

MINUTES
South Carolina Liquefied Petroleum Gas Board
Synergy Business Park, Kingstree Building
110 Centerview Drive
Columbia, South Carolina
October 31, 2024 at 10:00 a.m.

Meeting Called to Order

Vice Chairman, Anthony Segars, called the scheduled meeting of the South Carolina Liquefied Petroleum Gas Board to order at 10:06 a.m.

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

Staff members participating in the meeting included: Molly Price, Program Director; Meronica W. Fulton, Board Executive; Jonathan Eversfield, Administrative Coordinator; Ely Grote, Advice Counsel; Robert Elam, Assistant Disciplinary Counsel; Saralyn Printz, Office of Disciplinary Counsel; Maurice Smith, Office of Investigations and Enforcement.

Katherine Boone was the Court Reporter for the meeting.

Mr. Segars announced that public notice of this meeting was properly posted at the 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.

Approval of Agenda

Motion:

Mr. Tindal made the motion to approve the October 31, 2024, meeting agenda. Mr. Irick seconded the motion, which carried unanimously.

Introduction of Board Members and Others

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

Approval of Excused Absences

Motion:

Mr. Irick made a motion to approve the excused absence for Richard O’Sheal. Mr. Lucas seconded the motion, which carried unanimously.

Approval of Meeting Minutes

Motion:

Mr. Lucas made the motion to approve the minutes from the July 25, 2024, Board Meeting. Mr. Irick seconded the motion, which carried unanimously.

Mr. Lucas made the motion to approve the minutes from the October 03, 2024, special called Board Meeting. Mr. Irick seconded the motion, which carried unanimously.

Chairman’s Remarks – Anthony Segars, Vice Chairman

Mr. Segars welcomed everyone and thanked them for attending the meeting.

Staff Reports

Board Executive Report – Meronica W. Fulton

Ms. Fulton went over the licensure statistics and PSI examination reports that were included in the board meeting materials. She stated that there are currently 223 licensed dealers, 51 licensed installers, 431 licensed resellers, 10 licensed transporters, 2 licensed utility plants, and 761 permitted employees. She stated that since the Board's meeting on July 25, 2024, there have been 72 total exam attempts. The current pass rate for the LP Gas Dealer/Installer exam is 29.41%, and the current pass rate for the LP Gas Reseller exam is 67.27%.

Ms. Fulton advised the board that the next scheduled meeting is April 24, 2025.

Office of Investigations and Enforcement (OIE) Report – Maurice Smith

Mr. Smith provided the OIE Report. He stated that 23 complaints had been received from January 1, 2024, through October 24, 2024, and there were 2 cases for active investigations and 14 closed cases.

Investigative Review Conference (IRC) Report – Maurice Smith

Mr. Smith presented the Board with the IRC report for October 31, 2024 board meeting.

He stated that there were 3 cases recommended for dismissal and 2 cases recommended for formal complaint.

Motion:

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

Office of Disciplinary Counsel (ODC) Report – Robert Elam

Mr. Elam directed board members to the ODC report provided in the meeting materials, and presented the report for informational purposes only. He reported that as of October 28, 2024, there are 5 open cases in ODC, with 4 cases pending a hearing/agreement. He stated that 3 cases have been closed since the Board Meeting on July 25, 2024, and 4 cases closed since January 1, 2024.

OLD BUSINESS

Update on Reseller Inspections and Employee Training Audit

Ms. Fulton provided board members with an update on the 2024 reseller inspection and employee training audit. She stated that the 2024 reseller inspection and employee training audit started September 3rd through September 13th, in which 18 of the 50 audited reseller sites have passed the inspection audit. None of the 50 audited reseller sites had immediate public safety concerns, so there was no need to lock down or tag out any of the audited sites. Ms. Fulton stated that the main reported deficiencies were: HMMS, HMIS, and SDS documentation not available at the time of inspection; fire extinguisher maintenance; piping tank showing signs of corrosion or rust; and employee training documentation not available at the time of inspection.

Ms. Fulton stated that an additional update will be provided to the board members at its next meeting.

Disciplinary Hearings

Case No(s): 2023-10, 2024-4, and 2024-7

The hearing was conducted in closed session with Robert Elam representing the State. All persons testifying were sworn in by the court reporter. The hearing was recorded by a certified court reporter in the event a verbatim transcript is necessary. The respondent was present and was not represented by an attorney.

Motion:

Mr. Irick made a motion to go into Executive Session for legal advice. Mr. Tindal seconded the motion, which carried unanimously.

Motion:

Mr. Tindal made a motion to come out of Executive Session. Mr. Irick seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken while in executive session.

Motion:

Mr. Lucas made a motion to accept the Memorandum of Agreement with a public reprimand, and that the Board issue a fine of \$500 for each of the six violations, totaling \$3,000, to be paid within 180 days. Mr. Irick seconded the motion, which carried unanimously.

Case No. 2023-11

The hearing was conducted in closed session with Robert Elam representing the State. All persons testifying were sworn in by the court reporter. The hearing was recorded by a certified court reporter in the event a verbatim transcript is necessary. The respondent was present and was not represented by an attorney.

Motion:

Mr. Tindal made a motion to go into Executive Session for legal advice. Mr. Irick seconded the motion, which carried unanimously.

Motion:

Mr. Tindal made a motion to come out of Executive Session. Mr. Irick seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken while in executive session.

Motion:

Mr. Lucas made a motion to accept the Memorandum of Agreement with a public reprimand, and that the Board issue a fine of \$500 for each of the two violations, totaling \$1,000, to be paid within 180 days. Mr. Irick seconded the motion, which carried unanimously.

Public Comments

Reagan Bonnette, Stringer Oil & LP Gas Company, shared with the Board the impacts of Hurricane Helene and her experience with how this impacted the industry. She expressed her concerns with how the Board will handle these circumstances in the future.

David Donahue, Southeast Propane Alliance, provided input on the enforcement discretion under states of emergency and discussed a potential emergency waiver option in these circumstances.

Adjournment**Motion:**

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

The meeting adjourned at 12:36 p.m.

The next Board Meeting is scheduled for April 24, 2025.