



Allen Amsler, *Chairman*
Ann B. Kirol, DDS, *Secretary*
R. Kenyon Wells

Board:
Charles M. Joye II, P.E.
L. Clarence Batts, Jr.
David W. Gillespie, MD

Minutes of the January 5, 2017 meeting of the South Carolina Board of Health and Environmental Control

The South Carolina Board of Health and Environmental Control met on Thursday, January 5, 2017, at 10:00 a.m. in the Board Room of the South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina. (Attachment 0-1)

The following members were in attendance:

Allen Amsler, Chairman, Member-at-Large
Ann B. Kirol, DDS, Secretary, 5th District
R. Kenyon Wells, 2nd District
L. Clarence Batts, 4th District
David W. Gillespie, MD, 6th District

By Phone:
Charles M. Joye, II, P.E., 3rd District

1st District and 7th District seats are currently vacant.

Also in attendance were Catherine E. Heigel, Director; W. Marshall Taylor, Jr., General Counsel; Lisa L. Longshore, Clerk; Department staff and a member of the public. (Attachment 0-2) *The meeting was live streamed on the internet.*

Chairman Amsler called the meeting to order and stated notice of this meeting had been provided to all persons, organizations and news media, which have requested notification, as required by Section 30-4-80(e) of the South Carolina Code of Laws.

Item 1: Agency Affairs

Director Heigel reported on the following:

- Active TB Investigation in Rock Hill;
- Tobacco QuitLine;
- Flu Season;
- Drone usage by Department – Recognition of Uwe Klauck, office manager for the Upstate Environmental Affairs Greenwood office, for becoming DHEC's first certified remote pilot for small, unmanned aircraft systems (sUAS) which are commonly referred to as drones.

Item 2: Minutes of December 8, 2016, meeting (Attachment 2-1)

Mr. Batts moved, seconded by Dr. Kirol, to approve the minutes as presented for the December 8, 2016, Board meeting. The Board voted and Motion carried.

Item 3: Administrative and Consent Orders issued by Environmental Affairs (Attachment 3-1)

Ms. Myra Reece, Deputy Director of Environmental Affairs, stated one (1) Administrative Order and one hundred twenty-four (124) Consent Orders had been issued with total penalties of \$124,208.

After discussion, ***the Board accepted this item as information.***

Item 4: Administrative Orders, Consent Orders and Sanction Letters issued by Health Regulation (Attachment 4-1)

Mr. Thomas Bowen, Senior Consultant, Health Regulation Policy and Communications, stated two (2) Administrative Orders, five (5) Consent Orders and one (1) Emergency Suspension Order had been issued with assessed penalties of \$5,000.

After discussion, ***the Board accepted this item as information.***

Item 5: Public Hearing and Request for Final Approval - Proposed Amendment of Regulation 61-47, Shellfish, State Register Document No. 4736, Legislative Review is required (Attachment 5-1)

Mr. David Baize, Director, Bureau of Water, presented this item to the Board.

The Department proposed to amend R.61-47, Shellfish as follows:

- To provide specific technical requirements regarding the harvesting and handling of clams and maricultured oysters during the summer months (i.e., months that require additional temperature controls) in a manner that is consistent with the national shellfish sanitation program and protects the health of the consumers of shellfish;
- To specify the time period for additional temperature controls for the summer harvesting and handling of shellfish is May 16th through September 30th, unless otherwise specified;
- To provide a requirement for certified shippers to only accept shellfish from harvesters that have received annual training for the safe and sanitary harvesting and handling of shellfish;
- To update several documents referenced in the regulation to the latest versions of the documents and add a definition for "mariculture;"
- To include stylistic changes to correct for spelling, clarity, readability, grammar, and codification for overall improvement of the text of the regulation.

A public hearing was conducted with two members of the public in attendance asking to speak. (Attachment 5-2)

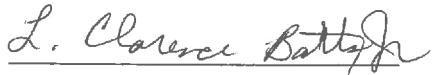
After discussion, ***Mr. Wells moved, seconded by Dr. Gillespie, to find for the need and reasonableness of the Proposed Amendment of Regulation 61-47, Shellfish, and approve it for submission to the Legislature for review. The Board voted and Motion carried unanimously.***

A verbatim transcript of this proceeding is included as part of the record. (Attachment 5-4)

Having no further business, Chairman Amsler adjourned the meeting.

All referenced attachments are made a permanent part of these minutes.

Respectfully submitted,



L. Clarence Batts, Jr., Secretary

Minutes approved this 9th day of March 2017.

ATTEST:



Ann B. Kirol, DDS, Vice Chairman

Attachments

- 0-1 Agenda
- 0-2 Attendance Roster
- 2-1 December 8, 2016 minutes
- 3-1 Administrative and Consent Orders issued by Environmental Affairs
- 4-1 Administrative Orders, Consent Orders and Sanctions issued by Health Regulation
- 5-1 Public Hearing & Request for Final Approval Proposed Amendment of R.61-47, Shellfish
- 5-3 Public Hearing sign-in sheet
- 5-4 Verbatim Transcript