

BOARD OF CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT FACILITIES

Meeting Minutes: May 4, 2011

Members in Attendance: Fred Kurdziel, Frank McLynch, Dr. Gene Park, Bill Patenaude, and Tom White

Others in Attendance: None

Mr. Patenaude called the May 4, 2011 to order at 9:32 a.m. The first order of business was the review of the draft open March 2011 meeting minutes.

Mr. White motioned to approve the open March 2011 meeting minutes with the addition of Mr. Kurdziel to the attendance listing. Mr. Patenaude seconded the motion. With all members present voting in favor, the motion passed.

The next item discussed were the draft March 2011 executive session meeting minutes.

Mr. Kurdziel motioned to approve the executive session March 2011 meeting minutes as amended to add his name to the attendance list. Mr. White seconded the motion. With all members present voting in favor, the motion passed.

The next agenda item discussed was Operator Licensure Application Reviews related to plant upgrades.

The first application was in the form of a request from Mr. Kyle Naylor of Briarcliffe Nursing Home on behalf of Mr. Peter Binns, the facility's Grade 1 operator. Mr. Binns now needs a Grade 2 due to a previous DEM-calculated upgrade. The Board denied Mr. Binns' earlier request (in the fall of 2010) due to his status of not being in good standing due to RIPDES related DMR reporting issues. Mr. Patenaude briefed the Board that those issues are now closed and resolved. However, Mr. Patenaude noted that DEM's Alex Pinto remained concerned over monthly reporting to the O&M Section. Mr. Patenaude noted that the facility is exploring options to either convert to sub-surface disposal or tie into a proposed sewer line from the Central Landfill. Regardless, until such time, the facility needs a Grade 2 operator.

Mr. Patenaude motioned to approve a pending application from Mr. Binns for Grade 2 examination with any passing score of said exam to be held in abeyance until such time as the DEM O&M reporting issues is resolved. Mr. McLynch seconded the motion. There was no subsequent discussion. All members voted in favor and as such the motion passed.

The next issue regarding upgraded licensure was a letter from Mr. Doug Fiore of the Tiverton School Department requesting that Mr. Paul DeCosta be allowed to hold a Grade 2 Provisional License until

such time as Mr. DeCosta passed the exam (for which he is enrolled). The current Provisional license holder, Mr. Bob Atwood of Resource Controls, has expired.

Per Rule 10 of the Regulations, Mr. Patenaude motioned to approve a 6-month Grade 2 Provisional License to Mr. DeCosta. Mr. White seconded the motion. There was no subsequent discussion. All members voted in favor and as such the motion passed.

The next order of business was applications, of which the first was a request for licensure qualification determination. Mr. Robert McDonald of Westminister, Massachusetts submitted an application for Grade 3 determination.

After review by the Board, including information regarding Mr. McDonald from the Commonwealth of Massachusetts, Mr. Patenaude motioned to issue a determination for Grade 3 licensure pending a formal Grade 3 position (and application) being secured in Rhode Island. Mr. Kurdziel seconded the motion. During discussion, Mr. Patenaude noted that depending on the length of time of Mr. McDonald's Associates Degree Program, the final license issue may be a Grade 3 OIT, but that determination would have to occur at a subsequent date. With all members voting in favor, the motion passed.

The next item for discussion was an application for Grade 2

examination from Mr. John Breunig of the Town of New Shoreham. The application was accompanied by documentation from Mr. Ray Boucher, plant superintendent. Mr. Boucher noted that the town was eager to “cross-train” and have as many employees licensed as both water and wastewater operators. Mr. Boucher noted that the town wished to (eventually) have Mr. Bruenig work two days per week at the wastewater facility. Mr. McLynch compared this to mechanics or electricians who are allowed licensure even when working part time as operators. Mr. Patenaude said that he was uncomfortable issuing a Grade 2 at this time if the individual was only going to be employed in “training” and basic operations duties.

Mr. Patenaude motioned to deny the Grade 2 application and instead enroll Mr. Breunig in the Grade 1 exam, under the condition that a full Grade 1 license would be attained at double the annual time, because of the part-time duties at the wastewater treatment facility. Mr. McLynch seconded the motion. There was no discussion. With all members voting in favor, the motion passed.

The next item for discussion was an application for Grade 4 from Mr. Gwinlin Cox of the City of Warwick WWTF. Mr. Cox meets all the requirements for Grade 4 licensure, including holding a full Grade 3, but will be one month shy of a full 6 years at the facility. Mr. Patenaude noted that normally this issue could be handled administratively, with the approval of the application and the issuance of a Grade 4 OIT for one month, but given that it is a Grade 4

exam, he wanted the Board's input.

Mr. White motioned to approve the application and, if passed, issue Mr. Cox a Grade 4 OIT until July 2011. Mr. Kurdziel seconded the motion. There was no discussion. With all members voting in favor, the motion passed.

The next order of business was the draft regulations and, especially, the proposed language for requiring training at wastewater treatment facilities. The proposal would approve facility training programs and also survey random operators at various levels about plant operations and maintenance, etc. This surveying would not be considered an examination (which is spelled out in the draft Regulations) and it would only be used as a data-gathering assessment for how well training is occurring at various facilities. Because this was the first time Board members saw this language, discussions were general. Dr. Park noted that this new language seemed to resolve his concerns related to using such information gathering tools against operators. Both Messrs. McLynch and White wanted time to discuss the general concept with their respective constituencies. Mr. Patenaude said he would email a copy to absent Board members.

Mr. White motioned to email a copy of the draft regulations NWPCA Board members as well as those members not present at this meeting

of the Board of Certification of Operators of Wastewater Treatment Facilities. Dr. Park seconded the motion. There was no subsequent discussion. With all members voting in favor, the motion passed.

The next item on the agenda was any enforcement activity.

Per §42-46-4 and §42-46-5(a)(4) Mr. Patenaude motioned to convene into executive session in order to discuss an issue at a Rhode Island wastewater treatment facility related to possible civil or criminal misconduct. Mr. White seconded the motion. The motion passed with the following roll call: Mr. Patenaude, Mr. McLynch, Mr. Kurdziel, Mr. White, and Dr. Park all voting in the affirmative.

A motion was made by Mr. Patenaude to require the required information from the superintendent in question; should the superintendent fail to supply the information within fourteen (14) days of receipt of the letter, the Board would issue general letters to all facility operators within his facility. Such a letter would note the consequences of knowingly operating a wastewater treatment facility in a manner that could or does cause permit violations. Should the superintendent provided the needed information, the Board would assess further actions after review. Dr. Park seconded the motion. The motion passed with the following roll call: Mr. Patenaude, Mr. McLynch, Mr. Kurdziel, Mr. White, Dr. Park all voting in the affirmative.

Mr. Patenaude motioned to seal the March 4, 2011 Executive Session meeting minutes. Mr. Kurdziel seconded the motion. The motion passed with the following roll call: Mr. Patenaude, Mr. Kurdziel, Mr. White, and Dr. Park all voting in the affirmative as such the motion passed.

Mr. Patenaude motioned to resume the meeting into open session. Dr. Park seconded the motion. All members voted in favor. The motion passed with the following roll call: Mr. Patenaude, Mr. Kurdziel, Mr. White, Dr. Park all voting in the affirmative as such the motion passed.

In new business, Mr. Patenaude noted that the Board's Facebook page was up and running, with only about 6 operators joining the page. Mr. Patenaude reiterated that the Board would use all existing communications tools, but that the Facebook page was an optional method of tracking Board activity for those operators that wished to be members of Facebook. Mr. Patenaude also briefed the Board on policies in place for administrators of the page, which are just Traci Pena and him.

With no further business, Mr. Patenaude motioned to adjourn the meeting. Mr. McLynch seconded the motion. All other members present voted in favor, and as such, the motion passed.

The next meeting is scheduled for Wednesday, June 1, 2011 at 9:30

**a.m. at the RIDEM Office located at 235 Promenade St., Providence,
RI.**