

**SC SOIL CLASSIFIERS ADVISORY COUNCIL
U.S. FOREST SERVICE
4931 BROAD RIVER ROAD
COLUMBIA, SC 29212
MINUTES OF MEETING
WEDNESDAY, APRIL 14, 2010**

Members Present:

Bill R. Smith
Dennis D. DeFrancesco
M. Lance Brewington
Randall K. Fowler
Charles M. Ogg

Others:

Sherry F. Moorer, SCDNR
Chris Fincham, SCDHEC
Hal Owen, National Society of Consulting Soil Scientists
Michael Athanas, Private Consultant
Tim Harlan, Mountain Soils, Inc.
Dennis Law, Soil Management Services
Steve Melin, Mountain Soils, Inc.
Ben Stuckey, Springhill Soils Inc.

Chairman Smith called the meeting to order at 9:05 A.M.

MOTION: Motion to approve the minutes of the September 9, 2009 meeting with minor modifications was made by Dennis DeFrancesco. Lance Brewington seconded the motion. Council unanimously concurred.

Old Business

1. Ms. Moorer told council the executive staff for the SC Department of Natural Resources encouraged them to use digital signatures on the certificates for new registrants. Ms. Moorer has all of the signatures needed and has made the appropriate modifications to the certificate. She is printing and mailing them to new registrants with their licensure information packet.

New Business

1. Ms. Moorer told council she received a letter from Matthew S. Penn, staff attorney with DHEC, regarding DHEC's authority under Regulation 61-56, Section 415, Appendix O, System Standard 610 – Specialized Onsite Wastewater System Designs (Less Than 1500 GPD). The letter stated that DHEC has the sole authority to issue onsite wastewater system permits and that they have the authority to deny a permit if the documentation is incomplete or inconclusive.

Mr. Stuckey told council this letter was in response to an inquiry he presented to DHEC when they questioned a soil report he submitted to them for a permit. Mr. Fowler said DHEC is taking the authority to challenge technical information in a soil report and deny a permit, yet the private consultants providing the reports take liability for the work. Mr. Ogg asked if there was any documentation on rejected permits. Mr. Fowler said there is no written feedback on denied permits. He said this is not likely to change unless it's challenged and taken to an administrative law judge. He will keep council posted of further developments on this issue.

2. Hal Owen, President-Elect of the National Society of Consulting Soil Scientists, spoke to council. The society provides support to soil classifiers and soil scientists in a number of ways including a directory, website, and mentoring programs. They also offer two scholarships, internship connections, and a number of technical committees to support the profession. They hold an annual Ethics Seminar, and assist states with promotion of registration and legislative efforts. They provided funds to the Soil Science Society of South Carolina for their legislative efforts, and are willing to match funds with them for this or any future endeavors. The National Society of Consulting Soil Scientists are planning their next meeting for April 2011 in Asheville, NC and would like for registered SC Soil Classifiers to get involved with the society.

Mr. Owen said one issue of concern with NC Soil Scientists is that they feel it's difficult to become registered in South Carolina. Many of them are unsure of our law and the requirements to become registered, and they would like a smoother process. Mr. DeFrancesco said council has made efforts to streamline the process, and it's going much faster than it did in the past. Ms. Moorner agreed, and said that the timetable for registration depends on how quickly the board receives application information. If all of the information is provided up front, the process can proceed quickly. However, if they have to request additional information due to missing elements in the application, it slows down the process. She said there was a page in the Fall 2009/Winter 2010 Newsletter dedicated to registration requirements in South Carolina, and she'll be glad to put this information in a fact sheet that can be distributed to other state boards and agencies that work with soil classifiers and soil scientists.

Mr. Fowler thanked Mr. Owen for the support that the National Society of Consulting Soil Scientists has provided to the Soil Science Society of South Carolina and for his feedback on the registration process.

3. Mr. Stuckey asked how efforts are proceeding with the proposed legislative changes. Mr. DeFrancesco said the legislation went through the Senate Subcommittee on March 3, 2010. It's scheduled to go before the full Senate Committee on April 22, 2010 and has been introduced in the House.
4. Mr. Fincham told council that the official release date for the 610 Forms is May 10, 2010. He will send those out digitally soon, and three meetings are planned around the state so soil classifiers can talk about streamlining the process. DHEC also needs a standard written for monitoring their worksites. This process typically takes a year and a half to go through the legislature. They are looking at North Carolina's rules and would like feedback on this from the SC Soil Classifiers.

Mr. Fincham asked council if he can start a program to give candidates experience toward licensure. He would be willing to mentor the candidates and visit sites to review their work. Dr. Smith said they would need to know how this program would work under the requirements in our law. Mr. Fowler asked Mr. Fincham to provide council with an outline of the program so they can review it to see how it will fit with the experience requirement in our law.

Review of Candidates

Council approved candidates for registration as follows:

1. Kevin A. Thomas: MS Agronomy 2001 – West Virginia University
Passed ARCPACS – October 4, 2003
ARCPACS Certification #34329
DE License #4395
NC License #1282
SC Soil Classifier #93
License Issued April 14, 2010

Review of Complaints

1. It has come to council's attention that Dan Spangler submitted a soil report to DHEC. Council reviewed the information provided and determined that Mr. Spangler is in violation of the Title and Practice Act in our law. A Cease and Desist letter will be sent to Mr. Spangler, along with information on how to apply for registration as a Professional Soil Classifier in the State of South Carolina.

Other Business

1. Charles Ogg's term on council expires on June 30, 2010. Council nominated David Hargett to serve the term that will open on July 1, 2010.
2. Next scheduled meeting – To Be Announced.

There being no further business:

MOTION: Motion to adjourn was made by Bill Smith. Charles Ogg seconded the motion. Council unanimously concurred. The meeting adjourned at 11:35 A.M.