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**STATE OF OKLAHOMA
OFFICE OF STATE FINANCE
DEPARTMENT OF CENTRAL SERVICES**

COMMITTEE OF ALTERNATIVE FUELS TECHNICIANS EXAMINERS
Minutes from November 6, 2012
9:00 a.m.

I. Call to Order

- a. Seeing no quorum was present, introduction of guests and public comment was invited. Committee members in attendance were John Cook-Chair, Charles Lawson, Craiton Cooper, and Peggy Beaty-Program Administrator and Recording Secretary. Jeff Twiehaus would be late due to an unexpected meeting at work. Mr. Luke was not attending due to illness and Nathan Parrow resigned as a member of the Committee effective in September 2012. Therefore, any business would have to wait for Mr. Twiehaus to arrive or be tabled until the December meeting.

II. Introduction of Guests

- a. Guests introduced themselves as follows:
Dana Webb, Director, OMES Legislative Liaison; Keila Parsons, Precision Fitting & Gauge Company; Terry Zuniga, OMES Fleet Director; Tom Sewell, Tulsa Gas Technologies; Steve Rush, Code Enforcement- LP Gas Board; Richard Hess, Executive Director, LP Gas Marketing and Research Inspector; Paul Laney, Liberty Propane; Paula Cowart, LP Gas Commission; Richard Bailey, Oklahoma Natural Gas; Kay Peters, OLG; Dan Fitzpatrick, Oklahoma Propane Gas Assoc.; Kevin Froman, Froman Propane; Brad Ballard, Oklahoma Natural Gas; Richy Marson, Preferred Service CNG; Rarchar Tortorello, NGV Partners; Kimberlee Williams, OMES Deputy General Counsel; Bill Glass, Administrator, LP Gas Board; Ron Cupp, LPG; Ken Green, OLG; Deidre Blackwell-Coordinator, Legislation;

III. Public Comment

- a. Many members of the LPG industry were present. In general, the attendees were unhappy that the LPG certification test was still in suspension and wanted to know why it was suspended and when it would be reinstated. Peggy Beaty responded that the program administration had asked the state's risk division to analyze the state's risk in certifying technicians who simply read the NFPA 58 material and passed a written test with no consideration of their actual mechanical and/or technical skills. The risk division director, Gene Lidyard, prepared a letter stating the state's risk was substantial. John Cook indicated that the state's tort would limit the state's liability. Kimberlee Williams, OMES Deputy General Counsel stated that was true to some degree but since the state's primary responsibility is to promote public safety, it would be prudent to err on the side of safety. Certification of individuals who were not skilled in the profession of automotive mechanics could pose a serious threat to public safety.
- b. Kevin Froman from Froman Propane Company wanted to know when the LPG test was going to be resuming. He stated he had an opportunity for business and needed to get certified. He stated he was getting conflicting answers from Peggy Beaty, Program Administrator. Peggy Beaty responded that her responses to Mr. Froman were based upon the current information and if the situation changed, then her responses changed accordingly. He stated that she told him it would be two week, then three weeks, then in December before the LPG certification test would be resumed. Peggy Beaty stated that each time that information was given to Mr. Froman; it was factual at the time. There were several meetings with LP industry leaders, both of which Mr. Froman attended, and members of the Committee, to develop standards similar to those developed for the CNG certification process. It was during these meetings that Mr. Brad Walker, instructor at Oklahoma City Community College, indicated it would be some time before an actual course could be developed. Since that was proposed as one of the conditions of certification, Craiton Cooper offered to conduct the skill assessments to LPG technicians seeking certification until such time the course could be developed. The education/experience requirement would be the same as with the CNG technicians. Craiton also indicated he would provide a rubric and assess those skills in the near future.

- c. Richard Hess, Paul Cowart and Steve Rush, LP Gas, volunteered to take one or two of the outdated LPG tests and update them to today's NFPA 58 version. Terry Zuniga stated she wanted the most up-to-date information included on the test. Peggy Beaty stated she welcomed the assistance and would make arrangements to work with Paula and Steve to expedite the LPG test update as quickly as possible.
- d. Peggy Beaty handed out copies of Gene Lidyards letter, the job description of her position and copies of pertinent statutes and rules. Richard Hess admitted that he and John Cook had not fully understood the roll of the Committee as an advisory committee which is made up of alternative fuel experts to advise the state on the best course for the program. Richard also stated he and the industry were not opposed to change and had been surprised by the certification suspensions. Going forward, he was confident we could all work together to achieve the same goals.
- e. Tom Sewell indicated he was of the opinion that re-testing the certified technicians is ridiculous. A technician should test one time to obtain certification and then be subject to continuing education requirements as the information changes. As an electrical, plumbing contractor they are required to produce four hours of continuing education documentation every two years to maintain certification. Terry Zuniga agreed that would be appropriate but there would need to be some legislative and rule changes in order for that to happen.
- f. Tom Sewell indicated compressor technician certification process needs to be developed and soon. It is imperative that the state develop standards and bring municipalities on board. Mechanical/plumbing/electrical inspectors do not recognize the alternative fuel state certification license.
- g. Kevin Froman wants an official determination from the state attorney general or someone who can determine what exemption the Class I exemption means that is listed in the Alternative Fuel Act. Chris Link, former Committee member, indicated that a Class 10 exemption exempted from everything. On the LP Gas side, their statutes states they can be involved in any phase of the LP business. Peggy Beaty stated she would continue to pursue legal opinion and ask for a determination.

IV. Alternative Fuel Test Report

- a. Oklahoma City Community College (OCCC) – 11 students; 11 students passed equals 100% pass rate.
- b. USPS-2 students; 1 passed, 1 failed equals a 50% pass rate.
- c. Tulsa Tech- 6 students; 5 passed; 1 failed equals an 83% pass rate.

V. Administrative Report

- a. Peggy Beaty indicated the development of the searchable online database has been completed and the database will be available on the Alternative Fuels web page within the month of December as soon as she had time to learn the software involved.
- b. Update of renewals: OMES management determined in the best interest of the industry, any Alternative Fuels Technician certificates that were not renewed by September 1st deadline would be suspended until the renewal application along with the appropriate proof of insurance and associated fees were received, approved and processed. The letter regarding this suspension of the testing requirement was passed out to all attendees. It was also noted this information was on the Alternative Fuel website.
- c. Current renewal reports indicates: CNG-376; LPG-45; EV-8; 36-Companies.
- d. Renewal procedures needed to be discussed and determined for future renewals.
- e. Peggy Beaty reported the National Alternative Fuels Training Consortium (NAFTC) had contacted her and expressed an interest in working with the State of Oklahoma in taking their CNG new certification program nationally.
- f. Autry Technology Center has completed their curriculum to conform to the state standards. James Chastain indicated their first class would be in December. John Cook's course at NECD location in Norman should be up by December. Peggy Beaty indicated she was waiting on the final documents from John's course to obtain final approval and upload onto the Alternative Fuel's website.

VI. Committee Reports

- a. N/A

VII. Determination of Quorum:

A quorum was obtained with the arrival of Committee member, Jeff Twiehaus at 11:05

VIII. Approval of October 2012 meeting minutes

- a. October 2012 meeting minutes were presented for review.
- b. Craiton Cooper made the motion to approve the minutes for October. John Cook seconded the motion. (Motion carried: 4-0)

IX. Committee Business

- a. The need to overhaul the LPG test is priority. The test contains outdated material and is no longer acceptable to certify LPG technicians to work on vehicles on alternative fuels. The standards for LPG curriculum need to be developed. The Committee agreed to allow LPG Director of Education/Testing, Paula Cowart and Steve Rush, Code Enforcement officer for LP Gas Board to review and verify the test questions are valid and offer suggestions for replacement questions if necessary.
- b. The Hearing Board appointees needed to be approved by the Committee. Peggy Beaty stated there was a conflict in statutes and rules regarding who has authority to appoint the members of the Hearing Board. O.S. §74-130.19. A. A person or persons designated by the Director of the Department of Central Services and the Committee shall act as the Alternative Fuels Technician Hearing Board and shall comply with the provisions of the Administrative Procedures Act. O.A.C. 580:55-1-65. (a) The Agency and person or persons designated by the Agency Director shall act as the Alternative Fuels Technician Hearing Board and shall comply with the provisions of the Administrative Procedures Act. Since the statutes indicated "and the Committee", the Committee needed to vote on the approved OMES appointees. Peggy Beaty indicated the OMES appointed Chair is Craiton Cooper, Vice-Chair-Chad Kissinger and a pool of eleven (11) other industry experts. Craiton would determine the hearing board for each case choosing two other members from the pool ensuring no conflict of interest be present. In Craiton's absence, Vice-Chair Kissinger would conduct the Hearing Board. Charles Lawson made a motion to accept the nominees. Jeff Twiehaus asked about Nathan Parrow's name since he had resigned from the Committee. Peggy Beaty stated that she had asked Nathan if he would agree to be a member of the board. He did agree since there is no requirement for certification. John Cook seconded the motion.

X. New Business

- a. N/A

XI. Motion to Adjourn

- a. Motion to adjourn meeting was made by Charles Lawson. John Cook seconded the motion.

XII. Adjournment

- a. Meeting was adjourned at 11:45am.