

MINUTES
South Carolina Liquefied Petroleum Gas Board
Board Meeting
10:01 a.m., April 4, 2013
Office of State Fire Marshal
141 Monticello Trail
Columbia, South Carolina

Meeting Called to Order

Richard O'Sheal, Chairman, called the meeting to order at 10:01 a.m. Other members present were, John Butcher, Art Irick, Larry Lucas, and Anthony Segars. Member Jerry Tindal participated in the meeting via telephone. Member Rob Freeman was not present.

Staff members participating in this meeting included Ray Hoshall, Board Administrator, Shane Ray, S. C. State Fire Marshal and Ronnie Yonce, Administrative Assistant. Sheridan Spoon, Advice Council, advised the Board.

Guests present for this meeting included Ed Roper, Office of State Fire Marshal, Bruce Kritz, Office of State Fire Marshal, Corky Clark, S.C. Propane Gas Association, and Larry Hanna, S.C. Propane Gas Association.

Statement of Public Notice

Mr. O'Sheal announced that public notice of this meeting was properly posted at the S. C. Liquefied Gas Board office, 141 Monticello Trail 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 the February 12, 2013 Meeting Minutes

Motion: To approve the minutes as submitted. Lucas/Butcher/Approved.

Management Report

Shane Ray, S. C. State Fire Marshal, thanked the Board for coming together for this meeting. He advised the attendees that in support of the Governor's Executive Order we as a division are trying to review everything we are doing. Chief Ray pledged to the Board, the Association, and to everyone involved that we will all work together to make sure that the outcome of this effort will be positive. We believe that one of the Governor's intents was to make things more simplified and market-friendly. He acknowledged that this Board was ahead of the process in that regulations were already being reviewed prior to the Executive Order. In addition to the review processed contained in the Order, the OSFM will announce on its LISTSERV that there will be a session in the Denny Auditorium on April 19th to allow the public, the Fire Service, industry, and anyone that wants to comment on anything we do.

Chief Ray then turned to Mr. Spoon to provide additional information on the Executive Order. The Board was advised that Executive Order 2013-12 created the Governor's Regulatory Task Force to review all cabinet agencies (including LLR), specifically the statutes, regulations and policies. Each agency was tasked with review these items and consider the regulatory burden that is created. Mr. Spoon then explained the Office of General Counsel's role in coordinating the collection of this information. He explained the deadlines and the cycle of reviews that will be performed. The primary input will be from the Board, from the stakeholders, and from the Board Administrator.

Mr. Hoshall then addressed several housekeeping items related to the meeting. Members were reminded that their travel reimbursement forms were provided with their meeting packets. Regardless whether or not the member was claiming mileage for this meeting, they need to sign in the appropriate place and return them before they leave today. In addition, the 2013 Board Member Reference Manual was disseminated. Copies will be mailed to members not present or attending by telephone. The manual addresses the duties and responsibilities of board members, as well as certain restrictions that are placed on members, such as what are called "chance meetings", where members may be discussing Board business outside of the public meeting. This is not allowed since it violates the premise of a public meeting.

New Business

Mr. O'Sheal called for any new business, which for this meeting will be the recommendations of the regulations committee. The Chairman thanked members Lucas, Irick, Freeman, and Tindal for their work on the committee, and acknowledged the assistance of the S. C. Propane Gas Association and the Office of State Fire Marshal in completing the review. The proposed recommendations document was distributed to each Board member present. Mr. Lucas was asked to lead the members through the document. The first item was addressing the concerns from Section 4.2.2.1. as to why this particular section was omitted from the existing regulations. Some believe that it was related to a training related issue and others believe that it was related to containers being filled by other than the container owner. Mr. Lucas then described the concern of the committee that there are currently several regulations or codes that are being used in South Carolina governing the LP gas industry. It was the consensus of the committee that the intent of the Executive Order would be served by going to one specific standard, i.e. NFPA, versus NFPA and the International Code Council codes. The committee acknowledged that this would be a long process, but if the Board concurs in the proposal, one set of codes would certainly simplify the process of enforcement and regulation of the LP gas industry in South Carolina. While the members reviewed the written proposal, Mr. Lucas asked Advice Counsel if there had been any public comments or complaints since the document was drafted. Mr. Spoon advised that he did not know at this time. Chief Ray also indicated that a separate piece of correspondence from OSFM invited people to make comments directly to Chief Ray's email, and that to date, none had been received.

Approval of Regulations Committee Recommendations

Motion: To approve the committee recommendations. Irick/Tindal/Approved.

Adjournment

Motion: To adjourn the meeting of the Liquefied Petroleum Gas Board. Segars/Irick/Approved.

Whereupon, at 10:34 a.m. the meeting of the Liquefied Petroleum Gas Board was concluded.