

**MINUTES**  
**South Carolina Environmental Certification Board Meeting**  
**January 31, 2023 at 10:00 a.m.**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Conference Room 108**  
**Columbia, SC 29210**

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**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; Stacy Taylor, of Columbia; Doug Kinard, of Prosperity; and Van Ward of Florence.

Staff members participating during the meeting included Hardwick Stuart, Esq., Office of Advice Counsel; Chris Elliott, Esq., Office of Disciplinary Counsel; Maurice Smith, Office of Investigations and Enforcement; Pam Dunkin, Administrator; Johnnie Rose, Program Coordinator; and Sherri Moorer, Administrative Coordinator.

Others participating included: Becky Dennis, Kiawah Island; Mirian Tyrrell, Savannah River Site; Tannon Pettigrew, Savannah River Site; Jason Fell, Saluda County WSA; Jim Matthews, OLE, Inc.; Dallen Charles, City of Sumter; Heather Lawson, City of Rock Hill; Tom Lawsue, Keyward; Dale Cobler, Duke Energy; and Courtney Glover (Creel Court Reporting).

**Statement of Public Notice**

Mr. Rentiers said 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.

**Invocation**

Mr. Thompson-King gave the invocation.

**Adoption of Agenda**

**MOTION:** To approve the agenda of the January 31, 2023, meeting, with an amendment that Item 11a (Disciplinary Hearing Case No. 2021-2) has been postponed.  
Thompson-King/Taylor/approved

**Introduction of Board Members and Others**

Board members, Board staff, and visitors were introduced.

**Approval of the October 27, 2022 Minutes**

**MOTION:** To approve the minutes from the October 27, 2022 meeting.  
Taylor/Thompson-King/approved

### **Chairman's Remarks – Ken Rentiers**

Mr. Rentiers welcomed everyone to the meeting. He thanked the staff for their work and support.

### **Staff Reports**

Mrs. Dunkin gave the Administrator's Report:

- Please refer licensees and/or applicants to staff for assistance.
- To date, the Board has 9,079 active licensees as follows:
  - 2,459 Biological Wastewater Operators
  - 40 Bottle Water Operators
  - 2,311 Water Distribution Operators
  - 1,810 Physical/Chemical Wastewater Operators
  - 523 Well Drillers
  - 10 Inactive Well Drillers
  - 1,926 Water Treatment Operators
- License renewals will open on April 10, 2023, with a renewal deadline of June 30, 2023. Notices will be sent by email or mail, depending on the licensees preferences. Late renewals will begin on July 1, 2023, with a \$200 per license late fee. Licenses not renewed by June 30, 2024, must be reinstated.
- The Board had a cash balance of \$577,985.61 as of December 31, 2022.
- Please contact Mrs. Dunkin or Mr. Rose if you know any individuals interested in serving on the Investigative Review Committee.
- Two bills are in the State House that will affect all licensure Boards:
  - S165 would make changes regarding the consideration of criminal convictions, and require issuing licensure to applicants who have completed apprenticeship programs with the Department of Labor. This bill would also repeal the section of Chapter 40 regarding denial of licensure based solely on criminal convictions.
  - H. 3605 is a similar bill what would make changes to the Department's investigative processes, and prohibit denial of a license based on past criminal convictions. Staff will forward the legislative update sent each Friday afternoon during the session to Board members.
- Mrs. Dunkin reminded the Board members to file their Statement of Economic Interest by the noon deadline on March 30, 2023. The financial statements will be sent to Board members after this meeting.
- The agency is renovating the first floor of the building with additional conference and customer service rooms. The timeline for this work is uncertain.
- The next Board meeting will be April 13, 2023, in Conference Room 105.

### **Advisory Opinions, Office of Advice Counsel**

Mr. Stuart said there are no advisory opinions.

### **OIE Report-Office of Investigations and Enforcement**

Mr. Smith said the Office of Investigations and Enforcement Report received 17 complaints during the 2022 calendar year. Two cases are active, and 17 cases are closed. One new complaint has been received since January 1, 2023.

### **IRC Report- Office of Investigations and Enforcements**

Mr. Smith said the Investigative Review Committee Report contains one case for dismissal (2022-1).

**MOTION:** To approve the case for dismissal.  
Thompson-King/Kinard/approved

Mr. Smith said the Investigative Review Committee Report contains one citation (Case 2022-12).

**MOTION:** To approve the citation.  
Thompson-King/Kinard/approved

Mr. Smith said the Investigative Review Committee Report contains one Letter of Caution (2022-13).

**MOTION:** To approve the Letter of Caution.  
Thompson-King/Kinard/approved

### **ODC Report-Office of Disciplinary Counsel-Chris Elliot**

Mr. Elliott said there are two cases in the Office of Disciplinary Counsel. One is the case that was postponed, and the Board will hear the other case today.

### **Board Member Reports**

There were no Board member reports.

### **Disciplinary Hearing**

- a) **Case No. 2021-6.** Christopher Elliott, Esq., appeared before the Board for Case 2021-6. The respondent accepted the consent agreement, but did not appear for the hearing.

**MOTION:** To enter executive session for legal advice.  
Taylor/Thompson-King/approved

**MOTION:** To exit executive session.  
Taylor/Thompson-King/approved

Chairman Rentiers said no action was taken in Executive Session.

**MOTION:** To accept the consent agreement as drafted.  
Taylor/Ward/approved

### **Application Hearings**

- a) Mr. Dale Cobler, Jr. appeared before the Board for an Application Hearing. He was not represented by counsel. All persons testifying were sworn in by court reporter. Application hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

**MOTION:** To enter executive session for legal advice, with staff remaining.  
Thompson-King/Ward/approved.

**MOTION:** To exit executive session.  
Thompson-King/Taylor/approved

Chairman Rentiers said no actions were taken in executive session.

**MOTION:** That based on education, work experience, and exams, Mr. Cobler's application is substantially equivalent to an "A" level Physical/Chemical Wastewater license.  
Ward/Thompson-King/approved

- b) Mr. Markus Mercer did not appear for his application hearing. It will be postponed until the next Board meeting.

### Old Business

- a) **CE Broker.** Mrs. Dunkin received a letter from David Baize with WEASC/SCAWWA indicating that they do not feel the time is right for the Board to use CE Broker. Some individuals do not have email or the equipment to download their documentation to the CE Broker database. There are also concerns about who will review and determine the qualifying criteria for continuing education for continuing education audits.

**MOTION:** To accept the WEASC/SCAWWA recommendation and revisit CE Broker at a later date.  
Thompson-King/Kinard/approved

### New Business

- a) **WPI Conference Update.** Mr. Thompson-King gave an update from the WPI Conference, which was held in January. Items of interest included:
- Bridging the gap in the operator shortage using apprenticeship programs. The Work Keys program has been successful in recruiting and filtering how people learn differently in Huntsville, Alabama, and other locations. A holistic approach is needed with high schools, technical colleges, and trainers to get the Need-to-Know criteria to people coming into the field in methods they can understand to promote success on the exam and in training.
  - Using technology tools available for remote and virtual training and operations. Artificial Intelligence and evolving technology are putting the profession in a transition phase, and operators need to be educated, trained, and prepared to succeed. Increasing technology also necessitates a need to ensure protection to mitigate the risk of cyber-attacks.
  - Modernizing certification programs and testing. There is a proposal to embed video as part of the test.
  - The PSI presentation on test integrity and security was informative. There is a low participation in the post-exam surveys, and have asked for help in encouraging testers to complete them.
  - Protection to mitigate risk of cyber-attacks. Artificial Intelligence and evolving technology are putting the profession in a transition phase where operators need to be educated, trained, and prepared to succeed.

**b) Board Travel 2023.** Mrs. Dunkin asked for a motion to approve travel to upcoming conferences.

**MOTION:** For up to three members to attend the Environmental Conference in Myrtle Beach on March 12-15, 2023, which may include up to two Board members and/or two staff members, at the discretion of the Administrator.  
Thompson-King/Taylor/approve

**MOTION:** For up to three members to attend the 2023 Operator Conference on October 29-31, 2023, which may include up to two Board members and/or two staff members, at the discretion of the Administrator.  
Thompson-King/Taylor/approve

**MOTION:** For up to three members to attend the SC Rural Water Association Conference at Marriott Grand Dunes in Myrtle Beach on November 13-15, 2023, which may include up to two Board members and/or two staff members, at the discretion of the Administrator.  
Thompson-King/Taylor/approve

### **Committee Reports**

**a) Regulatory Review Committee.** Mr. Rose said there is no report from this committee.

**b) Exam Review Committee.** Mr. Rose said the Board would implement 2019 version of the Biological Wastewater, Water Distribution, and Water Treatment exams on February 6, 2023. The committee is reviewing these exams to ensure that the Need-to-Know criteria and exam questions match. An announcement will be sent to licensees about this update by email on February 1, 2023.

### **Discussion Topics**

There was no discussion topics.

### **Public Comments**

There were no public comments.

### **Executive Session**

The Board did not go into Executive Session.

### **Adjournment**

There being no further business:

**MOTION:** To adjourn.  
Taylor/Ward/approved.

The meeting adjourned at 11:30 a.m.