

MINUTES
South Carolina Environmental Certification Board
Board Meeting
October 28, 2021 via Virtual Video/Teleconference

Meeting Called to Order

Chairman Ken Rentiers, of Columbia, called the meeting of the South Carolina Environmental Certification Board to order at 10:00 a.m. Other members participating in the meeting included Phillip Thompson-King, of Columbia; Charles Cortez, II, of Pelzer, SC; Doug Kinard, of Prosperity; James Rodgers, of Greenwood; Stacy Taylor, of Columbia; and Sidney K. Tuck, of Spartanburg.

Staff members participating during the meeting included Hardwick Stuart, Esq., Office of Advice Counsel; Johnnie Rose, Program Coordinator; and Sherri Moorner, Program Assistant.

Others participating included: Miran Tyrrell, Savannah River Site; Jo Ellen Trueblood, WEASC; John Young, Savannah River Site; and Courtney Glover (Creek Court Reporting).

Statement of Public Notice

Mr. Rentiers announced that public notice of this meeting was properly posted at the S.C. Environmental Certification Board Office, Synergy Business Park, Kingstree Building, and on the board website 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. Members of the public who wish to attend may do so by telephone or the Internet.

Invocation

Mr. Thompson-King gave the Invocation.

Adoption of Agenda

MOTION: To approve the agenda of the October 28, 2021, meeting.
Thompson-King/Taylor/approved

Introduction of Board Members and Others

Board members, Board staff, and visitors were introduced.

Approval of the July 22, 2021, Minutes

MOTION: To approve the minutes of the July 22, 2021, meeting.
Taylor/Thompson-King /approved

Chairman's Remarks – Ken Rentiers

Mr. Rentiers recognized former Chair Elizabeth Williams for her service to the Board. Mr. Rose presented a plaque in honor of her service since 2008. Mrs. Williams retired from the Board and has accepted a job with Tennessee Technical University.

Staff Reports

Mr. Rose gave the Administrator's Report:

- The Board will resume in-person meetings in 2022.
- During this meeting, please be sure to mute to reduce background noise.
- Be sure to unmute and state names when speaking to assist with recordkeeping for the meeting.
- A 7% audit was conducted on licensees who renewed their license this year. To date, 30 people have not replied to the audit notice. A complaint will be filed for non-compliance with the audit if they do not respond by the November 8, 2021, deadline.
- Robert Davis, Jr., passed away on August 29, 2021.
- There are two vacancies on the Board.
- The Board had a cash balance of \$714,789.90 as of September 30, 2021.

Advisory Opinions, Office of Advice Counsel

Mr. Stuart said there are no advisory opinions.

OIE Report-Office of Investigations and Enforcement

Mr. Rose stated the Office of Investigations and Enforcement Report received 11 complaints since January 1, 2021. Two are active investigations, and six cases are closed.

IRC Report- Office of Investigations and Enforcements

Mr. Rose stated the Investigative Review Committee Report contains one case for citation.

MOTION: To accept the October 12, 2021, Investigative Review Committee Report.
Cortez/Thompson-King/approved

ODC Report-Office of Disciplinary Counsel-Chris Elliot

Mr. Rose stated there is one case in the Office of Disciplinary Counsel.

Application Hearings

- a) **EWD – Billy Payne.** Mr. Payne did not appear for his application hearing.

MOTION: To table Mr. Payne's hearing until the January 27, 2022, meeting.
Thompson-King/Tuck/approved

New Business

- a) **Grandfathered Water Distribution Operators.** Mr. Rose stated the staff received questions about grandfathered Water Distribution Operators about getting a leveled license. Eighty-five licensees who were grandfathered into licensure in 2000 had over twenty years of experience, but did not have to meet education or examination requirements at the time of their licensure. Mr. Stuart told the Board that when licensing provisions began in 2000, Act

325 added Section 40-23-230, which provided specifically that operators could only work at the location they were at when the license was issued. It was identified as a “grandfathered license,” and the Board interpreted that the person would have to restart as a trainee if they wished to work for another water system. Currently, Section 40-23-310 has an education/experience/examination requirement for licensure. The Board is not bound by the previous interpretation.

MOTION: To enter Executive Session for legal advice.
Taylor/Tuck/approved

MOTION: To return to Public Session.
Thompson-King/Taylor/approved

Mr. Rentiers stated that no action was taken in Executive Session.

MOTION: That grandfathered licensees be allowed to sit for the license level exam for which their system is required.
Tuck/Cortez/approved

MOTION: For the Board to delegate authority to staff to operate within the parameters of Grandfathered licenses in the former motion.
Tuck/Taylor/approved

b) 2022 ABC Hybrid Conference. Mr. Rose said the ABC Innovation in Certification Conference & Workshop will be held as a hybrid conference on January 18-21, 2022. Participants can attend virtually or in-person in Albuquerque, New Mexico.

MOTION: To approve two Board members and one staff members to attend the conference.
Thompson-King/Tuck/approved

c) 2022 Board Meeting Dates. The Board will resume in-person meetings at the SC Department of Labor, Licensing, and Regulation, Synergy Business Park, Kingstree Building, 110 Centerview Drive, Columbia, SC, at 10 a.m. on the following dates:

- January 27, 2022, in Conference Room 105
- April 21, 2022, in Conference Room 204
- July 21, 2022, in Conference Room 204
- October 27, 2022, in Conference Room 105

d) Special Election of Officers. Mr. Rose stated Ms. Williams’ retirement moved Ken Rentiers to the Chairman position. There is a vacancy for Vice-Chairman.

MOTION: To elect Phillip Thompson-King as Vice-Chairman
Tuck/Kinard/approved

Discussion Topics

Mr. Tuck asked if there is a report of licenses and upgrades issued since the last meeting. Mr. Rose reminded him that the Board voted to eliminate this at the July 22, 2021, meeting. A report of the licensure numbers were included in the meeting handouts.

Public Comments

Mr. Young asked if the Grandfathered Water Distribution Operators who wish to get a leveled license must meet the education requirement. Mr. Stuart confirmed that a GED or accredited high school diploma is required for leveled licensure in addition to passing the examination for all applicants.

Executive Session

The Board did not go into Executive Session.

Adjournment

There being no further business:

MOTION: To adjourn.
Cortez/Taylor/approved

The meeting adjourned at 10:43 a.m.