



BOARD OF CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT FACILITIES

Meeting Minutes: Wednesday, March 6, 2019

Members in Attendance: Paul Desrosiers, Julia Fogue, Frank McLynch, , Bill Patenaude and Jon Schock

Others in Attendance: Christina Hoefsmit, Esq. and Traci Pena, RIDEM
Melissa Orpen-Tuz, RIDOH (awaiting appointment for Board membership as the designee of the DOH Director)
Dennis Colberg and William Young, Quonset Development Corporation
Harrison Songolo and Mike Bedard, West Warwick WWTF
Scott Goodinson, Warwick WWTF
Edward Davis

The meeting was called to order at 9:30 a.m.

The Board reviewed the draft February 6th meeting minutes.

After review, Mr. Desrosiers motioned to approve the minutes with a minor grammatical amendment. Mr. McLynch seconded the motion. The motion passed with all eligible members voting in favor. Ms. Fogue and Mr. Schock abstained as they were not present at the February meeting.

The Board then reviewed the draft February 6th Executive Session meeting minutes.

After review, Mr. Desrosiers motioned to approve the minutes with a minor grammatical amendment. Mr. McLynch seconded the motion. The motion passed with all eligible members voting in favor. Ms. Fogue and Mr. Schock abstained as they were not present at the February meeting.

The Board reviewed information submitted on behalf of Michael Bedard to attest to time for credit towards his required period in Direct Responsible Charge. The information included a letter from Harrison Songolo, West Warwick's Superintendent, and Scott Goodinson, a former West Warwick Superintendent. The letter enumerated times in which Mr. Bedard had worked in Direct Responsible Charge from January 2010 to June 2017. (There was no information prior to 2010 due to the records being destroyed in flooding.) The Board asked for a letter from Peter Eldridge, another former Superintendent of the WWTF, to confirm times that were listed under his supervision.

Ms. Forgue motioned to accept specific experience in Direct Responsible Charge for Mr. Bedard outlined in the March 5, 2019 letter submitted by Messrs. Songolo and Goodinson, which totaled 130 days from 2010-2017. The motion also granted approval to the Board chair to update any information based upon a subsequent submittal from Peter Eldridge. Mr. McLynch seconded. All members eligible voted in favor, as such the motion passed.

Messrs. Songolo and Bedard left the meeting at 9:50.

The next item discussed was the certification of Mr. Edward J. Davies in relation to a request by the Quonset Development Corporation (QDC) to hire him as superintendent, a position that requires a Grade 3 license. At the previous Board meeting, there were concerns raised due to Mr. Davies holding a Grade 3 OIT, which at the earliest would roll over to a full Grade 3 in April 2020. Mr. Patenaude noted that since the last meeting he had heard from individuals in the profession expressing displeasure with the Board's lack of involvement in hiring practices and with the QDC request being considered at all. Mr. Patenaude asked Ms. Hoefsmit if it was the Board's responsibility to question facility representatives about the process of hiring as it relates to other applicants for employment, and what their credentials were. Ms. Hoefsmit stated that internal hiring processes were not the purview of the Board; rather it was only the Board's responsibility to ensure that entities making requests of the Board comply with the Regulations.

As discussion on the matter began, Mr. Desrosiers noted that he would rescue himself from voting on this matter as Mr. Davies is an employee of the Narragansett Bay Commission, where Mr. Desrosiers is the superintendent.

The Board reviewed a February 7, 2019 letter submitted by QDC. In it the QDC sought to address the Board's concerns from the previous meeting. QDC proposed the following:

1. Mr. Dennis Colberg (outgoing QDC WWTF Superintendent) has been offered and accepted a consulting agreement with the QDC until the end of April 2020.
2. Mr. Colberg will be retained for a minimum of 10 hours per month and will be paid at an hourly rate over and above that in the unlikely event that special circumstances require an increased level of supervision. (When questioned by the Board on this item, Mr. Young affirmed that Mr. Colberg would be available as needed and that the ten hours noted was a minimum monthly time.)
3. Mr. Colberg will visit and tour the QDC WWTF "from time to time" and correspond with Mr. Davies on an "as needed" basis.
4. Mr. Colberg will retain his company issued phone.
5. Mr. Colberg will maintain his company email address
6. Mr. Colberg will be issued a company laptop which he will have full access to the QDC computer network as well as access to NetDMR and HachWIMS.

Mr. Patenaude stated that Rule 250-RICR-150-10-5.7(C) gives the Board the authority to consider requests such as the one from QDC. He also noted that retaining Mr. Colberg would allow Mr. Davies to act in a training capacity, which would seem to address Board concerns. Mr. Patenaude added that it would be beneficial for Mr. Davies to receive professional development training related to management and his attendance at the Boot Camp program should one be held. Mr. Young stated that QDC supports training and that funds are available for such training. Ms. Forgue said that she felt that QDC showed commitment with the retention of Mr. Colberg, etc., and can sympathize with finding a qualified superintendent. Mr. Desrosiers, who will recuse himself from the vote, and was speaking as a member of the public, has concerns in that Mr. Davies has less than one-year of experience in operations and that the QDC Assistant Superintendent is in the union. Mr. Young assured the Board that if any issue arises that would compromise plant operations, the QDC would notify both DEM and the Board as soon as possible. Mr. Young also stated that Mr. Colberg's license is "still on the line," and he will still oversee the plant. Mr. Davies will also be on a 90-day probation. At that time, Mr. Davies role at Quonset could be re-evaluated by the Board. Mr. Schock noted that in addition to a copy of the 90-day review, he would like information on how many hours Mr. Colberg oversaw the plant on a monthly basis, information on any violations, and a review of the plant operations. Mr. Patenaude agreed that monthly updates would be appropriate, and that the DEM O&M inspector could also provide the Board with additional information that the Board can use to regularly assess any "in training" position of superintendent.

Ms. Forgue motioned to approve the request from QDC to hire Mr. Davies in a role of acting superintendent (or superintendent in-training) in accord with Rule 5.7, specifically 5.7(C), of the Board's Rules and Regulations and based on the following facts:

- **The QDC has affirmed to the Board that it had conducted an exhaustive hiring process and believes that, irrespective of his Operator-in-Training license, Mr. Davies holds necessary qualifications based on a variety of factors, including the high relative percentages of industrial loadings to the plant.**
- **In recognition of the Board's concerns that Mr. Davies possesses only a Grade 3 OIT, the QDC has made the following commitments:**
 - **Per their February 7, 2019 letter to the Board, the QDC agrees to retain Mr. Colberg as specified above, and that it is the Board's understanding that Mr. Colberg, a Grade 4 operator, will remain the operator of record for the QDC Wastewater Treatment Facility until such time as Mr. Davies attains the experience needed for a full Grade 3 license.**

- **The QDC will provide monthly evaluations of the performance of Mr. Davies and the facility. These evaluations will be based on input from Mr. Colberg and plant performance and operational data, and will include the following:**
 - **The number of hours Mr. Colberg oversees the plant or otherwise consults with Mr. Davies;**
 - **Information on any RIPDES violations; and**
 - **A review of the plant operations.**
- **The QDC will provide the Board with a copy of the 90-day performance evaluation at the conclusion of Mr. Davies' probationary period.**
- **That the approval of Mr. Davies to hold an acting superintendent's position is applicable only to the QDC Wastewater Treatment Facility; and**
- **That the Board reserves the right to rescind its approval should it be determined that Mr. Davies is no longer in a position of In Good Standing, as defined by the Board's Rules and Regulations.**

Mr. McLynch seconded the motion. Ms. Forgue and Messrs. McLynch and Patenaude voted in favor. Mr. Schock opposed. Mr. Desrosiers abstained. As such, the motion passed.

At 11:00, Messrs. Goodinson, Young, Colberg, and Davies left the meeting.

Next item was a request by Mr. Patenaude to request special meetings devoted to Regulations revision.

Mr. Patenaude motioned to hold meetings devoted to Regulation revisions on the third Wednesday of every month at 2:00. The next meeting will be on March 20th at a location to be determined. Mr. McLynch seconded the motion. All eligible members voted in favor, as such the motion passed.

Next, the Board reviewed courses.

After review, Mr. Patenaude motioned to approve the WEF – Wastewater Treatment Fundamentals I course for 60 hours if the entire class was taken. Mr. McLynch seconded. All eligible members voted in favor, as such the motion passed.

After review, Mr. McLynch motioned to approve the Maltz Sales Company, pH Basics Training course for 2 hours. Ms. Forgue seconded the motion. All eligible members voted in favor, as such the motion passed.

After review, Ms. Forgue motioned to approve the NEWEA 2019 Spring meeting for 1.5 hours. Mr. McLynch seconded the motion. All eligible members voted in favor, as such the motion passed.

In new business, Mr. Patenaude informed the Board that the City of Woonsocket has begun a hiring process for its assistant superintendent position and that it has requested an advisory opinion regarding an applicant who is a RI Grade 3 license holder and that holds a Massachusetts Grade 6. As the individual has not worked in the wastewater industry since 1999, the Board noted that it would need more information if the individual were to apply for Grade 4 reciprocity.

At 11:20 Mr. Patenaude voted to adjourn. Mr. Schock seconded. All members present voted in favor and as such the motion passed.

The next meeting regarding the Regulation Revisions will be scheduled for March 20th, at 2:00 at a location to be determined.

The next regular meeting is scheduled for Wednesday, April 3rd, 2019 at 9:30 a.m. at the RIDEM – Office of Water Resources, Room 280 located at 235 Promenade St., Providence, RI 02908.