

## SOLID WASTE LICENSING COMMITTEE

### MEETING MINUTES

November 19, 2019

A regular meeting of the Solid Waste Licensing Committee was held on Thursday, November 14, 2019 at 10:30 a.m., in Room 1E09 of the Arkansas Department of Environment and Energy Headquarters at 5301 Northshore Drive, North Little Rock, Arkansas.

The meeting was called to order by Angela Sparks, Chairperson. Members present included Jodi Reynold-Coffelt, Randy Atkinson, Paige Davis, Shane Ellis, Billy Sawyer, Rickey Cole, (acting proxy for Randy Harper) and Jennifer Merritt. Wendy Bland and Warren Atkins were absent. Others present were Daniel Pilkington and Madison Pitts.

Randy Atkinson made a motion to approve the minutes from the previous meeting. Rickey Cole seconded the motion. The minutes from the previous meeting were approved.

The Committee discussed the adoption of bylaws and reviewed potential bylaws prepared by Jennifer Merritt. Specifically the Committee discussed that proxies will be valid for one meeting only and the appointment of a proxy must be done in writing, e-mailed or handed to one of the three officers, prior to the meeting. Also, proxies can be a previous Committee member, a current Committee member (even the non-voting current Committee member) or a non-Committee member selected by the member. Angela Sparks is going to work up a form to use to appoint a proxy. The form will be e-mailed to all of the Committee members. It was decided that the election of the chair person will take place the first meeting of each calendar year and that no term limit will apply; officers can be re-elected as many times as the Committee members vote them in. Resignations from the Committee were discussed and it was decided that in the event that a member is not able to follow through on their commitment to the Committee either because of termination of employment or the time commitment, resignations must be in writing and sent to one of the officers. Also, members are expected to attend all regularly scheduled meetings or assign a proxy to ensure that there is a quorum. Dan Pilkington clarified “special meetings” and their relationship to FOIA, and public notice of meetings. The question was raised by Wendy Bland via text to Angela Sparks about electronic attendance to the Committee meetings. This matter was brought before the Committee in the August 2018 meeting and the Committee voted to have proxies and also voted not to allow electronic attendance, so it was decided the Committee would continue with that process. Wendy Bland also suggested that we have a mission statement. The Committees’ purpose is clearly spelled out in Arkansas Code, however if anyone on the Committee would like to submit a Mission Statement for consideration, it would be welcomed. It was brought up by Angela Sparks that the number of

voting members in Code will need to be addressed when the Code is re-done. It states there are 10 voting members when in fact there are only 9.

The Committee reviewed the proposed changes to the Arkansas Code. Standardized fees, or removing the fee structure and classifications, was recommended by the Committee to the Director of DEQ earlier in 2019. Those changes didn't make it in to the proposed legislation, so for 2021, the Committee would like to try to promote that again. The other changes to the Code discussed were to change from fiscal year to calendar year, the potential for biannual renewals and a wording change to allow for electronic renewals. The Committee would like to change the grace period from one year to 3 or 6 months. Jennifer Merritt mentioned that 725 renewals were sent out on 5/24/19. There are still 110 inactive operators, so 615 operators have renewed 5 months in to renewal period. So that would be a snapshot of how many people renew within the 6 month mark. Other proposed change is to adjust the wording on provisional licenses to allow for only one step up at a time and to open up reciprocal license restrictions and make it easier for people to transfer their existing license to Arkansas. There was discussion among Committee members on the recommendation that apprentice licenses become renewable. The change is being considered because it removes the ambiguity of the current structure. Currently it states that apprentice licenses are good for a year, but it doesn't spell out what happens at the end of that year. In order to stay currently licensed, you need to move up to the Journeyman level, which is renewable. The Committee discussed that some operators and employers feel forced to have to move up and that some people have issues passing the harder tests or do not want to move up in their career and don't feel the need for anything more than an Apprentice level license. By changing the Code that would put the decision to send people to Journeyman class on the employer, allowing the employer to set policy, instead of having it dictated by legislation. Dan Pilkington explained the 18 month roll over for people that test in the last quarter of the cycle, so their licenses don't expire within a month or two of the being issued.

The Committee discussed the upcoming stakeholder meetings. The first one will be in Little Rock. The role of the Committee is to advise and assist the Commission and DEQ. Jennifer Merritt would like Committee members to attend the meeting, if possible, to show support for the recommendations being presented. Jennifer Merritt will be giving out the Committee members contact information at the meetings so they can be the funnel for issues back to DEQ to be addressed. Committee members discussed dates they cannot meet. Angela Sparks said no 4<sup>th</sup> Wednesday, Paige Davis and Jennifer Merritt cannot do the last week of February. Currently Jennifer Merritt is thinking about hosting 3 stakeholder meetings one in Little Rock, Fort Smith and Jonesboro.

Jennifer Merritt gave the DEQ report: She announced her appointment by the Director of DEQ to the Executive Secretary position on the Committee, replacing Gene Little, who retired in August. Currently there are 15 Provisional Licenses, she has issued 258 tests in 2019, there are 775 active

solid waste operators, and there are 110 inactive operators. She is collecting operator e-mail addresses now in preparation for future e-communication possibilities. Jennifer announced that there is a new application for solid waste licensing available online. She asked that people start using that form instead of any old applications they might have laying around. This new application is a simplified application, asking for less information from the operators. She announced she has also removed signature line from renewals. Jennifer Merritt gave an update on the online payment project. The project has morphed to encompass more than online renewals but is still in process just with a bigger scope. Jennifer Merritt explained that the Committee will no longer be discussing IDCO's or EO's. Dan Pilkington explained that the over-site of Environmental Officers is spelled out in the new law and that those people no longer fall under the purview of the Committee.

Rickey Cole gave the Academy Report stating that there were 821 contact hours, with 800 students at 64 locations. He mentioned that they are still looking for a solid waste instructor, and it does not require a 2 year degree any more, but the position will still be based out of Camden.

The committee discussed the next meeting date and it was decided on February 20th, at 10:30 a.m. at DEQ.

With no further business, a motion was made to adjourn by Rickey Cole and Paige Davis seconded the motion. The meeting was adjourned.

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Angela Sparks, Chairperson