

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
Board of Certification of Operators
Of Wastewater Treatment Facilities

Minutes for April 7, 2004

Members in Attendance: Rick Dionne, Julia Forgue, Fred Kurdziel, Bill Patenaude, Jon Schock, Tom White and Ray Wright

Others in Attendance: Paul Desrosiers, Peter Eldgridge and Joe LaPlante, NWPCA
Carminé Goneconte, NBC – Field’s Point
The Honorable Norman Landroche, RI House of Representatives
Elizabeth Stone, DEM
Traci Lima, DEM

Mr. Patenaude called the meeting to order at 9:30 a.m.

The first order of business to be discussed was House Bill 7707: Mandatory Retraining for Renewal. Representative Norman Landroche, Jr. introduced the bill into legislation. Board members introduced themselves and stated their affiliation. Mr. Patenaude then asked the Board to state their concerns regarding Bill 7707.

Ms. Forgue believed that it is an unfounded mandate and does not see the benefit of mandatory retraining. In her community it is required in some other occupations, but finds the correspondence courses are not effective, for a number of reasons.

Mr. Schock thought mandatory retraining should be **instituted, only if there is a proven need**. The state should not enforce what the communities are doing as far as training. There would also be an issue of overtime and who will pay for the course. Mr. Shock also offered that he would not to be sure if the operators would be to happy to use their own time and money to take courses and suggested that perhaps NWPCA step in and train the operator themselves and not make it a stated mandate. **The Board has also used training in the past when determining what actions to be taken in an enforcement matter.**

Mr. Dionne did not know if municipalities or contract employers would pay for the course or operators to be away from the plant. The operators would then suffer hardships to come up with the money to finance the cost and the burden should not be on the operators. Mr. Dionne also added that a smaller facility may not have a problem with staffing and overtime, but the larger facilities that are opened 24 hours would feel a hardship.

Mr. Kurdziel’s concerns were the same as the aforementioned.

Mr. White, however, felt as though that there was a need for mandatory retraining and felt as though the legislation would pass.

Mr. Patenaude, who’s DEM function includes assisting in the administration of the Board, as well the state’s WWTF training coordinator, stated that the DEM’s concerns were staffing resources, though some of the superintendents have agreed to be sure that the operator’s paperwork is in order for retraining, the bulk of the burden would still be on the department. Unlike other states that require retraining, DEM does not have full-time technical assistance providers and trainers. If the bill were to go forward Mr. Patenaude felt that the language had to be effective enough to create a meaningful program, and not require such training just because it is something that one thinks the state should be doing. He also wanted training that was beneficial, and the operator would leave the class learning something worthwhile.

Representative Landroche offered that he was an enthusiastic advocate of mandatory retraining and did not want to put a bill forward that he did not think was important; he was, however, eager to hear the issues from the Board that must be addressed in making such a requirement worthwhile. He also sought additional information on staffing issues at DEM as it relates to the current operator training and certification programs;

he also asked if there was in place procedures for training tracking. Mr. Patenaude told him currently, no procedures are in place as there is no requirement to enforce.

Mr. Desrosiers had 3 main concerns: 1. The Board needed to look at the positives of mandatory retraining. The financial responsibility should be placed on the license holder; it would also show a level of commitment on the license holder, 2. The town, contract employer or state does not have to accept all courses, including correspondence classes. 3. The state is imposing updates on Biological Nutrient Removal (BNR); it could only benefit the operator to have good BNR training. He also offered that NWPCA is willing to provide training. The mandatory retraining could also be a tool to motivate less-than-stellar employees. Mr. Desrosiers then shared a handout entitled NBC Environmental Health and Safety Training Programs. He then offered that some people would learn, but some find it difficult to take tests, and it is difficult to measure effectiveness of a course.

Mr. Patenaude also offered that there was not a big turnout for the upcoming BNR training from Rhode Island operators. Joe LaPlante, a past president of NWPCA then spoke and asked why mandatory retraining was still in the regulations if the Board was against it. Mr. Patenaude told him that it was placed in the regulations in 1992 when he had himself drafted the language to be submitted by NWPCA as public comment for the then-draft certification regulations. The clause states that the requirement will be enforced "if and when" the Board feels there is sufficient training.

Mr. LaPlante also stated that training offered by NWPCA would be good, quality training and the moderator of the course would have to sign a form stating the individual passed the course. Mr. LaPlante also wanted to know if the Board was satisfied with the pass/fail rate of the Grade 1, 2 and 3 exams. Mr. Patenaude stated that the Board was not pleased, but the amount of individuals who say they did not study is excessive. Mr. LaPlante felt as though the bill was going to pass through legislation and many are in favor of it. The Board should work with NWPCA to implement the program. Mr. Patenaude stated if it is going to happen he would want such a program that would be motivating to the operator. Mr. Patenaude suggested the Board meet with NWPCA in mid-May to discuss the legislation. Mr. Patenaude also invited Representative Landroche and the NWPCA to a session of the following week's 104(g) operator training conference, at which there would be representatives from all over New England and New York who are more familiar with the operations of such training requirements. With no further discussion, the matter was continued until the May meeting.

Pursuant to Rhode Island General Laws §42-46-5(a), Mr. Patenaude request that the Board convene in executive session to discuss an enforcement matter at a Rhode Island facility.

Mr. Patenaude led a roll call of votes to convene into Executive Session: Mr. Kurdziel, Mr. Dionne, Mr. White, Mr. Wright, Ms. Forgue and Mr. Schock all voted in favor.

Mr. Patenaude asked all guests but Mr. Goneconte to leave the room. The meeting then adjourned into executive session, with Mr. Goneconte present.

After completing specific business in executive session, the meeting reopened into open session Mr. Schock motioned to seal the April 7, 2004 executive session meeting minutes seconded by Mr. White. With all members present voting in favor, the motion passed.

Mr. Goneconte then left the meeting.

Mr. Schock suggested that the agenda items of Part-Time/Temporary Operator License Registration and Non Operational and Non Mechanic Licensure be placed on the May agenda. Members agreed.

The next agenda item discuss was an application for reciprocity from a Raymond L. Levesque of the Woonsocket WWTF. Mr. Levesque has a Massachusetts Grade 6c full license and he meets all the education and licensure requirements. Mr. Levesque's former employer was Texas Instruments in Attleboro. Mr. Patenaude stated that he is not sure what type of facility it is and needs to do some research on the matter.

Mr. Patenaude motioned to ascertain information from Texas Instruments, and pending the information received, be authorized to make a decision on reciprocity of Mr. Levesque's application. Mr. Dionne seconded the motion, all members voted in favor and the motion passed.

The next agenda item discussed was another application for reciprocity for Grade 2 license from a Curtis Wood of the Woonsocket WWTF. Mr. Wood has a Grade 3 license in the state of Arizona. Arizona's requirements are equivalent to Rhode Island's.

Mr. Patenaude motioned to issue Mr. Wood a Grade 2 license through reciprocity. Mr. White seconded the motion, all members present voted in favor and the motion passed.

The next item discussed was the draft March 3, 2004 meeting minutes

After Board review, Mr. White motioned to approve the minutes as given. Mr. Dionne seconded the motion. Mr. Schock abstained, as he was not present at the March meeting. All other members present voted in favor and the motion passed.

With no further business, Mr. Schock voted to adjourn the April 2004 meeting, seconded by Mr. Patenaude. All other members present voted in favor and the motion passed.

The next meeting will be Wednesday, May 5, 2004 at 9:30 a.m. in conference room 280C in the Office of Water Resources on the second floor of the Department of Environmental Management, 235 Promenade St., Providence.