



Seema Shrivastava-Patel, Chairwoman  
Charles M. Joye, II, P.E., Secretary  
J.B. (Sonny) Kinney  
Richard V. Lee, Jr.

**Board:**  
Morris E. Brown, III, MD, FAAFP  
Robert R. Morgan, Jr., MD, MBA  
William D. Richmond, MD

## **Minutes of the May 11, 2023, meeting of the South Carolina Board of Health and Environmental Control**

The South Carolina Board of Health and Environmental Control met on Thursday, May 11, 2023, at 10:00 a.m. in the Boardroom (#3420) at the South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina. (Attachment 0-1)

The following members were in attendance:

Seema Shrivastava-Patel, Vice-Chairwoman, 2nd District  
Robert Morgan, MD, 4<sup>th</sup> District

In attendance virtually:  
Charles M. Joye, II, P.E., 3<sup>rd</sup> District  
Morris E. Brown, III, MD, 6<sup>th</sup> District

In attendance by telephone:  
J.B. (Sonny) Kinney, 1<sup>st</sup> District

Not in attendance:  
Richard V. Lee, Jr., 5<sup>th</sup> District  
Jim P. Creel, Jr., 7<sup>th</sup> District

Also, in attendance were Dr. Edward Simmer, Director; W. Marshall Taylor, Board Counsel; Department staff; and members of the public. The meeting was also available via Livestream. (Attachment 0-2)

Vice Chairwoman Shrivastava-Patel 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: Minutes of April 13, 2023 meeting** (Attachment 1-1)

**Dr. Morgan moved, seconded by Mr. Joye, to approve the minutes as presented. The Board voted and Motion carried.**

### **Item 2: Administrative Orders and Consent Orders issued by Healthcare Quality** (Attachment 2-1)

Ms. Kim McLeod, Interim Director of Policy and Communications, Healthcare Quality, stated that for this reporting period, ten (10) Consent Orders and one (1) Emergency Suspension Order with assessed monetary penalties totaling \$7,500 were issued.

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

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

Ms. Rebecca Sproles, Liaison, Environmental Affairs, stated that for this reporting period, forty-three (43) Consent Orders with assessed civil penalties totaling \$172,330.00 and eight (8) Administrative Orders with assessed civil penalties totaling \$13,000.00 were issued.

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

**Item 4: Notice of Proposed Regulation amending Regulation 61-62, Air Pollution Control Regulations and Standards** (Attachment 4-1)

Ms. Mary Payton Wall, Program Manager, Bureau of Air Quality, presented this item to the Board.

The Department proposes to amend R.61-62, Air Pollution Control Regulations and Standards, to incorporate by reference recent federal amendments. The Department requested Board approval to publish this Notice of Proposed Regulation in the May 26, 2023, South Carolina State Register.

After discussion, **Mr. Kinney moved, seconded by Dr. Morgan, that the Board grant approval to publish the Notice of Proposed Regulation amending Regulation 61-62, Air Pollution Control Regulations and Standards, in the State Register, to provide opportunity for public comment, to receive and consider comments, and allow staff to proceed with a public hearing before the Board. The Board voted and Motion carried.**

**Item 5. Notice of Proposed Regulation amending Regulation 61-63, Radioactive Materials (Title A)** (Attachment 5-1)

Ms. Stacey French, Director Division of Waste Management, Bureau of Land and Waste Management, presented this item to the Board.

The Department proposes to amend R.61-63, Radioactive Materials (Title A), to incorporate by reference recent federal amendments. The Department requested Board approval to publish this Notice of Proposed Regulation in the May 26, 2023, South Carolina State Register.

After discussion, **Mr. Kinney moved, seconded by Dr. Morgan, that the Board grant approval to publish the Notice of Proposed Regulation amending Regulation 61-63, Radioactive Materials (Title A), in the State Register, to provide opportunity for public comment, to receive and consider comments, and allow staff to proceed with a public hearing before the Board. The Board voted and Motion carried.**

**Item 6. Agency Affairs**

Dr. Simmer thanked staff on this Public Servant Recognition Day.

Dr. Edward Simmer, Director, updated the Board on:

- Today is the last day of the Federal Public Health Emergency for COVID-19.
- Extension of Legislative Session.

Dr. Simmer presented Employee Appreciation Coins to the following Department staff:

- Dimeria Scotland, Environmental Health Manager
- Christopher Carney, Environmental Health Manager
- Shellie Livingston, Supply Manager
- Lamar O'Neil, Supply Specialist
- Steven Patterson, Supply Specialist
- Caleb Cox, Program Manager
- Gary Roberts, Project Manager

Dr. Simmer introduced Darbi MacPhail, Chief Finance and Operations Officer. Ms. MacPhail presented to the Board an overview of the agency's 2024 Budget Request.

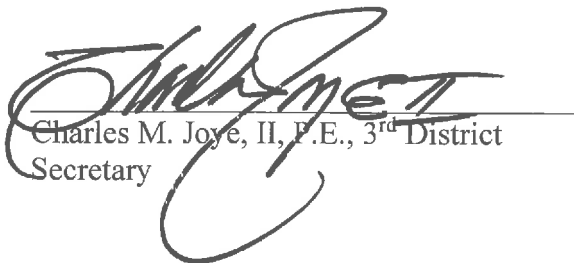
Dr. Simmer welcomed Dr. Richmond, who has been appointed by the Governor to the Board and is awaiting Senate confirmation, which could happen as early as today.

Dr. Simmer announced Vice Chairwoman Shrivastava-Patel, has been appointed by the Governor as Board Chairwoman and is awaiting Senate confirmation, which could happen as early as today.

Being no further business, Vice Chairwoman Shrivastava-Patel adjourned the meeting.

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

Respectfully submitted,



Charles M. Joye, II, P.E., 3<sup>rd</sup> District  
Secretary

Minutes approved this 8<sup>th</sup> day of June 2023.

ATTEST:



Seema Shrivastava-Patel

#### Attachments

- 0-1 Agenda
- 0-2 Sign in Sheet
- 1-1 Minutes of April 13, 2023 meeting
- 2-1 Administrative Orders and Consent Orders issued by Healthcare Quality
- 3-1 Administrative Orders and Consent Orders issued by Environmental Affairs
- 4-1 Notice of Proposed Regulation amending Regulation 61-62, Air Pollution Control Regulations and Standards
- 5-1 Notice of Proposed Regulation amending Regulation 61-63, Radioactive Materials (Title A)