWW systems with sewage flowing to the adjacent property. On January 30, 2018, the Department mailed a warning letter to Mr. Sohns and each of the current tenants notifying them of the discharge. Department staff continued to conduct follow-up investigations to gain compliance. On February 20, 2018, the Department mailed a NOAV/NOEC. On March 13, 2018, the Department held an enforcement conference. Mr. Sohns asserted that he felt this incident was due to an accumulation of water from increased rain activity. Additionally, Mr. Sohns stated that his tenants were asked to run water at night, due to the freezing temperatures, to avoid pipes from freezing. Mr. Sohns agreed that there would be a small amount of

sewage in the standing water due to the increased rain activity, but felt this should be considered acceptable by the Department. Department personnel explained that there is not an acceptable amount of sewage that can be discharged from any OSWW system. Mr. Sohns stated that he placed the responsibility of pumping the OSWW systems on his tenants as part of their lease and reasserted that there was no current malfunction. Mr. Sohns was informed during the conference that Department staff would revisit the site to conduct a follow-up investigation. On March 15, 2018, the Department conducted a follow-up investigation. During the investigation, Department staff found several malfunctioning OSWW systems. There was no evidence of any repairs made or attempted since the previous visit by Department staff. Regional staff will revisit the property to follow-up to ensure the malfunction has ceased.

77) <u>Order Type and Number:</u>	Consent Order 18-03-OSWW
<u>Order Date:</u>	April 18, 2018
<u>Individual/Entity:</u>	<b>Douglas Roberts</b>
<u>Facility:</u>	Douglas Roberts
<u>Location:</u>	3385 Gunter's Island Road Galivants Ferry, SC 29544
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56
<b><u>Project Manager:</u></b>	<b>Timothy Kinney</b>

Summary: Douglas Roberts (Individual/Entity) owns property containing multiple residences located in Galivants Ferry, South Carolina. The Department conducted a complaint investigation on February 27, 2017, and observed the discharge of wastewater to the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater Systems (OSWW) Regulation as follows: failed to provide an approved method for the treatment and disposal of domestic wastewater for each dwelling unit, building, business or other structure occupied for more than two (2) hours per day.

Action: The Individual/Entity is required to ensure that a permit to construct and a permit to operate any new, upgraded, or expanded onsite wastewater system is obtained from the Department prior to construction and operation of the system.

**Additional Information:** On February 27, 2017, the Department conducted and verified a complaint investigation regarding two residences with plumbing connected to a barrel at the rear of the property. During the investigation, Department staff found plumbing from each residence connected to an unapproved OSWW system. During a review of Department records, it was determined that there was not a permitted OSWW system for the two residences. On March 3, 2017, the Department mailed a warning letter to Mr. Roberts notifying him of the regulation. On March 7, 2018, Mr. Roberts stated that he would submit applications for Permits to Construct for the two residences. Department staff continued to conduct follow-up investigations to gain compliance. On June 9, 2017, the Department mailed a 2<sup>nd</sup> warning letter to Mr. Roberts notifying him of the regulation. On August

28, 2017, the Department received two applications for Permits to Construct an OSWW system at the site. On August 31, 2017, Department personnel conducted a site and soil evaluation and determined the site did not meet requirements of Regulation 61-56. On September 7, 2017, Department staff mailed a letter to Mr. Roberts informing him that the Department was unable to issue permits and provided options. On December 13, 2017, and January 11, 2018, the Department conducted investigations and observed the two residences were still connected to unapproved OSWW systems. The Department also observed a small amount of effluent on the ground surface behind the second residence. On January 25, 2018, the Department mailed a NOAV/NOEC. On February 22, 2018, the Department held an enforcement conference. Mr. Roberts acknowledged that the two residences were unlawfully connected to unapproved wastewater systems and there was some sewage on the ground. Mr. and Ms. Roberts stated that they are looking at options to relocate the tenants. Department personnel offered suggestions to eliminate the water usage, including removing the pipes connected to the unapproved OSWW system. The Department conducted a follow-up investigation. During the investigation, Department staff observed that all of the plumbing has been removed from the residences, and no evidence of wastewater production was observed. The Department was also informed that the previous tenants have relocated.

78) <u>Order Type and Number:</u>	Consent Order 17-04-OSWW
<u>Order Date:</u>	April 23, 2018
<u>Individual/Entity:</u>	<b>Carl and Andrea Parson</b>
<u>Facility:</u>	Carl and Andrea Parson
<u>Location:</u>	12553 Gapway Road Andrews, SC 29510
<u>Mailing Address:</u>	Same
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56
<u>Project Manager:</u>	<b>Timothy Kinney</b>

Summary: Carl and Andrea Parson (Individual/Entity) own property located in Andrews, South Carolina. The Department conducted a complaint investigation on April 5, 2016, and observed the discharge of wastewater to the surface of the ground. 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 repair the OSWW system to immediately stop the discharging of wastewater to the drainage ditch; or immediately vacate the residence to eliminate the discharge of wastewater to the OSWW system and ensure the residence remained vacated until adequate repairs had been made to the OSWW system to eliminate the discharges.

Additional Information: On April 5, 2016, the Department conducted and verified a complaint investigation regarding wastewater surfacing to the surface of the ground. During the investigation, Department staff found the

septic tank overflowing and visible discharge of wastewater on the surface of the ground. On April 6, 2016, the Department mailed a warning letter to Mr. and Mrs. Parson notifying them of the discharge. Department staff continued to conduct follow-up investigations to gain compliance. On April 7, 2017, the Department mailed a NOAV/NOEC. On May 3, 2017, the Department held an enforcement conference; however, Mr. and Mrs. Parson did not attend the conference. On January 10, 2018, the Department conducted a follow-up investigation. During the investigation, Department staff observed the continued discharge of wastewater to the surface of the ground ponding under the residence.

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