

MINUTES
STAKEHOLDER ADVISORY BOARD
CONYERS, GA
SEPTEMBER 1, 2004

Present were Stakeholder Advisory Board members Mark Byrd, Alice Champagne, Jim Hamilton, JoAnn Macrina, James Magnus, Robert Ringer, Karim Shahlaee, Gregory Teague, Aaron Varner and Burns Wetherington. Connie Wiggins and Ben Thompson were unable to attend with regrets. Also present were Soil and Water Commission employees Brent Dykes, Michaelyn Rozar, John Carden and Richard King. Interested parties in attendance included Mark Hornbuckle (HBTraining), Tyler Newman (Home Builders Association of Georgia) and Seth Yurman (Georgia Water and Pollution Control Association).

Mr. Hamilton opened the meeting by welcoming board members and guests and recommended that the Board begin with the first agenda item.

Agenda Items

1. Review and approve August 17, 2004 Minutes and September 1, 2004 Agenda

Dr. Shahlaee asked that two items in the minutes be clarified. The two items were:

- a. HB285, section 12-7-21 regarding appointment of 16-member panel by DNR Board to study turbidity standards in relation to BMPs and physiographic regions of the state.
- b. Requirements for level 2 trainers as indicated in HB 285

On a motion by Greg Teague and a second by Alice Champagne, the minutes were approved as amended.

2. Brief review of timeline

Mr. Hamilton reviewed the "SAB General Timeline" emphasizing the need to finish discussion of the Rules and Regulations by September 30, 2004.

3. Old Business and begin list of key points to be resolved

There being no old business, the Board listed key points to be considered and resolved. The list consisted of the following items:

1. Testing
2. Relationship with other organizations
3. Discipline of certified personnel
4. Eligibility requirements

4. Review of Rules

Ms. Rozar was asked to send out an official updated electronic version of the Rules for each meeting.

At this time, the Board began reviewing the Rules and Regulations.

Page 1-Notice of Rulemaking

There were no comments.

Page 2-Notice of Proposed Rulemaking

Dr. Shahlaee agreed with Mr. Magnus's written comments stating that "Level 1" and/or "Level II" should be added when appropriate following a course name. Grammatical errors were also corrected.

Page 5-Definitions

Mr. Magnus commented that the terms "regulatory inspector" and "non-regulatory" inspector were used in this section but were not defined in the "Definitions" section of the Rules. Dr. Shahlaee clarified his reasoning for adding new terms (certified personnel, inspector, certified inspector, etc.). Mr. Teague recommended and the group discussed the merits of adding "Qualified Personnel" as defined by the General Permit to the definitions. At this time, the Board agreed to add the term "Qualified Personnel" to the Definitions section of the Rules.

Mr. Magnus returned to his previous comments about regulatory inspectors and their level of education. He expressed that the Advanced Fundamentals Seminar was too much to require of an inspector doing regular inspection work on-site. Mr. Hamilton agreed that some inspectors would be qualified after the one-day course. Mr. Wetherington expressed concern that permittees' inspectors were supposed to be in the one-day Fundamentals seminar and not the two-day. Several members of the Board stated that those in a supervisory role on site would need more training than laborers.

The group discussed in length who would be required to attend which course. Concern was expressed by Mr. Teague that the new regulations stated "all individuals involved" be trained. Mr. Wetherington stated and Mr. Hamilton agreed that it was the intent of the previous committee that only one person on site be trained. Concern was again expressed that "day-laborers" would be required to attend the one-day workshop. Ms. Champagne and Dr. Shahlaee declared that the law states that "all persons involved" be trained depending on their level of involvement. Mr. Wetherington stated that the Board could decide who attended what course. Several members also expressed that including all

individuals in formal training would be a significant increase to the number of people estimated to need training.

Mr. Hornbuckle (HBTraining) expressed the need for training to be offered in languages other than English.

Mr. Teague recommended that an Awareness Course be established and that representatives from different organizations be certified to teach a short awareness course for laborers similar to an orientation with no testing. Cobb County's current certification program was presented as an example. The Board discussed the merits of offering an Awareness course without testing to train laborers on worksites. Time was also spent discussing the need for a grace period to allow people to be certified and Mr. Hamilton again highlighted that the law stated "depending on level of involvement" but the Board would have to deal with the term "all persons". Mr. Teague asked if the Board agreed to offer the Awareness course alternative. The Board did not agree.

Dr. Shahlaee clarified the original intent of the awareness course being for County commissioners, city council members and other elected officials. Mr. Teague again emphasized his feeling that a new Awareness course be established. Dr. Shahlaee asked who would come to a one-day workshop if the new Awareness course was established. Mr. Teague mentioned supervisors, site superintendents, homebuilders. The Board again discussed the intent of the law. The idea of one "Qualified Person" per site was again debated.

Mr. Hamilton recommended that two additional points be added to the key issues list: 1) Who is required to take each course and 2) Education/courses in languages other than English. Mr. Hamilton also recommended that the Board go back to the stakeholders they represent for feedback. He requested that after receiving feedback comments be emailed to the group.

The Board continued to review the Rules and Regulations.

Page 3 Paragraph 5, Item C
No comments were given.

Page 4
No comments were given.

Page 5
The Board agreed to add the term "Qualified Personnel" to the list of definitions. The Board also agreed that the term "SAB" would be used to refer to the Stakeholder Advisory Board throughout the document to avoid confusion.

Ms. Champagne requested clarification of the terms “inspector” and “certified inspector.” Dr. Shahlaee stated that the term “inspector” refers to the individual who is hired for inspection but has not attended the course and has not passed the test. Once the individual takes the course and passes the test he will be considered ‘certified inspector’. This was the reason both terms were defined in the definition section. The same logic was used for defining terms in other certification levels, he added. Mr. Hamilton recommended that the definitions specifically include which course is required for that particular level of certification. The Board discussed the merit of using two definitions for each term. Mr. Teague stated that the program is to be an education program not regulatory. Dr. Shahlaee stated that it was both an education and certification program not just an education program. The Commission is charged with the implementation of the program, we have to do it properly and effectively, he added. Mr. Hornbuckle (HBTraining) recommended using the terms Level IA and Level IB for clarification.

The Board discussed the terms “certified plan reviewer” and other terms. Ms. Macrina recommended coming back to these questions when the “key issues” are discussed.

The Board continued to discuss the merits of the term “Qualified Personnel” and its use within the Rules and tentatively agreed to replace the term “certified personnel” with the term “qualified personnel.”

Mr. Byrd commented that the term “operator” as used in the NPDES General Permit is very useful and recommended it be used in the Rules as clarification. Mr. Byrd also recommended that the term “Erosion Sediment Control and Pollution Control Plan” be use through out the document for consistency.

At this time, the Board took a 15 minutes break.

The Board continued to discuss the merits of the term “Qualified Personnel” and its use in the Rules. The need to include inspection information in the Design seminar was also stated.

Page 6 (600-8-1-.04)-Application to Guidelines

James Magnus suggested that the phrase “seeking certification or re-certification” be removed from paragraph (a) under General Information, as it is redundant. The Board agreed.

The Board discussed the repeated definitions of “Certified Personnel,” “Certified Inspector,” “Certified Design Professional” and “Certified Plan Reviewer” on Page 7 of the Rules. Burns Wetherington suggested removing the definitions and

adding an "Attention" line to the address indicating which certification is desired. The Board agreed.

Mr. Magnus asked for clarification on the application process and if all applications would be sent to the Commission. Dr. Shahlaee stated that if there are no extra requirements relating to experience that applications will not have to be reviewed except in cases where people are asking to be exempt from attending a course. Dr. Shahlaee was questioned as to the Commission's logistical plan for reviewing these applications. Mr. Dykes offered a brief outline of the Commission's plans for obtaining funding and hiring new personnel to handle the additional workload.

The Board discussed requiring experience as a pre-qualification to certification.

Mt. Hamilton again suggested that Board members speak to other stakeholders for input and reminded the Board again of the timeline needed to pass the rules.

Mr. Magnus volunteered to host the October 13 meeting in Forrest Park, GA and the Board agreed.

The Board adjourned.

Submitted by

Michaelyn Rozar