

**MINUTES**  
**South Carolina Board of Liquefied Petroleum Gas**  
**Board Meeting**  
**10:00 a.m., September 6, 2018**  
**Synergy Business Park, Kingstree Building, Room 105**  
**110 Centerview Drive, Columbia, South Carolina**

**Meeting Called to Order**

Chairman, Richard O'Sheal, of Leesville, called the scheduled meeting of the South Carolina Board of Liquefied Petroleum Gas to order at 10:03 a.m. Other members participating in the meeting included: John D. Butcher, of Columbia; Robert Freeman III, of Spartanburg; John A. Irick, of Orangeburg; Larry Lucas, Jr., of Irmo; and Jerry Tindal, of Pelion.

Staff members participating during the meeting included: Molly Price, Administrator; Meredith Buttler, Program Coordinator; Hardwick Stuart, Office of Advice Counsel; Shawn Stickle, State Fire; and Todd Bond, Office of Investigations and Enforcement.

Mr. O'Sheal announced that public notice of this meeting was properly posted at the S.C. Liquefied Petroleum Gas Board office, Synergy Business Park, Kingstree Building and 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.

**Introduction of Board Members and Others**

Board members and Board staff introduced themselves.

**Approval of Excused Absences**

Deferred until later in the meeting to see if contact could be made with Mr. Segars.

**Approval of Meeting Minutes**

**MOTION:** To approve the minutes of the March 22, 2018 board meeting.  
Freeman/Lucas/approved.

**MOTION:** To approve the minutes of the March 26, 2018 board meeting.  
Freeman/Irick/approved.

**Chairman's Remarks - Richard O'Sheal**

Mr. O'Sheal stated that he did not have any remarks.

**Staff Reports**

Mrs. Price stated that as of September 4, 2018, renewals are now closed and the number of active licenses is as follows: 242 Dealers, 463 Resellers, 27 Installers, 11 Transporters, 16 Cylinder Exchange Companies, 5 Utility Plants, and 884 Employees. Ms. Price thanked Corky Clark with SCPGA for his help

in getting the word out to the licensees that had not renewed by June 30, 2018. As a result of his efforts and the efforts of board staff, the renewal/response rate was 96% this year. As of September 1, 2018, there are 10 Dealers, 25 Resellers, 2 Transporters, and 154 Employees who failed to renew. If these licensees/permit holders wish to renew their licenses, they must now reapply, be re-inspected and pass the appropriate examination.

Ms. Price attended the SC and GA Propane Gas Associations' Southern Connection Convention in St. Simons Island, GA August 12-14<sup>th</sup>. Ms. Price thanked the Association for their hospitality. She enjoyed meeting licensees and discussing the board changes and receiving their input.

The Board's first newsletter was sent out on June 18, 2018. The newsletter will be published annually, but can be changed to bi-annually depending on need. If the Board members have any items they would like to see in future newsletters, please contact board staff.

With the new exam development, the Board is in need of developing training materials for the board website. A committee was appointed at the March 26, 2018, meeting and will be re-activated in the coming months to start work on the Dealer/Installer examination.

If any Board member is interested in reappointment, please send a written request to the Governor's Office. Contact Meredith Buttler if you need additional information on where to send the request.

The proposed 2019 Board Meeting dates have been presented to the Board. If any Board member sees any conflicts, please report to staff.

The next meeting is scheduled for March 7, 2019.

#### Advisory Opinions, If Needed, Office of Advice Counsel

No advisory opinions were given during this meeting.

#### OIE Report-Office of Investigations and Enforcements

Mr. Todd Bond reported that the Board has received twelve complaints, nine have been opened for investigation and three have not. The three that have not been opened were found in the initial investigation to be outside of the Board's jurisdiction.

The IRC committee met on July 25, 2018, and August 31, 2018. At the July 25, 2018, meeting four cases were reviewed and the committee recommended one case for dismissal and three cases to be issued letters of caution. The August 31, 2018, meeting four cases were reviewed and the committee recommended two cases for dismissal and two cases be issued letters of caution.

**MOTION:** To approve the July 25, 2018, IRC report.  
Freeman/Tindal/approved.

**MOTION:** To approve the August 31, 2018, IRC report.

Freeman/Tindal/approved.

Office of Disciplinary Counsel

On behalf of Daniel Gourley with the Office of Disciplinary Council, Ms. Price reported that there are no pending cases at this time.

**Committee Reports**

a) Examination Review Committee Report and Recommendations

Ms. Price presented the Board with the proposed Reseller examination, which will consist of form "A" and "B". Ms. Price stated that the committee has met five times this year to complete the new reseller exams and the committee will review the Dealer/Installer exam next. Exam study reference materials are compiled and will need to be approved by the Board as well. Currently the exam is open book, with the list of approved materials provided on the website. Ms. Price stated that it is still the agency's intent to bid the exam out to a third party administrator. However, this process will take time, so this will give the Board the opportunity to vet the exam and make changes as needed.

**MOTION:** To move into executive session to receive legal advice, examination review committee to remain.  
O'Sheal/Irick/approved.

**Return to Public Session**

**MOTION:** For the Board to return to public session.  
O'Sheal/Irick/approved.

Board Chairman, Richard O'Sheal, noted for the record that no votes or actions were taken while in executive session.

**New Business**

a) Approval of Reseller Examination and Study References

**MOTION:** To move to accept the proposed Reseller exams, with implementation on October 5, 2018. Board staff is authorized to make administrative changes as needed.  
Freeman/Irick/approved.

**MOTION:** To move to accept the following documents to be posted as study guide material for the new Reseller exam: 1) NFPA 58 (2014 or 2017 edition), 2) S.C. Code of Laws Title 40, Chapter 82, 3) S.C. Code of Regs. 71-8304.1 *et seq*, 4) PHMSA: Requalification Guidance for Propane Cylinders, and 5) PERC: Dispensing Propane Safely, employee training program. Of the study guide material, items 1-4 would be permitted at the testing site.  
Freeman/Irick/approved.

Ms. Price stated an eblast about the new exam will be sent out to all resellers and dealers as well as posted to the Board website. The SCPGA will also disperse the information.

b) Reseller Inspections and Employee Training Audit

Ms. Price would like to conduct a 5-10% audit of all Reseller licenses to check for compliance. The majority of the IRC cases involve resellers. Also, with the addition of the training question on the renewal application, a random audit may help address compliance with resellers. Ms. Price would like to conduct a random computerized audit and notify the selected licensees that an inspection will be taking place. The inspections will focus on compliance with the codes, as well as training documentation. If violations are found upon inspection, the licensees will be given 30 days to get into compliance.

**MOTION:** To approve a 5% audit of Resellers within the discussed parameters.  
Irick/Tindal/approved.

c) LPG Alternative Fuel Sites Discussion and Research Committee Appointment

Mr. Landon Masters with the State Energy Office spoke to the board regarding the rise in the use of LP Gas as an alternative fuel source. The State recently purchased 85 new school buses that utilize LP Gas and several school districts are now installing on site pump stations for the buses. Ms. Price is receiving an increasing number of calls regarding licensure requirements for these sites. In order to prepare for this rising inquiries, Ms. Price is requesting the Board form a committee. This committee will research licensure requirements in other states; current SC statutes and regulations; and currently licensed alternative fuel sites in SC. The committee will make recommendations to the full board.

**MOTION:** To approve the formation of a committee to investigate licensing for LP Gas fuel sites. The committee is to be made up of Corky Clark with SCPGA, Landon Masters with the State Energy Office, Board member Richard O'Sheal, Board member Art Irick, David Dangerfield with Amerigas, David Kennedy with Autogas, and Paul Harverd.  
Lucas/Irick/approved.

**MOTION:** To approve for Board staff to defer all inspection requests for non-public use sites to the State Fire Marshal's Office until such time as the Board approves recommendations proposed by the committee.  
Lucas/Irick/approved.

**Public Comments**

There were no public comments at this meeting.

**Approval of Excused Absences**

**MOTION:** To excuse Anthony Segars due to communication issues and work commitments.  
Freeman/Tindal/approved.

**Adjournment**

**MOTION:** To adjourn the meeting.  
Freeman/Tindal/approved.

The September 6, 2018 meeting of the S.C. Liquefied Petroleum Gas Board adjourned at 11:50 a.m.

The next meeting of the S.C. Liquefied Petroleum Gas Board is scheduled for March 7, 2019, in room 105.