

## South Carolina State Board of Environmental Certification

### Board Meeting-May 8, 2007

The Board held a regular scheduled meeting on May 8, 2007, at 110 Centerview Drive, Synergy Business Park, Columbia, South Carolina.

It was noted for the record that official notification of the meeting had been sent to the Offices of LLR-Public Information and LLR-General Counsel, appropriate newspapers and WIS-TV in compliance with Section 30-4-80 of the S. C. Freedom of Information Act.

Chairman, Mike Bailes called the meeting to order at 10:06 a.m. The invocation was given by William Armes. Other members and guests were William Armes, David Baize, Drennan Park and Hank Rutland. Dona Caldwell, Administrator, DeLeon Andrews, Investigator, Theresa Garner, Board Staff; Sharon Dantzler, Legal Counsel, and Dwight Hayes, Attorney, OIE; Bill Payne and John Young, Washington Savannah River Site; Jim Matthews, OLE; Keith Murphy, E. A. Services; Paul Livingston, Kraft Foods Global, Inc.; Tim Cogdell, City of Newberry; David Pittman, Pittman & Allison; Becky Dennis and Mike Agin, Kiawah Island Utility; Vernetha Washington, Charleston Water System; Joseph Rivers, Richland County; Elizabeth Williams, Central Carolina Technical College; Jo Ellen Trueblood, City of Camden; Justin Hannah, and Michael Davis, Wild Dunes Resort; Frank Eskridge, James Thompson, and Wayne Benson, Greenville Water System; Dee Bennett, City of Columbia; Catherine Soens, Shaw Industries; Raymond Peterson, Richland County Utilities; Mac Mitchell, Carolina Water Services; Mike Wilson, HSL, Inc.; Charles Cuzzell, Summerville CPW; John Fogle, SCDC; Jay Nicholson, LCJMWSC; Lee Zimmerman, McNair Law Firm; Tommy West, Seabrook Island Utilities Commission; Rick Hiers and Robert Britts, Southeast RCAP; Phillip Thompson-King, Chester Sewer District; John Westcott, Spartanburg Water /Sewer District; George Martin, Greenwood Metro District; Skip Johnson, E.A. Services; Wesley Crisp, Brad Weaver, and Bryan Millwood, TYRCI; Jeannie Abston, SCDC; Ronnie Gunter, Tim Grindstaff, and Kristie Scarborough, Ramada Inn of Anderson. Absent were excused board members, Frankie Burden, and Dwight Johnson.

#### Section 40-23-40

The purpose of this board is to protect the general public through the regulation of persons engaged in occupations appointed by the legislature for regulation by the board. These occupations are referred to in this chapter collectively as Environmental Systems Operators.

Chairman, Mike Bailes, welcomed everyone, and thanked Vice-Chair, William Armes for presiding over the March 13<sup>th</sup> meeting, in his absence.

## **Board Meeting-May 8, 2007-Page 2**

**Where action is recorded below, it was taken in each case on motion duly made, seconded and carried.**

**Motion:** William Armes moved, seconded by Drennan Park, to approve the March 13<sup>th</sup> Board Minutes. **The motion carried. Approved.**

### **Application Hearings/Transcripts on File**

The application hearings were called to order by Chairman, Mike Bailes. The purpose of the hearings was to decide whether or not the applicants should be granted a license. Mr. Bailes reminded everyone that the proceedings were being recorded, all witnesses would be sworn in, and all remarks would be directed to the board chair.

### **Biological Wastewater Application Hearing-Bryan K. Millwood**

Mr. Millwood's application could not be approved at the staff level because of the charges listed on the SLED report that was submitted. He and two witnesses appeared before the board to plead his case. Mr. Millwood waived his right for legal counsel.

**Motion:** William Armes moved, seconded by Drennan Park to accept Mr. Millwood's Biological Wastewater application with conditions. **The motion carried. Approved.**

### **Biological Wastewater Application Hearing-Xavier A. Sumter**

Chairman Mike Bailes called the hearing to order. Mr. Sumter was not in attendance. A witness who was to speak on Mr. Sumter's behalf opted not to speak since Mr. Sumter was not present. **Motion:** Drennan Park moved, seconded by David Baize to deny approval of Mr. Sumter's application since he was not present. **The motion carried. Denied.**

### **Swimming Pool/Spa Application Hearing-Ronnie E. Gunter**

Mr. Gunter's application could not be approved at the staff level because of the charges listed on the SLED report that was submitted. Mr. Gunter and two witnesses appeared before the board to plead his case. Mr. Gunter waived his right for legal counsel. **Motion:** Drennan Park moved, seconded by William Armes to accept, and approve Mr. Gunter's Swimming Pool/Spa application. **The motion carried. Approved.**

**Swimming Pool/Spa Application Hearing-Justin M. W. Hannah**

Mr. Hannah's application could not be approved at the staff level because of the charges listed on the SLED report that was submitted. Mr. Hannah and one witness appeared before the board to plead his case. Mr. Hannah waived his right to legal counsel. **Motion:** David Baize moved, seconded by Hank Rutland to accept Mr. Hannah's Swimming Pool/Spa application with conditions: **The motion carried. Approved.**

**Water Distribution Application Hearing-James A. Thompson**

Mr. Thompson's request for an extension of his trainee permit could not be approved at the staff level because of the charges listed on the SLED report, and his submitting incorrect information on his application. Mr. Thompson and one witness appeared before the board to plead his case. Mr. Thompson waived his right to legal counsel. **Motion:** Hank Rutland moved, seconded by David Baize to approve Mr. Thompson's request for an extension of his water distribution trainee permit, and to fine him \$50.00 for providing incorrect information on the application. **The motion carried. Approved.**

**Motion:** At 10:55 a.m. William Armes moved, seconded by David Baize to go into executive session for legal advice. **Motion:** Drennan Park moved, seconded by William Armes to come out of executive session. **The motion carried. It was noted for the record that no votes or motions were made while in executive session.** The meeting reconvened at 11:21 a.m.

**Jeff Debessonet, DHEC NPDES Permits for Pretreatment**

Jeff Debessonet appeared before the board to answer questions Vice-Chair William Armes brought up at the March 13<sup>th</sup> meeting regarding communication, and reporting of unlicensed practice.

## **Board Meeting-May 8, 2007-Page 4**

### **Discussion Matters**

#### **Citation and Notification of Penalty**

Tabled until the July Meeting.

#### **Direct Supervision**

Tabled until the July Meeting.

#### **Chairman's Report**

There was no chairman's report given.

#### **Committee Updates**

There were no reports given.

#### **Investigator's Report**

The Investigator's report was given by DeLeon Andrews.

52 Open Investigations (New Cases Included)

11 New Investigations

37 Old Investigations

4 Pending IRC

4 Closed

16 Legal

#### **Adjournment**

**Motion:** William Armes moved, seconded by Drennan Park to adjourn the meeting at 12:32 p.m.