

MINUTES
South Carolina Environmental Certification Board Meeting
July 27, 2023 at 10:00 a.m.
Synergy Business Park, Kingstree Building
110 Centerview Drive, Upstate Conference Room
Columbia, SC 29210

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; Doug Kinard, of Prosperity; James Rodgers, Jr., of Greenwood; Sidney Tuck, of Spartanburg; and Van Ward of Florence. A quorum was present.

Staff members participating during the meeting included Hardwick Stuart, Esq., Office of Advice Counsel; Erin Baldwin, Esq., Office of Disciplinary Counsel; Maurice Smith, Office of Investigations and Enforcement; Johnnie Rose, Administrator; Cleve Langdale, Program Coordinator; and Sherri Moorer, Administrative Coordinator.

Others participating included: Eli Gerolimos; Bessie Spell; Jo Ellen Trueblood; Miran Tyrrell; Tanner Pettigrew; Heather Lawson; Dallen Jones; Jason Fell; Jill Miller; 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. Tuck gave the invocation.

Adoption of Agenda

MOTION: To approve the agenda of the July 27, 2023, meeting.
Thompson-King/Rodgers/approved

Introduction of Board Members and Others

Board members, Board staff, and visitors were introduced.

Approval of Excused Absences

There were no absences.

Approval of the April 13, 2023, Minutes

MOTION: To approve the minutes from the April 13, 2023, meeting.
Thompson-King/Kinard/approved

Chairman's Remarks – Ken Rentiers

Mr. Rentiers commended Charles Cortez and Stacy Taylor for their work on the Board. He welcomed participants to their first meeting in the new conference room.

Staff Reports

Mr. Rose gave the Administrator's Report:

- Please refer licensees and/or applicants to staff for assistance.
- To date, the Board has 9,112 active licensees: 2,457 Biological Wastewater Operators, 40 Bottle Water Operators, 2,311 Water Distribution Operators, 1,811 Physical/Chemical Wastewater Operators, 522 Well Drillers, 11 inactive Well Drillers, and 1,925 Water Treatment Operators. License renewals closed on June 30, and the Board is now in the late renewal period. A renewal submitted now incurs a \$200 late fee and must report continuing education to renew.
- Staff will conduct a random continuing education audit of 3% - 5% of licensees who renewed. A report will be presented at the next meeting.
- The Investigative Review Conference (IRC) is in need of professional members. Please send Mr. Rose the name of individuals interested in serving.
- Renovations for the new conference rooms are complete.
- Mr. Cortez and Mr. Taylor have resigned from the Board. Information on their replacements is pending.
- Staff will begin use of the new 8.5" X 11" certificates and wallet ID cards on August 1, 2023.

Finance Report

Mr. Rose said the Board had a cash balance of \$634,628.77 as of May 31, 2023.

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 have joined with the Office of Disciplinary Counsel, and he is now a Division Chief. He will continue to serve as the Board investigator until the new team is trained.

The Board has five complaints and one active investigation. Four cases have closed since January 1, 2023.

IRC Report- Office of Investigations and Enforcements

Mr. Smith said there are two cases for a formal complaint on the Investigative Review Conference report.

MOTION: To accept the July 27, 2023, IRC Report.
Ward/Tuck/approved

ODC Report-Office of Disciplinary Counsel-Chris Elliot

Mrs. Baldwin said there is one case in the Office of Disciplinary Counsel.

Board Member Reports

There were no Board member reports.

Application Hearings

- a) Eli Gerolimos 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.

- b) Bessie Spell appeared before the Board for an Application Hearing. She 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, with staff remaining.
Thompson-King/Tuck/approve

MOTION: To exit Executive Session.
Kinard/Thompson-King/approve

MOTION: To grant Mr. Gerilimos the “C” Water Treatment license by reciprocity without examination.
Tuck/Thompson-King/approve

MOTION: To grant Mr. Gerilimos the “C” Biological Wastewater license by reciprocity without examination.
Thompson-King/Rodgers/approve

MOTION: To grant Mrs. Spell the “C” Water Distribution license by reciprocity without examination.
Thompson-King/Kinard/approve

New Business

- a) **Regulatory Review for Approval.** Mr. Stuart said a draft of the proposed regulation changes from the regulatory review committee was presented to the Board for finalization. Mr. Tuck said the committee met four times, and wants the Board to consider all viewpoints presented from stakeholders.

MOTION: To enter Executive Session for legal advice, with staff remaining.
Tuck/Kinard/approve

MOTION: To exit Executive Session.
Tuck/Thompson-King/approved

MOTION: To approve the proposed regulatory changes presented to the Board, with the following revisions:

- Chapter 51-3(A) add “except as provided in 51-8” at the end of the sentence.
- Chapter 51-7 remove strikethrough.
- Add Chapter 51-8 to read as follows:
51-8. Reciprocity
As used in S.C. Code Title 40-23-240(B)
 - A. The Board may license a person who is currently credentialed in another jurisdiction of the United States for licensed activities regulated by this chapter if the person demonstrates to the satisfaction of the board that they possess credentials, education, and experience that are the substantial equivalent of the requirements of this chapter for the licensed activity in question.
 - B. Upon receipt of an application for reciprocity, the Board staff shall make a determination of completeness and either (1) approve, (2) deny, or (3) submit it to the relevant Board member for a determination.
 - C. The relevant Board member shall either (1) approve, (2) deny, or (3) refer the request to the full Environmental Certification Board for decision at their next regularly scheduled meeting.

Tuck/Thompson-King/approved

b) Reconsideration of Approved Applications for Reciprocity. Mr. Rose asked for staff guidance with reciprocity licensees who want to petition the level of licensure they are granted in South Carolina.

MOTION: To table this item until the next meeting for legal council and parameters.
Thompson-King/Kinard/approve

c) Reinstatement Process for Expired Licenses. Mr. Rose asked if individuals who are reapplying for licensure after their license lapsed can request a higher level, if their experience supports it.

MOTION: To allow staff authority to allow applicants reapplying for licensure to retest at the current level when the license lapsed. Extreme circumstances can defer to the Board.
Kinard/Thompson-King/approve

d) Board Travel for 2023. Mr. Rose said there are three upcoming conferences that need travel approval: The SC Groundwater Association in Myrtle Beach on October 28, 2023, the Water Environment Association of South Carolina Operator Conference October 30 – November 1, 2023, and the Rural Water Association conference on November 13-15,

2023. He would like Mr. Langdale to accompany him on some of this travel for training purposes.

MOTION: To approve up to two Board members and two staff members for travel to the proposed conferences.

Thompson-King/Tuck/approve

e) Board Meetings for 2024. Mr. Rose proposed meeting dates on January 25, 2024, April 25, 2024, July 25, 2024, and October 31, 2024.

MOTION: To approve 2024 meetings as presented.

Tuck/Thompson-King/approved

Committee Reports

a) Exam Review Committee. Mr. Thompson-King said the committee is continuing to look at the examination holistically. The Board moved to using the new exam on February 1, 2023, but the state continues to see low pass rates, particularly on Biological Wastewater and Water Distribution exams. The committee would like to meet with WPI to discuss the concerns about exam questions and the intent of the exam. The committee would like to come up with solutions and to extend requests to additional stakeholders.

Discussion Topics

There were 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.

Thompson-King/Tuck/approved.

The meeting adjourned at 12:38 p.m.