

MINUTES
Environmental Certification Board
Tuesday, July 13, 2010
Synergy Business Park, Kingstree Building, Conference Room 108
110 Centerview Drive, Columbia, SC

1. Meeting Called to Order

William Armes, Chairman, called the regular scheduled meeting of the S. C. Environmental Certification Board to order at 10:04 a.m. Other Board members participating at this meeting included: David Baize, Vice-Chairman, of Columbia; Mitch Dew, of Latta; Dwight Johnson, of Jefferson; Jimmy Rodgers, of Greenwood; Hank Rutland, of Orangeburg; and Elizabeth Williams, of Sumter.

Staff members participating during the meeting included: Dona Ferguson, former Board Administrator; Lenora Addison-Miles, Board Administrator; Sharon Dantzler, Deputy General Counsel; and Theresa Garner, Program Assistant.

a. Public Notice

Chairman Armes announced that public notice of this meeting was properly posted at the S. C. Board of Environmental Certification Office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

2. Approval of the May 11, 2010 Meeting Minutes

MOTION

Dwight Johnson made a motion to approve the May 11, 2010 meeting minutes. Mitch Dew seconded the motion, which carried unanimously.

3. Election of Officers

NOMINATION

Dwight Johnson nominated William Armes as Chairman. Mitch Dew seconded the nomination. Mr. Armes was re-elected as Chairman by acclamation.

NOMINATION

Dwight Johnson nominated David Baize as Vice-Chairman. Hank Rutland seconded the nomination. Mr. Baize was re-elected as Vice-Chairman by acclamation.

4. IRC REPORT

MOTION

Mitch Dew made a motion to accept the April IRC Logic Report. Hank Rutland seconded the motion, which carried unanimously.

a. **Approval of IRC Committee Members**

MOTION

David Baize made a motion to approve the list of IRC members as submitted to the Board. Dwight Johnson seconded the motion, which carried unanimously.

5. **Chairman's Remarks-William Armes**

William Armes, Board Chairman, stated that he had personally written a white paper and was placing it before the board concerning supporting the level of staffing that this board has had in the past and in his opinion needs in the future. He said the state was under an economic strain, he encouraged everyone to support the efforts of LLR; because that is our mission but at the same time he wants to make sure LLR has been informed so that they can make an informed decision. He said he was asking without a vote that this board review the white paper, and express their concerns or supports to LLR. He said he would like to see staffing for this board be maintained as it was months ago, with a dedicated Administrator, Program Assistant, and Administrative Assistant.

He stated there are several risks in the business right now, the biggest one being the number of "Baby Boomers" retiring, and trying to recruit into the field qualified operators that can quickly come up to speed. This board has done several things to assist in that effort. EPA, DHEC, and local regulations are more stringent than ever, so today's operator has to be more educated and well trained. This board has the job of making sure that the regulations are up to date to address that one catastrophe at a water or wastewater plant that becomes a community catastrophe, and that is the one message the board needs to convey is that even though the board operates efficiently we want to make sure that everyone understands that this board plays a vital role in protecting the public's health as well as promoting the profession.

6. **Administrator's Remarks**

Former Administrator, Dona Ferguson, stated she had received an email from Board Member, Drennan Park, who represents the Department of Natural Resources. He informed Dona that as of July 2nd, he had retired from that department. Dona said she was under the assumption that a board member could continue to serve on the board until replaced but several years ago the problem came up from an agency appointed position and the fact that they no longer worked for that agency, the fact is they no longer represented the agency. Legal Counsel, Sharon Dantzler stated that when one serves as an ex-officio then ex-officio no longer has the option to serve.

Dona stated this meeting would be her last unless the board needed her to attend. As of June 28th, she has transferred to the Immigration Section of LLR. She stated that 25% of her job duties still reflect the Environmental Certification Board and she will be available by telephone and email, and will attend IRC hearings as needed.

She introduced the New Board Administrator, Lenora Addison-Miles, who currently is over the Geologists, Auctioneers, and Forestry Boards.

Lenora Addison-Miles, Administrator, commented that she was looking forward to working with everyone, and continuing the service they have always provided. She stated she currently has three other boards, and has gained a lot of experience throughout the agency. She said if anyone has any questions to let her know, if she does not know the answer, she will get an answer for them.

Dona also introduced Assistant Deputy Director, Randy Bryant. He stated he has known Lenora for quite a number of years and that she has a vast amount of experience from several programs. He said the board is very fortunate to have her with us. He informed the board members that Dona will still be available for any questions that might arise.

- a. Advisory Opinions, If Needed, Office of General Counsel
No advisory opinions were given during this meeting.
- b. Legislative Updates, If Needed, Legislative Liaison Office
Sharon Dantzler, Deputy General Counsel, informed the board members the two year legislative session had ended, and a new session will begin in January. She stated if the board has changes to their statutes or regulations, this would be the time to make those changes and have them in place for the first year of the session. She said this was a major plus in the political process. She stated if the board does not have them ready by the first year, the chances of getting them through in a two year session will probably be reduced by 30%.
- c. OIE Report-Office of Investigations and Enforcement
No report from the Office of Investigations and Enforcement was given at this time.
- d. OGC Report-Office of General Counsel
No report from the Office of General Counsel (OGC) was given at this time.

7. Discussion Topics

Chairman, Armes, stated the board had mentioned holding a workshop to review the board's statutes and regulations, and also a workshop for the IRC, and board members.

Dona Ferguson suggested the board look at, and address the wording regarding the 365 day renewal period. She stated this was state law, during that time you should not work. Licensee's have a full year to renew which was based on the fact the board had annual renewals. Environmental Systems Operators are subject to go to a two year renewal next year. Dona said you are looking at, if someone does not renew during that two year renewal period, then they have another 365 days; which would be three years of unlicensed practice. Ms. Ferguson asked Legal Counsel, Sharon Dantzler, do people ever put in regulations that their renewals need to be done annually? Ms. Dantzler said if the agency wants everything moved to two years, and the legislature is supporting moving everything to two years, the board would have to have an exception to the two year rule.

8. Committee Reports

Legislative Committee

David Baize stated the committee had not met; he said he would like to open it up to a regulated community, and create a joint committee to include stakeholders, and people from LLR, and the board, to work through the changes.

Sharon Dantzler, Legal Counsel, said it certainly needed to be broader than the just the board; it needs to involve all the stakeholders. Sharon suggested the board schedule the first stakeholders meeting early in September. Chairman Armes asked the board members to direct anything that is on their minds to David Baize. Legal Counsel, Sharon Dantzler urged anyone attending association meetings, etc.; put the word out if anyone has suggestions, questions or concerns for changes to the regulations, let the board know of these changes. David Baize asked if Dona would participate, Dona said she and Lenora would be glad to be a part of drafting the changes.

Continuing Education Committee

Jimmy Rodgers reported that he and Elizabeth Williams were still working on getting information for well driller study information.

9. Public Comments

Becky Dennis stated there is a group of concerned operators that have seen inconsistencies in the regulations and statutes over the last five years and would be very interested in working with the board. She said she thought it was vital anytime there is a regulation change that the board has the support of the industry and its operators. She thanked the board for allowing them to be involved. William Armes suggested that Becky forward any questions, suggestions, summaries or concerns, to David Baize.

10. **Executive Session**

The Board did not enter into executive session.

11. **Adjournment**

MOTION

Hank Rutland made a motion to adjourn the meeting. Dwight Johnson seconded the motion, which carried unanimously.

The July 13, 2010 meeting of the S. C. Environmental Certification Board adjourned at 11:36 a.m.