

Stakeholder Advisory Board Teleconference Meeting Minutes
January 19, 2007
Georgia Soil and Water Conservation Commission
Athens, GA

I. Roll Call

Mr. Hamilton called the meeting to order and took roll call. Present were Stakeholder Advisory Board members Mark Byrd, Alice Champagne, James Hamilton, JoAnn Macrina, James Magnus, Robert Ringer, Aaron Varner, Burns Wetherington and Connie Wiggins. Also present from the Georgia Soil and Water Conservation Commission were Brent Dykes, William Bunney, Jason Ulseth and Lauren Zdunczyk.

II. Review/approve/amend minutes from meeting on October 25, 2006 and November 1, 2006.

The October 25, 2006 meeting minutes were approved with the following changes:

- The spelling of John Hurd to Honorable John Heard

The November 1, 2006 meeting minutes were approved with the following changes:

- Changed "Ms. Wiggins stated she had to another meeting she had to attend and excused herself from the call before a vote was taken." To "Ms. Wiggins stated she had another meeting she had to attend and excused herself from the call before a vote was taken."

Ms. Wiggins made a motion to approve the minutes with a second from Mr. Hamilton. The minutes were unanimously approved.

Mr. Hamilton informed the Board that he is receiving calls that certain LIAs are shutting down jobsites based solely on the lack of certification cards regardless of whether violations are taking place. He also stated that other LIAs are asking for certification cards after a site has been inspected and violations were found. If a certification card could not be produced then enforcement action was taken.

Ms. Wiggins stated that some jurisdictions are taking an aggressive stance and is not sure how aggressively they should be enforcing.

Mr. Varner stated there is a need for guidance on what the LIAS are required to do and what discretion can be taken.

Ms. Champagne stated that the LIAs need to attend an EPD Roadshow.

Mr. Ringer informed the Board that EPD District offices are looking at certification as another item on their checklist and would not take enforcement action based solely on lack of certification.

Mr. Wetherington stated that sites involving Georgia Power are being shut down due to lack of certification, even though Georgia Power is not required to have it. He also believes that the LIAs are afraid to deviate from the fact sheet, unless additional guidance is provided. He also stated that Larry Hedges of EPD was looking to make revisions to the Fact sheet based on the exemptions of certain utilities.

Stakeholders Advisory Board Meeting

January 19, 2007

Page 2

Mr. Ringer stated that what Mr. Wetherington was referring to was the violations of secondary permittees for utilities due to the loop hole.

Ms. Champagne stated she was stunned at the loop hole and that Georgia Power does not have to be certified.

Mr. Wetherington stated that all utilities are exempt, not just GA Power and the Fact Sheet does not list any exemptions.

Ms. Wiggins stated that she was concerned that any information given to the LIAs needs to be as clear as possible and avoid creating more confusion.

Ms. Champagne asked if the Board was aware that secondary utilities were exempt.

Mr. Wetherington explained the exemption referring to the O.C.G.A 12-7-17 (10) and explained any activities exempt from the Act, is exempt from certification.

Ms. Champagne asked why this was not brought up during Fact Sheet discussions and before a vote was taken to approve it.

Ms. Wiggins stated she did recall this being discussed in early meetings and recommended that:

1. The Fact Sheet be amended to clearly state the exemptions
2. The GSWCC's field staff share the fact sheet during Overviews
3. EPD shares this information at the Roadshows

Mr. Varner stated that there needs to be guidance and clarification available so that inspectors do not have to do their own research which may lead to more confusion.

Mr. Ringer suggested that Mr. Varner, Mr. Wetherington and Ms. Wiggins to work together and develop a new draft of the Fact Sheet.

Mr. Varner stated he would be happy to help and make it easier for field staff. Ms. Wiggins agreed and stated that along with the new revisions an enforcement procedure should be developed. According to Ms. Wiggins the more guidance we can give field staff the more successful we will be in reaching the ultimate goal.

Mr. Hamilton asked them to work on the revisions and send the document to the other SAB members through email for review.

Ms. Champagne asked to go on record stating that she disagreed with the changing the Fact Sheet and is not convinced that the reasoning behind the changes is correct or that changing the Fact Sheet will work. Ms. Champagne also stated that she is very disappointed with what is happening.

Mr. Hamilton stated that there is an assumption that some groups are exempt and if those groups are in fact exempt then the goal of the revisions is to develop a Fact Sheet that can give guidance in the field.

Stakeholders Advisory Board Meeting

January 19, 2007

Page 3

Ms. Champagne stated that this is only an interpretation and that this is very complicated and does not think it was the intention of the Act. She encouraged the Board to go back and reread the Act and convince themselves.

Mr. Hamilton asked Mr. Dykes if the Commission and the SAB needed to issue a letter or some type of communication to EPD, that recommends that inspectors not be overzealous and shut down sites solely based on certification.

Mr. Dykes stated that the SAB could issue a letter to EPD recommending a guidance document and the development of an enforcement document would be helpful.

Mr. Hamilton expressed concern that there is going to be new legislation presented that would change "all persons" to all permittees.

Mr. Dykes stated that once an enforcement document is available the Commission will distribute it and that the Commission is committed to giving the facts.

Mr. Ringer asked Mr. Dykes what the anticipated lag time would be from the time an individual takes the exam and receives their score. Mr. Dykes stated that the Commission would be working towards a 30 day turnaround by the end of March.

III. Certification Program Update

Ms. Zdunczyk announced to date 25,305 certifications have been issued and that number reflects exams scored through December 3, 2006. She also stated that between now and March 31, 2007 there are 272 courses scheduled with courses being added daily.

Ms. Zdunczyk announced that the Commission has approved Level I Trainer Jose Villegas to teach the Spanish IA Fundamentals course. She also stated that to date, Mr. Villegas has scheduled six additional Spanish IA courses.

Ms. Zdunczyk informed the SAB that the Commission was meeting with all the Spanish IA instructors to discuss the course and make recommendations on how to improve the course.

Ms. Zdunczyk stated that the certification program would have all exams held through December 31, 2006 would be scored and posted on the GSWCC website by the second week of February.

IV. Course Material Revisions

A. Timeline

Ms. Zdunczyk asked the SAB members to look at the certification revision timeline. The SAB discussed how the Board would approach the revision process. Mr. Dykes informed the Board that in a meeting with EPD, it was discussed some of the concerns of what is being taught in the courses specifically GESA and NPDES and what EPD is observing on the sites. From that meeting it was agreed that EPD staff would assist the SAB and Commission with the revising those presentations. Mr. Dykes stated that Ms. Zdunczyk would work with EPD and get the comments to the SAB for review.

Stakeholders Advisory Board Meeting

January 19, 2007

Page 4

Mr. Magnus asked about the comments from the Trainer Discussion in August. Ms. Zdunczyk informed the group that she would organize the comments according to level and send comments to the respective SWAT teams.

Mr. Magnus asked, if there are significant changes to the course material and how that would effect those individuals who have already been certified. Mr. Dykes responded that if there are significant changes that would effect current certifications, those individuals would be notified of those changes.

The SWAT teams agreed to have a course revision summary available by the first week in March.

B. SWAT Teams

The SAB assigned SWAT teams and a team lead for each level.

Level IA SWAT Team – Doug Easter (Team Lead), James Magnus, Burns Wetherington, Connie Wiggins

Level IB SWAT Team – Alice Champagne, Bob Ringer, Jason Ulseth (Team Lead), Aaron Varner

Level II SWAT Team - Jim Hamilton, JoAnn Macrina (Team Lead), Greg Teague, Jason Ulseth

V. Recertification

A. Timeline

Ms. Zdunczyk informed that Board that in April 2008 3,032 certifications will expire. Mr. Hamilton stated that recertification needed to be available at the very latest by the end of 2007. Mr. Ringer stated it needed to be rolled out earlier than that. The SAB agreed to discuss recertification guidelines at the March board meeting with the understanding that the guidelines would be determined by April and the development to begin in May.

VI. Meeting with the Governor

Mr. Hamilton stated that the letter sent to the Governors office, highlighted 1. the positive outcomes of certification and how that will positively impact the State of Georgia 2. More of the \$80 user fee be directed towards the program to hire more inspectors.

Ms. Wiggins stated that she would be opposed to be in a lobbying position as a member of the SAB.

Ms. Champagne stated that she felt the SAB should send a copy of the letter to the budget committee, if the SAB waited for a meeting with the Governor it may be too late to get the necessary funding.

Mr. Hamilton stated that the first course of action is to meet with the Governor and then meet with the Budget Committee.

Mr. Dykes stated that the Commission could not be in a lobbying position and we may have to wait before taking the second step.

Before being adjourned Mr. Hamilton asked if there were any last comments.

Stakeholders Advisory Board Meeting

January 19, 2007

Page 5

Ms. Wiggins stated she likes having the SAB Meetings via teleconference. She also stated how important it is that all appointed officials take part in the Awareness course and if the Awareness course could get on a GMA or ACCG meeting agenda it would be very beneficial.

Mr. Varner stated that he would be glad to look into that and check with ACCG association.

Ms. Hamilton stated that the next SAB meeting would be set at a later date and asked Ms. Zdunczyk to email each SAB member and set a date in March.

With no other business to discuss the meeting was adjourned.

VII. Adjourn