

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL SERVICES
MEETING OF
BOARD OF CERTIFICATION AND TRAINING
FOR SOLID WASTE MANAGEMENT OPERATORS

July 14, 2015

Paragon Casino, Avoyelles Room

Marksville, Louisiana

Beginning at 1:21 P.M.

RECEIVED

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NOTIFICATIONS & ACCREDITATIONS

REPORTED BY:

DIANNE STEWART, CERTIFIED COURT REPORTER & NOTARY PUBLIC

APPEARANCES

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MR. TERRANCE STEWART

MS. SUZANNE BORDELON

MR. HENRY "BO" LAGRANGE

MR. FRED WILLIAMS

MS. LINDSEY TURTLE

MR. GARY BONVILLAIN

MR. JOHN "BUBBA" WYNN

MR. TROY E. BARBER

MS. MIA TOWNSEL

ALSO PRESENT: MS. CONNIE HENRY

NOT PRESENT:

MR. JOHN FOURRIER

MS. KRYSTAL PERKINS

1 BY MR. STEWART:

2 It looks like everybody that's going to be
3 here is here. At this time I'd like to start
4 the Board of Certification And Training For
5 Solid Waste Management Operators meeting for
6 July 14, 2015.

7 The first order of business is roll call.

8 MS. BORDELON: (Takes roll call; all
9 answer as "Here" or "Present" except John
10 Fourrier).

11 MR. STEWART: Thank you, ma'am.

12 BY MR. STEWART:

13 The next item is reviewing of the Minutes for
14 the March 20, 2015 meeting back in Lafayette.
15 Can I get a motion approved, and discussion?

16 MR. WYNN: I'll make a motion that we
17 approve.

18 MR. STEWART: A motion by Mr. Wynn.

19 MR. WILLIAMS: Second.

20 MR. STEWART: A second by Mr. Williams.

21 BY MR. STEWART:

22 Any further discussion, or any opposition?

23 (No response). The Motion carries.

24 The third item is the Consideration Of
25 Operator Certifications, and reviewing of the

1 applications for certification. The way we
2 typically do it is we'll take each name --
3 we'll go down the list and take all of these
4 names, and if there's any discussion, at that
5 time we'll discuss it. If not, then we'll
6 vote at the end.

7 David A. Abshire, C&D Level A; David
8 Abshire, 108 Disposal. He is currently a
9 certified operator; re-testing in lieu of
10 training.

11 MR. WYNN: He let his certification
12 expire, so he's having to re-test.

13 MS. BORDELON: Actually, he's not --

14 MR. WYNN: So if y'all are ready,
15 let's --

16 MR. BARBER: Why does his work
17 experience say April the 24th of 2015 to
18 October --

19 MR. WYNN: He just put it on backwards.

20 MS. BORDELON: Yeah.

21 MR. BARBER: -- of 2011?

22 MR. WYNN: Oh, 2011 to --

23 MR. BARBER: He's got dyslexia.

24 COURT REPORTER: One at a time, please.

25 MS. BORDELON: And it's not expired

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yet.

MR. WYNN: Oh, it's not?

MS. BORDELON: It doesn't expire until
October.

MR. WYNN: Okay. But he doesn't have
enough --

MR. BONVILLAIN: He didn't have the
training.

MS. BORDELON: Correct.

MR. WYNN: Okay.

MR. LAGRANGE: So do we want to take
any action on that one at this time?

MR. BONVILLAIN: No, it --

MR. STEWART: Okay.

BY MR. STEWART:

Dustin C. Bushnell, C&D, Level B; McManus
Construction. Any discussion? (No response).

Harry J. Gaspard, C&D, Level B; Jevcon,
LLC. He has held a conditional for two years,
applying for regular certification.

MR. BONVILLAIN: He's had a conditional
for two years?

MS. BORDELON: Uh-huh (affirmative
response).

MR. STEWART: Yeah, and he's applying

1 for regular certification.

2 MR. BONVILLAIN: Okay. So it wasn't
3 just approved in the December meeting?

4 MS. BORDELON: No.

5 MR. BONVILLAIN: Okay. That's why I
6 had asked about --

7 MS. BORDELON: An extension was
8 approved.

9 MR. BONVILLAIN: Okay. All right.

10 BY MR. STEWART:

11 Tora C. Fontenot, C&D, Level B; Jevcon, LLC.
12 She's also held a conditional for two years,
13 and she's applying for regular certification.
14 (No response).

15 Jevon F. Natali, C&D, Level A; Jevcon,
16 LLC. He's held a conditional for two years,
17 and applying for regular certification. (No
18 response).

19 Okay. Can I get a motion to accept these
20 applications?

21 MR. WYNN: I'll make a motion.

22 MR. STEWART: A motion by Mr. Wynn.

23 MR. BARBER: Second.

24 MR. STEWART: And a second by Mr.
25 Barber.

1 BY MR. STEWART:

2 Any further discussion, or any opposition?

3 (No response). The Motion carries.

4 The next item is to review Requests To
5 Extend Conditional Certificates.

6 Frank Goetz, Landfill, Level A; Woodside
7 Landfill. He passed the exam and attended the
8 workshop.

9 Kristal L. Smith, Landfill, Level B;
10 Woolworth Landfill. She passed the exam and
11 attended the workshop.

12 Nickey Poirier, C&D, Level B; Gordon's
13 Landfill. Passed the exam and attended the
14 workshop. It's a second extension request.

15 MR. WYNN: There's a question. Are
16 these people -- have they already got the
17 conditional?

18 MS. BORDELON: They already have
19 conditionals. They're asking for
20 extensions.

21 MR. WYNN: Okay. Fine.

22 MR. BARBER: Well, you ran off and left
23 me. On Frank --

24 MR. STEWART: Goetz.

25 MR. BARBER: Yeah, that name. It looks

1 to me like, with his supervising position
2 in -- apparently in construction and in
3 the use of heavy equipment, it looks like
4 he had four years of that experience.
5 And he's got, or will have a year of
6 experience come October the 27th, and he's
7 asking for a -- oh, he's asking for a
8 Level A. But on a Level A you have to
9 have two years experience, --

10 MR. LAGRANGE: Three, I thought.

11 MR. BARBER: -- along with the --

12 MR. LAGRANGE: Is it three?

13 MR. BARBER: Well, I know, but with the
14 construction experience.

15 MS. BORDELON: Actually, with the Level
16 A there is no substitution.

17 MR. BARBER: There is? Okay.

18 MR. BONVILLAIN: Yeah, we removed that
19 a few years ago.

20 MR. BARBER: And I really thought it
21 was a "B". I'm sorry. But -- okay, we'll
22 get him later. And let me see what I
23 asked -- let's add on this one before we
24 move on. This is Kristal Smith, and I had
25 a question on something. (Pause). Her

1 experience is not enough.

2 MR. WYNN: Well, was she not taking the
3 place of a certified operator?

4 MR. LAGRANGE: Well, yeah, Kristal --

5 MR. BONVILLAIN: She's just asking for
6 an extension of that conditional that
7 we've already given her.

8 MR. WYNN: Okay. So we're asking for a
9 conditional.

10 MR. BONVILLAIN: Yeah, it's just an
11 extension of a current one.

12 MR. WYNN: All right. Continue, Mr.
13 President.

14 BY MR. STEWART:

15 Okay. The next is Shari Dartez, C&D, Level B;
16 Gordon's Landfill. She passed the exam and
17 continued the workshop.

18 William Rod McHugh, C&D, Level A; Gordon's
19 Landfill. He passed the exam and attended the
20 workshop.

21 And Terry Mestayer, C&D, Level B; Gordon's
22 Landfill. Passed exam and attended the
23 workshop.

24 MR. BONVILLAIN: I vote that we grant
25 the conditional extensions.

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MR. STEWART: A Motion by Mr.
Bonvillain, --

MR. WYNN: Second.

MR. STEWART: -- and a second by Mr.
Wynn.

BY MR. STEWART:

Any further discussion, or any objections?
(No response). The Motion carries.

The next item is Review Requests For
Conditional Certificates.

The first name is Jack B. Reece, C&D,
Level A; City of Pineville. He's replacing
Vincent Smith, term date 4 of 15.

Thomas Phillips, --

MS. BORDELON: Well, wait. Let's do
these one by one.

MR. STEWART: I'm sorry. Oh, okay, one
by one.

MR. BARBER: It looks like he has about
16 months of experience, so -- and this is
a Level A. Is a Level A in construction
and demolition the same?

MR. WYNN: The same thing as the rest
of them.

MR. BARBER: Three years?

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MR. LAGRANGE: Yeah, three years, and no -- no substitutions.

MR. WYNN: Okay.

MR. BONVILLAIN: I move that we grant the conditional.

MR. LAGRANGE: Second.

MR. BONVILLAIN: And he's taking the place of who?

MS. BORDELON: Vincent Smith.

MR. BONVILLAIN: Okay. Do you see the --

MR. WYNN: Well, on my -- I don't have the last page. I'm not showing it.

MR. BONVILLAIN: I don't have the last page, either.

MS. BORDELON: Yeah.

MR. WYNN: Okay. I see the termination day in 4 of 15.

BY MR. STEWART:

Okay. We have a Motion by Mr. Bonvillain, and a second by Mr. Lagrange. Any further discussion, or any objections? (No response). The Motion carries.

The next one is Thomas Phillips, C&D, Level B; Gentilly Landfill. He's replacing

1 Emmanuel Spanolis; term date 4- 15.

2 MR. BARBER: Now, Emmanuel had a Level
3 B?

4 MS. BORDELON: Yes.

5 MR. BARBER: A regular?

6 MS. BORDELON: Yes.

7 MR. BARBER: Okay.

8 MR. LAGRANGE: I'll move, Mr. Chairman.

9 MR. BARBER: Second.

10 BY MR. STEWART:

11 A Motion by Mr. Lagrange, and a second by Mr.
12 Barber. Any further discussion, or any
13 objections? (No response). The Motion
14 carries.

15 Ashunti D. Wortham, Incinerator, Level B;
16 Stericycle, Inc. Replacing conditional
17 Operator Essin Frazier.

18 MR. WYNN: Now, this is a situation
19 where we're replacing a conditional with a
20 conditional. Which one is --

21 MR. BONVILLAIN: And the normal rule
22 for a conditional is you replace him with
23 a regular certified operator.

24 MS. BORDELON: Right. This is the
25 Stericycle facility where back in October

1 they asked for conditional certifications,
2 and the Board approved the issuance of
3 four. Since then two of those original
4 four conditionals are no longer there.
5 We've replaced -- we issued another
6 conditional to replace one of those four,
7 and now they're asking to replace
8 another --

9 MR. WYNN: And we did that at the last
10 meeting?

11 MS. BORDELON: We did.

12 MR. WILLIAMS: But we're not replacing
13 a conditional with another conditional?

14 MS. BORDELON: No, it's not really
15 replacing a conditional. They're asking
16 for --

17 MR. WILLIAMS: No, they were given four
18 conditionals because they didn't replace
19 anybody. They were brand-new. So they
20 were given four conditionals. And so now
21 one or two or them are left, so we're just
22 filling -- they're just filling in that
23 conditional.

24 MR. BARBER: But just how long do we
25 do that?

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MR. WILLIAMS: Well, I mean, what --

MR. BARBER: Could this be a never-ending thing?

MR. WYNN: What is the time period over this? How long have they been in business now -- over a year?

MR. WILLIAMS: I don't know if they've been in business a year.

MR. WYNN: Have they been in business over a year?

MR. BONVILLAIN: No, because they first came to us in Marksville last year.

MR. WILLIAMS: Was it Marksville?

MS. BORDELON: Right. It sure was.

MR. BONVILLAIN: They came in Marksville and they approached -- they hadn't opened their facility yet.

MR. WILLIAMS: Right.

MR. BONVILLAIN: They came and asked for a ton of conditionals.

MR. WILLIAMS: Yeah. And I think, if I'm not mistaken, we approved four conditionals for the facility.

MR. BONVILLAIN: At the following Board meeting.

1 MR. WILLIAMS: In October in
2 Shreveport.

3 MR. BONVILLAIN: Right.

4 MR. WILLIAMS: Right. So they were
5 granted four conditionals.

6 MS. BORDELON: They're just wanting to
7 maintain four conditionals.

8 MR. WILLIAMS: Yeah, they're
9 maintaining four conditionals, is the way
10 I see it.

11 MR. BONVILLAIN: Well, I voted against
12 the original four, --

13 MR. WILLIAMS: I know you did.

14 MR. BONVILLAIN: -- and I'm going to
15 vote against this one, too.

16 MR. WILLIAMS: I understand that. But
17 we're trying to keep them in business.

18 MR. BONVILLAIN: Yeah. Well, I may get
19 out-voted, but that's okay.

20 MR. BARBER: But it's not our job to
21 keep them in business. It's our job to
22 make sure that they're qualified.

23 MR. WILLIAMS: We have given them four
24 conditionals for the facility.

25 MR. BARBER: But that wasn't the way I

1 voted on it. I voted on four individuals,
2 not four positions.

3 MR. WILLIAMS: Well, we -- you voted on
4 four positions because there were eight,
5 total, and we gave them --

6 MR. BARBER: They presented us with
7 four -- they actually presented us with
8 more names. It was twelve originally, but
9 we voted on each one of those. Not as a
10 blanket "we're going to give y'all four
11 conditionals". We're gonna give this guy
12 a conditional, we're gonna give this guy a
13 conditional. And now this guy has quit,
14 and they want to replace him with another
15 conditional.

16 MR. WILLIAMS: That's not the way I
17 remember it. I remember us giving the
18 facility four conditionals. That's the
19 way I remember it.

20 MS. BORDELON: Yeah, we gave -- y'all
21 gave the facility four conditionals, and
22 then he determined which four he wanted.

23 MR. WILLIAMS: Yeah. Thank you.

24 MR. BONVILLAIN: That's exactly right.

25 MR. WILLIAMS: Yeah.

1 MR. BONVILLAIN: That's the way it --

2 MR. WILLIAMS: That's the way I
3 remember it, yeah.

4 MR. BARBER: But he done that in that
5 meeting.

6 MR. WILLIAMS: No.

7 MR. BARBER: Yes. He gave us the names
8 in that meeting.

9 MS. BORDELON: I think he may have.

10 MR. BARBER: Yeah, he did.

11 MS. BORDELON: I think he did give us
12 the names at the meeting.

13 MR. BONVILLAIN: Oh, yeah. Yeah, we
14 required the names, and which -- which
15 four do you want, then.

16 MR. WILLIAMS: Okay. Right.

17 MR. BONVILLAIN: You know, and y'all
18 voted to give him four.

19 MR. WILLIAMS: But they had already
20 been given the conditionals, --

21 MR. BONVILLAIN: No.

22 MR. WILLIAMS: -- so he just had to
23 plug the names in.

24 MS. BORDELON: Right.

25 MR. BONVILLAIN: Right.

1 MR. WILLIAMS: Yeah.

2 MR. BONVILLAIN: Right. Yeah, the
3 Board said, "Okay, we will grant you up to
4 four. Which four do you want?".

5 MR. WILLIAMS: Right.

6 MR. BONVILLAIN: And then the Board
7 approved those four.

8 MR. WILLIAMS: Yeah. And all -- it
9 appears as though all they're trying to do
10 is maintain the four.

11 MR. BONVILLAIN: Oh, I know what
12 they're trying to do. But how long are we
13 going to continue this?

14 MR. WYNN: Well, I think --

15 MR. WILLIAMS: I mean, that's up to us.

16 MR. WYNN: One of the things you've got
17 to look at is that they've had a year time
18 period now to start filling these
19 positions and start finding certified
20 operators.

21 MR. WILLIAMS: Have they tested, and
22 passed the test?

23 MS. BORDELON: Yes.

24 MR. WILLIAMS: Okay.

25 MS. BORDELON: They originally sent

1 about ten people, ten of their employees
2 to the office who tested.

3 MR. BONVILLAIN: Has this person passed
4 the test?

5 MS. BORDELON: This test? Yes.

6 BY MR. STEWART:

7 So do we need to take this to a roll call
8 vote, or -- yes, because obviously everybody's
9 not going to agree.

10 MR. WYNN: Yeah, please.

11 MR. WILLIAMS: All right. Mr.

12 Chairman, I'd like to make a motion that
13 we grant it.

14 MR. LAGRANGE: I second.

15 BY MR. STEWART:

16 Okay. I have a motion by Mr. Williams, and a
17 second by Mr. Lagrange. Is there some
18 discussion on the matter, --

19 MR. WILLIAMS: We've just discussed it,
20 and --

21 BY MR. STEWART:

22 Any objections to any of the --

23 MR. BONVILLAIN: Okay. And we'll have
24 a roll call vote, and --

25 MR. WILLIAMS: Let's do a roll call.

1 MS. BORDELON: Okay. (Does roll call;
2 Mr. Bonvillain, Mr. Wynn and Mr. Barber
3 say no; Mr. Williams, Mr. Lagrange and Ms.
4 Turtle say yes).

5 MR. BARBER: So that's what, three and
6 three?

7 MS. BORDELON: Three to three, and you
8 have to break the tie.

9 MR. STEWART: Yes.

10 MS. BORDELON: Okay.

11 BY MR. STEWART:

12 All right. The next person is Cary J. Percle,
13 Transfer Station, Level A; American Recovery.

14 MS. BORDELON: This is going to be
15 pretty much the same situation as
16 Stericycle. They're a new facility that
17 just submitted a permit application for a
18 transfer station to the Department. And
19 they were -- as part of their permit
20 application they were required to get
21 certified operators.

22 MR. WYNN: And this is a transfer
23 station, you said?

24 MS. BORDELON: Yes.

25 MR. BONVILLAIN: Looking at his

1 experience with American Recovery, I think
2 he might have the experience for a regular
3 certificate.

4 MR. WYNN: Well, where is any -- I
5 mean, the only experience I see is just
6 that one. Do you have anything --

7 MR. BONVILLAIN: He's got American
8 Recovery from 08 to the present.

9 MR. WYNN: Okay. Well, I don't have
10 that sheet.

11 MS. BORDELON: No?

12 MR. BONVILLAIN: Or is that -- did I
13 have something attached wrong?

14 MS. BORDELON: No.

15 MR. BONVILLAIN: Okay.

16 MS. BORDELON: What sheet is that?

17 MR. BONVILLAIN: It shows his
18 experience with American Recovery.

19 MR. WYNN: Well, hell, I'm looking at
20 the wrong one. I've got it.

21 MR. BONVILLAIN: He worked with them
22 from 08 to the present. Right?

23 MS. BORDELON: To the present, yes.

24 MR. BONVILLAIN: Yeah, okay.

25 MR. LAGRANGE: I'm reading this cover

1 letter that came with it, and he says that
2 they've sent three employees to this
3 workshop, and they're sending three in
4 October to Shreveport.

5 MS. BORDELON: Uh-huh (affirmative
6 response).

7 MR. LAGRANGE: It's kind of hard to
8 meet the service requirements of their
9 customer base when the operational -- the
10 operational plans require them to have two
11 Level A and four Level B. It has "at any
12 period of time only one Level A and two
13 Level B's would be available per shift.
14 Further, one of the Level B employees may
15 be required to assist other employees off-
16 site at various times during their shift.
17 As some of our present employees have
18 experienced, although minimal, in handling
19 solid waste, they did not meet the
20 previous experience requirements, and we
21 need to request the issuance of
22 conditional certifications".

23 MS. BORDELON: So in other words,
24 they're asking for a Level A and two B's
25 now, and they're going to come back with

1 three more in October and ask for another
2 Level A and two more B's.

3 MR. BONVILLAIN: Okay. Well, I'll
4 definitely be against giving two Level A
5 certifications, because by regulation you
6 only need --

7 MS. BORDELON: Right. They only need
8 one.

9 MR. BONVILLAIN: -- you only need one
10 in overall charge.

11 MS. BORDELON: You're right.

12 MR. BONVILLAIN: You don't need two.

13 MR. BARBER: So they don't have any
14 certified operators?

15 MS. BORDELON: No. They're --

16 MR. BONVILLAIN: Well, they haven't
17 opened their facility yet.

18 MS. TOWNSEL: No. They're a brand-new
19 facility. They just submitted the
20 application a few months ago.

21 MR. WYNN: Well, how long will it be
22 before the facility is actually opened?

23 MS. TOWNSEL: That is very hard to
24 determine. They haven't even received
25 their first letter of NOD's yet.

1 MR. WILLIAMS: Will they be open by
2 October? (Laughter).

3 MR. BONVILLAIN: If they haven't
4 received their NOD's yet, they're not
5 going to be open by October.

6 MR. WILLIAMS: I was trying to make a
7 point.

8 MR. BONVILLAIN: Oh.

9 BY MR. STEWART:

10 Okay. Well, what are the wishes of the Board?

11 MR. LAGRANGE: Well, I'd recommend that
12 we get back with them and say, you know,
13 "Which individual would you request the
14 Level A for?". Unless we determine that
15 this particular application meets Level A
16 requirements, --

17 MR. BONVILLAIN: He's requested a Level
18 A on Percle.

19 MR. LAGRANGE: Conditionally?

20 MR. BONVILLAIN: Yeah. You know, to
21 me, he's got the experience necessary that
22 we could grant a regular A level for him.
23 I mean, would you --

24 MR. LAGRANGE: I so move.

25 BY MR. STEWART:

1 But you're opposed to him coming back asking
2 for a conditional A?

3 MR. BONVILLAIN: Yeah. If we grant one
4 Level A, I'm opposed to getting a --
5 giving a conditional A. You know, because
6 you only need one Level A in overall
7 charge of the facility. He doesn't have
8 to be there all the time.

9 MR. LAGRANGE: Okay.

10 MR. WILLIAMS: Well, let's just deal
11 with what they're asking for now.

12 MR. BONVILLAIN: Okay. So I think you
13 made the motion?

14 MR. LAGRANGE: Right.

15 MR. BONVILLAIN: I'll second.

16 BY MR. STEWART:

17 Okay. Motion by Mr. Lagrange, second by Mr.
18 Bonvillain. Any further discussion or --

19 MR. BONVILLAIN: For a regular
20 certification?

21 MR. STEWART: For a regular
22 certification.

23 MS. BORDELON: For? Say his name.

24 MR. STEWART: For Mr. Cary J. Percle
25 with American Recovery.

1 BY MR. STEWART:

2 The Motion carries.

3 MR. BARBER: Has he passed the test?

4 MS. BORDELON: Yes, he did today.

5 BY MR. STEWART:

6 Okay. Now, I know I'm going to murder this
7 next name. Tevin J. Engebretson-Battaglia.

8 MS. BORDELON: That's good.

9 MR. BONVILLAIN: Like a pro.

10 BY MR. STEWART:

11 Transfer Station, Level B; American Recovery.

12 MR. WYNN: And this is the same thing.

13 Correct?

14 MR. BONVILLAIN: Yeah.

15 MS. BORDELON: Right.

16 MR. BONVILLAIN: They're asking for a
17 conditional B --

18 MR. WYNN: Not replacing a conditional,
19 but --

20 MR. BONVILLAIN: No, because they don't
21 have anybody yet.

22 MS. BORDELON: He only has about nine
23 months of experience.

24 MR. WYNN: Well, if they come back to
25 us in October, then they'll have a year of

1 experience.

2 MR. BONVILLAIN: It's still--

3 MR. WYNN: Which is still worse --

4 MR. BONVILLAIN: It's still nine
5 months.

6 MR. WYNN: -- for a B level.

7 MR. BONVILLAIN: But if -- yeah, if
8 they're going to be coming back, I'd kind
9 of like to do like they did with
10 Stericycle, is "Okay. We'll grant you x'
11 number, but you tell us which ones you
12 want", --

13 MR. WYNN: Yeah.

14 MR. BONVILLAIN: -- rather than
15 granting these initially. And then we
16 just table it for now.

17 MR. WYNN: I'm gonna probably --

18 MS. BORDELON: Well, he's saying that
19 he would like to have at least two B
20 levels per shift.

21 MR. BONVILLAIN: Yeah. Well, I --
22 that's what he'd like. That doesn't mean
23 that's what we have to grant.

24 MS. BORDELON: Right.

25 MR. LAGRANGE: Right. For him to be in

1 compliance, he just needs one B level
2 while the gates are open.

3 MR. BONVILLAIN: Correct.

4 MR. WYNN: They have one A level and B
5 level.

6 MR. BARBER: And I think we need to put
7 a limit on how long we're going to allow a
8 facility to operate with conditional
9 certifications.

10 MR. WYNN: I mean, -- well, the thing
11 about it is, you cannot do that because if
12 -- say, if we're giving them a conditional
13 and they lack two or three years of having
14 enough experience -- well, that facility
15 is going to operate two or three years
16 with a conditional.

17 MR. BARBER: But if they keep having
18 these turnovers like Stericycle is having,
19 and we're continuously turning this thing
20 over and they're continuously operating a
21 facility with people that do not have the
22 experience to meet regular certification
23 -- and I am opposed to that.

24 MR. WYNN: Well, you might can come
25 back and say, "All right. Here's your

1 facility, and you have been in business
2 for two years". Two years is time enough
3 to get a B level certification for
4 anything. Correct?

5 MR. BARBER: Uh-huh (affirmative
6 response).

7 MR. WYNN: All right. And so limit it
8 over a two year period, and anytime
9 after --

10 MR. BARBER: That's what I'm saying.

11 MR. WYNN: -- anytime after two years
12 -- no, we're not giving no more
13 conditionals.

14 MR. LAGRANGE: Well, but the
15 regulations don't give us that lee-way.
16 The regulations say a certain thing about
17 conditionals and extended conditionals.

18 MR. WYNN: Yeah, but --

19 MR. LAGRANGE: We can't arbitrarily
20 change the regulations.

21 MR. WYNN: Well, but we wouldn't --
22 (talking over each other).

23 MR. LAGRANGE: Now, after two years you
24 can say, you know, "If you're going to
25 request a conditional, bring me someone

1 that we think is qualified to be a
2 conditional operator".

3 MR. BONVILLAIN: No, but again, it's up
4 to the Board to grant the extensions. We
5 don't automatically have to grant the
6 extensions.

7 MR. LAGRANGE: Okay. So ----

8 MR. BONVILLAIN: We have certain
9 requirements that they have to meet --

10 MR. WILLIAMS: Yeah, we can do that --

11 MR. BONVILLAIN: -- in order to grant
12 the extensions.

13 MR. LAGRANGE: We have a workshop and
14 -- (everyone talking at once).

15 MR. WILLIAMS: We can do that without
16 putting a restriction on -- saying we're
17 only going to do it for two years. We can
18 not grant without saying specifically that
19 we are going to limit it to two years. I
20 don't think we can do that. I don't think
21 we can even say that. But it's up to us
22 as to whether or not we grant.

23 MR. BONVILLAIN: Correct.

24 MR. WILLIAMS: And so we'll just do it
25 in that mode rather than saying we're

1 going to limit it to two years, because we
2 don't have the authority to do that.

3 MR. BARBER: Well, I don't want to be
4 sitting in another meeting where one of
5 our Board members is going to come back
6 and tell us that, "Hey, we granted a
7 blanket conditional for four positions".
8 That's basically what we said on
9 Stericycle, and I don't want to do that.
10 I'm not in favor of that at all.

11 MR. WILLIAMS: Well, we'll just have to
12 wait until that meeting comes up and see
13 what we do.

14 MR. BONVILLAIN: Before we act on
15 Engebretson-Battaglia, could we look at
16 Mr. Ryals?

17 MR. STEWART: Sure.

18 MR. BONVILLAIN: Because I think, if
19 you look at his experience, he would
20 qualify for a regular B.

21 BY MR. STEWART:

22 Okay. Mr. Rory N. Ryals, Transfer Station,
23 Level B; American Recovery.

24 MR. WYNN: Has he already tested?

25 MS. BORDELON: Yeah, he tested today.

1 MR. LAGRANGE: He's got two and a half
2 years.

3 MR. BONVILLAIN: And I -- you know, I
4 think he meets the experience requirements
5 for a regular B. He doesn't have to get a
6 conditional. So I'll make the motion we
7 grant him a regular B.

8 MR. LAGRANGE: Second.

9 BY MR. STEWART:

10 Okay. Motion by Mr. Bonvillain, second by Mr.
11 Lagrange. Any further discussion, or any
12 opposition? (No response). Okay. The Motion
13 carries.

14 Now back to --

15 MR. BONVILLAIN: And I'd like to move
16 that we table Mr. Tevin's application
17 request until our October meeting when we
18 get the other requests and we have it all
19 at the same time.

20 MS. BORDELON: And then we can also get
21 a status update.

22 MR. BONVILLAIN: Yeah, for that --

23 BY MR. STEWART:

24 Okay. There's a motion by Mr. Bonvillain to
25 table the --

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MS. TURTLE: Second.

BY MR. STEWART:

And a second by Ms. Lindsey. Any further discussion, or any opposition? (No response).
The Motion carries.

All right. Moving on to Review of Applications For Recertification. The first one is Darrell Acosta, Landfill, Level A; Colonial Landfill. Rickie A. Falgoust, Landfill, Level A; Jefferson Parish Landfill. David Troy Leitschuh, Landfill, Level A; Sabine Parish Landfill. Bryan K. McManus, C&D, Level A; McManus Construction. Lisa J. Ourso, Clean Harbors White Castle, LLC; Transfer Station, Level A. And Patrick L. Smyth, Transfer Station, Level A; Progressive Waste Solutions.

MR. BONVILLAIN: Suzanne, they've all met their training hours requirements?

MS. BORDELON: Yes, they have.

MR. BONVILLAIN: I'll move that we grant the recertifications.

MR. WYNN: Second.

BY MR. STEWART:

A motion by Mr. Bonvillain, a second by Mr.

1 Wynn. Any further discussion, or any
2 opposition? (No response). The Motion
3 carries.

4 The next one is Issuance of Operator
5 Certificates.

6 MS. BORDELON: Okay. These individuals
7 tested today, or prior to today, and these
8 applications were approved today or at a
9 prior meeting. David Abshire, C&D Level
10 A; Dustin Bushnell, C&D Level B; Harry
11 Gaspard, C&D Level B; Mark Heater
12 (phonetic), Landfill, Level B; Tora
13 Fontenot, C&D Level B; Jevon Natali, C&D
14 Level A; and Paul Rayo (phonetic),
15 Landfill, Level C.

16 MR. LAGRANGE: What about the two we
17 approved today for a regular and they took
18 the exam?

19 MS. BORDELON: We already made a motion
20 for those, didn't we? Oh, no, we didn't.

21 MR. LAGRANGE: We issued -- we approved
22 the applications, but --

23 MR. BONVILLAIN: Yeah. We approved the
24 applications, yeah.

25 MS. BORDELON: Okay. Actually, there

1 were three, then. (Pause). No, just two.

2 MR. BONVILLAIN: There were two.

3 MS. BORDELON: Cary Percle, Transfer
4 Station, Level A; and Rory Ryals, Transfer
5 Station, Level B.

6 MR. WYNN: I'll make a motion.

7 BY MR. STEWART:

8 Motion by Mr. Wynn, --

9 MR. WILLIAMS: Second.

10 BY MR. STEWART:

11 -- and a second by Mr. Williams to accept the
12 operator certificates. Any further
13 discussion, or any opposition? (No response).
14 The Motion carries.

15 The next item is Committee Reports. For
16 the Awards portion we don't have a person in
17 place. So Ms. Bordelon, if there's any awards
18 -- she will give that information.

19 MS. BORDELON: Nothing to report on
20 awards other than I made copies of
21 nomination forms to hand out at the
22 workshops here today, and again in
23 October. That way we can try to get them
24 out to the operators instead of sending
25 them to just the facilities, like we were

1 doing, and getting hardly any response.
2 Maybe giving them to the operators
3 themselves, then maybe we can get a better
4 participation with nominations for the
5 landfill Level A and B awards.

6 MR. BONVILLAIN: Good thinking.

7 BY MR. STEWART:

8 Okay. The next item is Testing. Mr. Gary
9 Bonvillain --

10 MR. BONVILLAIN: Yeah, we had 11 people
11 testing today, and 10 people passed.
12 Maybe we need to toughen the test up a
13 little bit.

14 BY MR. STEWART:

15 And Continuing Education. Mr. Barber?

16 MR. BARBER: I have nothing to report,
17 unless Suzanne has something.

18 BY MR. STEWART:

19 The next meeting is --

20 MS. BORDELON: No, I know -- the next
21 meeting is October 27th and 28th in
22 Shreveport. Today Connie may want to tell
23 us how many are in attendance at this
24 workshop. I think it's a good size
25 workshop today and tomorrow.

1 MS. CONNIE HENRY: 78.

2 MS. BORDELON: 78.

3 MR. WILLIAMS: That's a record.

4 BY MR. STEWART:

5 Okay, guys. If I may tinkle with the agenda a
6 little bit, --

7 MR. BONVILLAIN: Tinkle? (Laughter).

8 BY MR. STEWART:

9 Okay. Poor choice of words. Mr. Williams,
10 could you cover the Nominating?

11 MR. WILLIAMS: Yes. We have two -- I
12 think we have one Board member coming on
13 from the City of Baton Rouge. I don't
14 have his name.

15 MR. STEWART: William Patrick.

16 MR. WILLIAMS: William Patrick?

17 MR. STEWART: Uh-huh (affirmative
18 response).

19 MS. BORDELON: No, we don't --

20 MR. WILLIAMS: Is it?

21 MS. BORDELON: We haven't even received
22 a nomination for him yet.

23 MR. WILLIAMS: Oh, we haven't? Okay.

24 Well, I'll --

25 MS. BORDELON: That was a name that was

1 just -- he's actually the person that
2 replaced Krystal at the City of Baton
3 Rouge as the Solid Waste Manager, I
4 believe.

5 MR. WILLIAMS: Okay.

6 MS. BORDELON: Someone with Waste
7 Management came up to us today and just
8 asked what the process is for submitting a
9 name to fill one of our vacancies.

10 MR. WYNN: Did you suggest to them that
11 they be a certified operator?

12 MS. BORDELON: No.

13 MR. WYNN: That is something that the
14 Board is going to start looking at more.
15 And that is the qualifications of the
16 people that are being sent in to be Board
17 members of the Solid Waste Board.

18 MR. WILLIAMS: Well, aren't the
19 nominations supposed to come to the Board?
20 They don't.

21 MR. WYNN: Actually, no. And Suzanne
22 and I have been talking about that.

23 MR. WILLIAMS: Yeah, we talked about
24 it, too.

25 MR. WYNN: But it is our choice on the

1 Board to accept them or give them the
2 certifications.

3 MR. WILLIAMS: Yeah.

4 MR. WYNN: Actually, it was designed
5 that -- you know, and Gary, you went back
6 over this --

7 MR. BONVILLAIN: Yeah.

8 MR. WYNN: -- when the Board was
9 originally formed, that there was no
10 certified operators, so the agency had to
11 give everybody the certified operators.
12 But at that point in time -- from that
13 point in time on, after that happened,
14 everybody that is supposed to be coming on
15 the Board is supposed to be a certified
16 operator. Well, we have been very lax in
17 this. And some of the choices that the
18 agency is giving us, or has not given us,
19 and we turned around and gave them
20 conditionals, it didn't do the Board any
21 justice.

22 MR. WILLIAMS: So the agency has the
23 final say?

24 MR. BONVILLAIN: The Secretary has the
25 final say.

1 MR. WILLIAMS: So at what point do we
2 get the say?

3 MR. BONVILLAIN: Well, if you read the
4 regulations, the regulations say you have
5 to be a certified operator to sit on the
6 Board. Okay? If they send us somebody
7 that we feel knows absolutely nothing
8 about the industry or anything like that,
9 we don't have to certify them. And if we
10 don't certify them, they can't sit on the
11 Board.

12 MR. WILLIAMS: Okay. Well, that's not
13 -- okay.

14 MR. BONVILLAIN: And then we'd have to
15 notify the Secretary at that point. See,
16 now, when Lindsey came in she wasn't
17 certified, but she's got a lot of
18 experience and she knows what's going on.

19 MR. WILLIAMS: Uh-huh (affirmative
20 response).

21 MR. BONVILLAIN: In that case, I don't
22 have a problem with that. But I also know
23 that we've had some people in the past
24 from the waste industry representative --
25 somebody that's come on who had absolutely

1 no clue of what was going on, and it took
2 them three years to figure it out. And
3 that's the point that Troy is making.
4 And, you know, we've had some elected
5 officials -- some mayors on here that
6 didn't really have a clue about what was
7 going on.

8 MR. WILLIAMS: So that's our way of
9 dealing with that, then. Okay.

10 MR. BONVILLAIN: That's -- yeah.

11 MR. WILLIAMS: I have no problem with
12 that.

13 MR. BONVILLAIN: If the Board wants to
14 do that, we have that -- well, we -- you
15 know, we have to grant the certification
16 or they can't sit on the Board.

17 MR. WILLIAMS: Exactly. Exactly.

18 MR. BONVILLAIN: Okay.

19 MR. WILLIAMS: Well, we can solve that
20 problem, then.

21 MR. BONVILLAIN: Yeah. And of course,
22 you know, I mean, it has to be handled
23 with tact with the Secretary. And maybe
24 we can get Bill to talk to Peggy, as long
25 as she's still there, and maybe put it in

1 her ear and let her know, you know, that
2 they really need to be certified, --

3 MR. WILLIAMS: Yeah.

4 MR. BONVILLAIN: -- or somebody that
5 really has some experience. Even if
6 they're not necessarily certified, but has
7 got some good experience on the background
8 and everything else that we do, and
9 willing to certify.

10 MR. WILLIAMS: Right. Okay.

11 BY MR. STEWART:

12 Do you want to continue on with your --

13 MR. WILLIAMS: Yeah. The other --

14 MS. BORDELON: Well, I --

15 MR. WILLIAMS: I'm sorry.

16 MS. BORDELON: I was just going to say
17 -- anyway, we do still have an LMA vacancy
18 on the Board right now.

19 MR. BONVILLAIN: You haven't sent us an
20 e-mail on that? I know you sent us the n
21 e-mail on Connie.

22 MS. BORDELON: No.

23 MR. BONVILLAIN: No? Okay. I'll --

24 MS. BORDELON: No, I sent a request to
25 LMA --

1 MR. BONVILLAIN: Oh, that's what you
2 sent. Okay.

3 MS. BORDELON: -- asking for a
4 nomination, but have not received it yet.

5 MR. BONVILLAIN: All right. Okay.

6 MR. WILLIAMS: So for purposes of the
7 minutes of the meeting, we did get a
8 letter from DEQ appointing Connie Henry to
9 the Board, effective in October, I
10 believe.

11 MR. WYNN: Yeah. And she is a
12 certified operator.

13 MR. WILLIAMS: She is a certified
14 operator, and she'll be replacing Terrance
15 on the Board. And that concludes my
16 report.

17 MR. STEWART: Thank you, sir.

18 BY MR. STEWART:

19 Moving on to Other Business; Review Request
20 from James Brian Duff Regarding Approval of
21 CEU's.

22 MR. WYNN: Well, may I -- so are they
23 asking, or --

24 MS. BORDELON: Well, he had received
25 11.

1 MR. BARBER: I've got no problem with
2 granting 10.

3 MR. BONVILLAIN: With what?

4 MR. BARBER: I've got no problem with
5 granting 10.

6 MR. BONVILLAIN: Yeah. And granting 11
7 doesn't really give him anything.

8 MR. BARBER: No, it doesn't help him.

9 MR. BONVILLAIN: So do you --

10 MR. WYNN: Do you want to make a
11 motion?

12 MR. BARBER: Yeah, I'll make a motion.

13 MR. WILLIAMS: Second.

14 BY MR. STEWART:

15 A motion by Mr. Barber, and a second by Mr.
16 Williams. Any further discussion? Any
17 opposition? (No response). The Motion
18 carries.

19 The next item is not listed on the Agenda,
20 but --

21 MR. WILLIAMS: Mr. Chairman, I'm not
22 sure what you were fixing to say, but I
23 would like to make a motion that we amend
24 the Agenda to vote an election for
25 Chairman and President of the Board. And

1 my reason for doing that is, if I'm not
2 mistaken, you go off the Board prior to
3 our meeting in October.

4 MR. BARBER: I second.

5 MR. WILLIAMS: So I think it would be
6 prudent if we would go ahead and elect a
7 Chairman here at this meeting so that
8 going into the meeting in October we would
9 be able to -- we'd start with a Chairman.

10 MR. BARBER: I second that motion.

11 BY MR. STEWART:

12 A motion by Mr. Williams, a second by Mr.
13 Barber. Any further discussion? Any
14 opposition? (No response). We'll amend the
15 Agenda.

16 Okay. The next item is Election of
17 Officers. Mr. Williams?

18 MR. WILLIAMS: Huh?

19 MR. STEWART: You are the --

20 MR. WILLIAMS: (Laughter). Okay. Oh,
21 I'm Chairman of the Nominating Committee,
22 so I have to nominate. I'd like to
23 nominate Mr. Gary Bonvillain.

24 BY MR. STEWART:

25 Okay. We have a nomination on the floor.

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MR. LAGRANGE: I second.

MR. WYNN: You're making a good choice.

BY MR. STEWART:

A motion by Mr. Williams, a second by Mr. Lagrange. Any discussion or any opposition?

(No response).

Congratulations, sir.

MR. BONVILLAIN: Thank you.

MR. WILLIAMS: That way we'll go into Shreveport --

MR. BARBER: He might -- he might be able to handle the task. (Laughter).

MR. WILLIAMS: What about the --

MR. STEWART: We need a Vice Chairman.

MR. WILLIAMS: A Vice Chairman. I thought we had one. Is he --

MS. BORDELON: Currently it's John. John Fourrier.

MR. WILLIAMS: Yeah.

MR. BONVILLAIN: What we can do, since the main objection was to elect a Chairman to preside at the meeting, we can wait until the October meeting --

MR. WILLIAMS: Okay.

MR. BONVILLAIN: -- to elect the Vice

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Chairman, and the new members will be able to vote.

MR. WILLIAMS: Okay.

MR. WYNN: So that is the motion?

MR. BONVILLAIN: Huh?

MR. WYNN: That's a motion? I'll make a motion.

MR. BONVILLAIN: Well, no. I think --

MR. WILLIAMS: He didn't really need a motion.

MR. BONVILLAIN: I think his motion was to elect the Chairman.

MR. WILLIAMS: Yeah.

MR. BONVILLAIN: Yeah, because our Vice Chair is --

MR. WYNN: So I don't need to make a motion for that.

MR. WILLIAMS: No. No, it was a just a discussion.

MR. WYNN: It was just a discussion. Right.

MR. BONVILLAIN: That's good.

MR. WYNN: So we don't need to make a motion or really do anything on it.

MR. WILLIAMS: Right.

1 BY MR. STEWART:

2 All right. Public Comments. There is none
3 here, but I'd like to make one. Of course, my
4 term is coming to an end. I've been on the
5 Board six years, and I've really enjoyed
6 working with you guys -- some of you are here,
7 and some of you that's not here anymore. But
8 I've learned a lot and, you know, it was a
9 real valuable lesson to me. So everybody here
10 that I've learned from, thank you.

11 MR. WYNN: I commend that. (Everyone
12 claps). You've done a good job, Terrance.

13 BY MR. STEWART:

14 And also, I think my replacement is going
15 to --

16 MR. WYNN: Is a lot better looking than
17 you are. (Laughter).

18 BY MR. STEWART:

19 I think she'll give the same speech at the end
20 of her term. I really encouraged her to do
21 this. This is something she should have done,
22 and I'm glad she decided to do it. So --

23 MR. BONVILLAIN: We'll look after her.

24 MR. WYNN: She is in good hands.

25 MR. WILLIAMS: She knows it.

1 BY MR. STEWART:

2 And with that being said, I know y'all are
3 gonna miss me.

4 MR. WYNN: Well, wait. Let's not get
5 carried away. (Laughter).

6 BY MR. STEWART:

7 Well, it had to be said. All right. The next
8 item is Adjournment.

9 MR. WYNN: I'll make a motion we
10 adjourn.

11 MR. BONVILLAIN: Second.

12 BY MR. STEWART:

13 Meeting adjourned.

14 (BOARD MEETING ADJOURNED 2:02 P.M.)
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REPORTER'S PAGE

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2
3 I, Dianne Stewart, Certified Court Reporter in
4 and for the State of Louisiana, the officer, as
5 defined in Article 1434(b) of the Louisiana Code
6 of Civil Procedure, and/or Rule 28 of the Federal
7 Rules of Civil Procedure, before whom this sworn
8 testimony was taken, do hereby state on the
9 record:

10 That due to the interaction in the spontaneous
11 discourse of this proceeding, dashes (--) have
12 been used to indicate pauses, changes in thought,
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14 for a court reporter's transcription of a
15 proceeding; that the dashes (--) do not indicate
16 that words or phrases have been left out of this
17 transcript; and that any words and/or names which
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19 have been denoted with the phrase "(Phonetic)".
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23 DIANNE STEWART, CCR #28002
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CERTIFICATE

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3 This certificate is valid only for a
4 transcript accompanied by my original signature
5 and original required seal on this page.

6 I, Dianne Stewart, Certified Court Reporter in
7 and for the State of Louisiana, do hereby certify
8 that Meeting of the Board of Certification and
9 Training For Solid Waste Management Operators was
10 reported by me in the stenomask reporting method,
11 was prepared and transcribed by me or under my
12 personal direction and supervision, and is a true
13 and correct transcript to the best of my ability
14 and understanding; that the transcript has been
15 prepared in compliance with transcript format
16 guidelines required by statute or by rules of the
17 Board, and that I am informed about the complete
18 arrangement, financial or otherwise, with the
19 person or entity making arrangements for
20 deposition services; that I have acted in
21 compliance with the prohibition on contractual
22 relationships as defined by Louisiana Code of
23 Civil Procedure Article 1434, and in rules and
24 advisory opinions of the Board; that I have no
25 actual knowledge of any prohibited employment or

1 contractual relationship, direct or indirect,
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3 litigant in this matter, nor is there any such
4 relationship between myself and a party litigant
5 in this matter.

6 I am not related to any of the parties herein,
7 nor am I otherwise interested in the outcome of
8 this matter.

9 I have hereunto affixed my signature and seal
10 at Lecompte, Louisiana, on this the 28th day of
11 July, 2015.

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13 

14 DIANNE STEWART, CCR #28002
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