

MINUTES
South Carolina Liquefied Petroleum Gas Board
Board Meeting
Web Ex Meeting
July 25, 2024 at 10:00 a.m.

Meeting Called to Order

Chairman, Richard O’Sheal, called the scheduled meeting of the South Carolina Liquefied Petroleum Gas Board to order at 10:02 a.m.

Other board members participating in the meeting included: John ‘Art’ Irick, Larry Lucas, Anthony Segars, Jerry Tindal, Palmer Keenan.

Staff members participating in the meeting included: Molly Price, Program Director; Meronica W. Fulton, Board Executive; Jonathan Eversfield, Administrative Assistant; Nathan Ellis, Assistant Chief Deputy State Fire Marshal; Ely Grote, Advice Counsel, Thomas Brown, Investigator IV, Office of Investigations and Enforcement; Robert Elam, Assistant Disciplinary Counsel, Office of Investigative and Enforcement.

Mr. O’Sheal announced that public notice of this meeting was properly posted at the 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. The meeting was being conducted via web ex and notice was given to all parties.

Approval of Agenda

Motion:

Mr. Tindal made the motion to approve the July 25, 2024, meeting agenda. Mr. Keenan seconded the motion, which carried unanimously.

Introduction of Board Members and Others

Board members, Board staff, and public members introduced themselves.

Approval of Meeting Minutes

Motion:

Mr. Tindal made the motion to approve the minutes from the April 24, 2024 Board Meeting. Mr. Irick seconded the motion, which carried unanimously.

Chairman’s Remarks-Richard O’Sheal

Mr. O’Sheal welcomed everyone and thanked them for the meeting.

Staff Reports

Board Executive Report – Meronica W. Fulton

Ms. Fulton, Board Executive went over the licensure statistics and PSI examination reports that were included in the board meeting materials. She stated that there are currently 12 pending inspections for LP Gas resellers and dealers for initial licensure.

Ms. Fulton stated since the last Board meeting, there have been 45 total exam attempts. 17 of those attempts were for the reseller exam. The current pass rate for the reseller exam is 70.59% and the current pass rate for the dealer/installer exam is 25%.

As of July 22, 2024, 1,408 licenses/permits have been renewed. 1,111 of the 1,408 have been renewed on-line (79%). She stated that, considering this is the first online renewal for the Board, that number is great and the board hopes to add to it with renewals again in 2026.

Ms. Fulton reported that licensees are in the renewal “late period” of which renewals can still be completed with late fees until August 31st.

The Board’s next meeting is scheduled for October 3, 2024.

Office of Investigations and Enforcement (OIE) Report – Thomas Brown

Mr. Brown provided the OIE Report. He stated that 34 complaints had been received from January 1, 2024, through July 25, 2024. He stated that there were 5 cases for active investigations and 4 closed cases.

Investigative Review Committee (IRC) Report – Thomas Brown

Mr. Brown presented the Board with the IRC report from July 16, 2024.

He stated that there were 2 cases recommended for dismissal, 7 cases recommended for formal complaint, and 1 case recommended for letter of caution.

Motion:

Mr. Tindal made the motion to approve the IRC Report as presented. Mr. Irick seconded the motion, which carried unanimously.

Office of Disciplinary Council (ODC) Report – Robert Elam

Mr. Elam presented the Board with the ODC report for the July 25, 2024 board meeting.

He reported that as of July 25, 2024 there is currently 1 open case in ODC, and 0 pending hearing/agreement. He stated that 0 cases have been closed since April 12, 2024, and 1 case has been closed since January 1, 2024.

Old Business

Reseller Inspections and Employee Training Audit

Ms. Price discussed with the board members that in previous board meetings, she advised the Board that a random inspection audit of reseller sites will be conducted beginning September 1, 2024. Ms. Price provided a timeline for the random inspection audit process of reseller sites.

July 25th – Deputy training on LP Gas audit process. **August 1st** – 30-day notice letters are sent out to resellers and their respective dealers letting them know we will be coming out to inspect their sites and training documentation. **September 3rd-13th** – Inspections take place and reports are sent to board staff from the deputies for tracking of deficiencies. Sites that have immediate public safety concerns will be locked down and tagged out. **After September 13th** – The Board staff tracks deficiencies and requests for re-inspection. Dealers/resellers will have 30 days to make the corrections. If they request additional time, those requests can be honored on a case-by-case basis. Most likely, 90% or more will have deficiencies and require re-inspections. All Resellers will have 2 attempts to pass the audit, after that, they have to pay the re-inspection fees set in Regulation. **December 2nd** – Any sites that are still non-compliant will be sent to OIE as complaints. Who the complaint is filed on (ie. dealer and/or reseller) will depend on the outstanding issues. This is why communicating and tracking will be important so that Board staff would potentially have solid disciplinary cases and timelines if needed.

Mr. Irick mentioned that there needs to be consistency with the audit since it has been a problem in the past.

Mr. O'Sheal stated that SEPA will look at the statutes and potential updates.

Public Comments

There were no public comments

Adjournment

Motion:

Mr. Tindal made a motion to adjourn. Mr. Lucas seconded the motion, which carried unanimously.

The meeting adjourned at 10:38 a.m.