

AGENDA

SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD

BOARD MEETING

10:00 A.M. July 8, 2008
Kingstree Building, Room 108
110 Centerview Drive, Columbia, S. C.

Public Notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-40-80 of the S. C. Freedom of Information Act.

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 statute collectively as Environmental Systems Operators.

- I. Meeting called to order by Chair Mike Bailes
- II. Matters Requiring a Vote:
 - A. Approval of the March 11, 2008 Board Minutes
 - B. Election of Officers
- III. Discussion Matters
 - A. Paul Calamita, Water Quality Association-Bill 3543, CE Carry Overs
- IV. Chairman's Report
 - A. Committee Updates
- V. Public Comments
- VI. Adjournment

The next meeting of the South Carolina Environmental Certification Board is scheduled for September 9, 2008, in Room 108.

South Carolina State Board of Environmental Certification

Board Meeting-July 8, 2008

The Board held a regular scheduled meeting on July 8, 2008, 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 10:02 a.m. The invocation was given by Hank Rutland. Other members and guests were William Armes, David Baize, Mitch Dew, Dwight Johnson, Jimmy Rodgers, Hank Rutland, and Elizabeth Williams; Dona Ferguson, Administrator, Theresa Garner, Board Staff; Sharon Dantzler, Legal Counsel, Dwight Hayes, OIE Attorney; Randy Bryant, Assistant Deputy Director for Building and Business Services, and Professional and Occupational Licensing; Sandra Dickert, Business Related Services/POL Administration; scheduled speaker, Paul Calamita, S. C. WQA; Absent was excused Board Member, Drennan Park.

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, and introduced Environmental Certification Board's three (3) new board members, Mitch Dew, Biological Wastewater Representative, Jimmy Rodgers, Well Driller Representative, and Elizabeth Williams, Teaching Institution Representative.

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

Motion: Dwight Johnson moved, seconded by William Armes to approve the March 11, 2008 Board Minutes. **The motion carried. Approved.**

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Election of Officers

Chairman Mike Bailes, opened the floor for nominations for the Vice-Chair's position. Dwight Johnson nominated William Armes, and Hank Rutland seconded the nomination. **The vote was unanimous. Approved.**

Chairman Mike Bailes, opened the floor for nominations for the Chairman's position. Dwight Johnson nominated Mike Bailes, and Hank Rutland seconded the nomination. **The vote was unanimous. Approved.**

Paul Calamita-Legal Counsel-Water Quality Association Bill 3543, Continuing Education Carry Overs

Mr. Calamita stated the association has concerns with some of the operator licensing issues and feel they are out of step with some of the other South Carolina state licensees, as well as environmental operators in other states; he stated that operators are critical to the industry and their abilities help to protect public health, and the environment. He said they need good people, and need to offer the right programs to help protect their licenses, while at the same time ensuring they know what they are doing. While the association supports a robust licensing program they would like to make sure the program is flexible and has appropriate safeguards. He informed board members that Bill 3543 passed, changing the lapsed period for renewals from ninety (90) days to three hundred and sixty-five (365) days. He suggested the board update their regulations, particularly regulation 51-4 to include the amendment, and he stated the association is interested in carrying over continuing education credits. The WQA suggests (6) hours carry over of continuing education; he suggested the new wording be added to the regulations along with adding a generic statement defining reciprocity certification. Mr. Calamita said the association is interested in carrying legislation with the full support of the board; and the association will not draft or introduce anything without first sharing the information.

Chairman, Mike Bailes asked Hank Rutland and his committee members to discuss the carry over of the six (6) hours of continuing education as well as the core competency criteria. The committee members consist of Hank Rutland, William Armes, Dee Bennett, Joe Devito, and Elizabeth Williams.

Legal Counsel, Sharon Dantzler stated, due to the discussion of some technical amendments to the regulations to reflect the statute, she needed the board to make a motion allowing her to submit the notice of drafting and accept the first round of comments of what changes needed to be made to comply with the new statute.

Motion: William Armes moved, seconded by David Baize to allow Ms. Dantzler to submit the notice of drafting and accept the first round of comments of what changes needed to be made to comply with the new statute, and since the regulations have not

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been updated in a few years to allow going beyond the new statute. **The motion carried. Approved.**

Committee Updates

Continuing Education Committee

The committee currently consists of Hank Rutland, Joe Devito and Dee Bennett. They have been looking at continuing education, and the six (6) hours of core competency. Hank said at the last board meeting there was discussion of the six (6) hours of core competency and it was determined there was nothing legally binding the requirement. The committee held a meeting on July 1st, via conference call. From that discussion, the committee is asking the board to consider using and adopting the ABC "Needs to Know Criteria" which is used for exams and core competency levels. The committee asked that the board review the criteria, and give the committee their comments.

Operator Experience Committee

Hank Rutland reported their committee met on May the 5th in the association conference room. The committee consists of Hank Rutland, Patrick Jackson, Jim Matthews, and Richard Welch. Also sitting in on the meeting was Bill Randolph and Fred Taylor of DHEC. They discussed the background of how the operator experience came about, and talked briefly about past recommendations. They brought up how to categorize and collect new information on the types of facilities we have in the state, and what percentages are small, large, etc. and how they play in that one year of experience, also the different types of operators. There were three (3) main topics that came out of the meeting: 1) Exams for each level (which shows competency). 2) DHEC's input with sanitary surveys, inspections of the facilities and having the substantial regulations in place to oversee. 3) Experience Verification Form that has to be submitted each time. The committee is trying to validate and condense some of the information that is brought in through their reports, while trying to substantiate where it comes from and what those numbers mean. They are still collecting data on the operators and facility types; and verifying how many states recognize the calendar year as the standard.

Operator Development Committee

Elizabeth Williams spoke on behalf of Sue Schneider who was not present. Elizabeth said the members met in May and discussed a couple of different things. 1) A brochure for Environmental Careers which will be distributed to the associations, and 2) Different ways to combine education and experience, including education to count towards work experience.

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Administrator, Dona Ferguson, introduced Building and Business Services Assistant Deputy Director, Randy Bryant, who replaces Robert Selman.

Mr. Bryant stated the Director has chosen to reorganize the agency and he will be responsible for our agency. One of the areas that have been formed is the licensing area which will handle licensing for the entire agency. He stated problematic applications would remain with Dona. The investigative area will remain intact with OIE. The reorganization will be an ongoing process for the next year while the building is being revamped. The program area will be on the second floor, the legal department and administration will be on the first floor, and the investigation unit will be on the third floor, along with the licensing group, which will become the Licensing and Compliance Department. LLR has purchased a Granicus System that will allow video taping of board and committee meetings that can be viewed on the internet. He assured everyone that he and the board wanted to work closely with the professional associations to make sure they had a combined effort when they went before the general assembly. He encouraged the board to be active in the legislature arena. He stated in his opinion the main duty of a regulatory board is to propose or stop legislation. He said board members have three (3) responsibilities: 1) Legislative 2) How someone gets a license and maintains that license 3) How they are disciplined if they violate the law.

Motion: William Armes moved, seconded by Hank Rutland to adjourn the meeting at 10:50 a.m. **The motion carried.**