

SOLID WASTE LICENSING COMMITTEE  
MEETING MINUTES  
August 16, 2012

A regular meeting of the Solid Waste Licensing Committee was held on Thursday, August 16, 2012, at 10:30 a.m., in Room 1E09 of the Arkansas Department of Environmental Quality Headquarters, 5301 Northshore Drive, North Little Rock, Arkansas.

The meeting was called to order by Dave Rose, Vice-Chair, who called the roll. Members present were James Abbey, Hugh Cockrell, Judge Mike Jacobs, Gussie Robinson, William Wright, Phillip Davis, Dave Rose, Randy Harper, and Elizabeth Hoover. Bill Burroughs was absent. Others in attendance included Roger Lawrence, Ken Nutt, Jane Schwartz, and Cassie Kent.

The minutes from the prior meeting were approved.

Annual election of the Chairman and Vice-Chairman was held. Motion was made, seconded and passed electing Dave Rose as Chairman. Immediately following, a motion was made, seconded and passed electing Randy Harper as Vice-Chairman.

Elizabeth Hoover gave the Department report. She initiated discussion on the duties of the Licensing Committee and provided a copy of the duties and responsibilities from Regulation 27. In follow-up to the prior meeting, she provided examples of facilities that may or may not have been in the top five but where examples of none compliance. Elizabeth then asked Roger Lawrence to address the issue.

Regarding the primary role of the Licensing Committee, Roger stated that he had looked at the statute and it charges the Committee with: **1)** conducting inquiries and establishing findings to advise the Commission and the Department on irregularities encountered in the management of the licensing program; **2)** conducting inquiries and establishing facts necessary to advise the Commission and the Department on the actions of licensees; and **3)** recommend administrative sanctions, including, but not limited to, the suspension and revocation of licenses as necessary to promote the professional integrity of solid waste licensees.

Roger said that it is the Committee's role to advise the Department or recommend to the Department when a facility operator is not in compliance with the statute, and if the Committee sees that the Department is not adequately handling a licensing procedure

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or issue, is it up to the Committee to advise or make recommendations. He said that operators need to know that a solid waste operator license is a professional license, and if they ignore the ramifications of that license, it could be taken away. If not, the licenses mean nothing; it is just a piece of paper. After much discussion, Roger Lawrence brought up provisional licensing and asked the Committee to consider developing some guidelines for the Department to consider for how to determine granting or denying request for provisional licensing.

Roger announced to the group that the Department no longer had a point system for inspections and said that the new inspection forms could be found on the website.

Additional discussion took place about the sanction against a license issue. It was decided that the inspector and operator in question would be called in to a meeting when the Committee is considering recommending sanctions. A motion was made, seconded and passed to table the discussion until the next meeting. However, then a motion was made, seconded and passed to consider a four step process of 1) calling both a Department staff person and accused operator in to review the evidence; 2) a review of the findings and coming to a determination; and 3) making recommendation to the Department on how to proceed. It was decided that a special meeting would be called only when needed.

Randy Harper provided an Academy report. He briefed the group on the Train-the-Trainer Workshop held in August, status of the lab project, and training numbers.

The next meeting was set for November 15, 2012 at 10:30 a.m., and it was decided that at each meeting someone will bring refreshments. Elizabeth Hoover agreed to send out a list for the members.

Having no further business, the meeting was adjourned.



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David Rose, Chairman