

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

October 5, 2005 Meeting Minutes

MEMBERS in ATTENDANCE: Rick Dionne, Julia Fogue, Fred Kurdziel, Bill Patenaude, Jon Schock, Tom White and Ray Wright

OTHERS in ATTENDANCE: Traci Pena and Greg Schultz, RIDEM

Mr. Patenaude called the meeting to order at 9:30 a.m. The first item on the agenda to be discussed was the review of the September 7, 2005 meeting minutes. Grammatical errors were found and corrected.

Mr. Dionne motioned to approve the September 7th meeting minutes as amended. Mr. Patenaude seconded the motion. Ms. Fogue, Messers. Kurdziel, White and Wright voted in favor, and as such the motion passed. Mr. Schock abstained, as he was not present at the September 7th meeting.

The next item on the agenda to be discussed was the draft letter to superintendents (and copied to a municipal official) regarding their responsibility to report to the Board activity that may be grounds for enforcement action against a wastewater license holder. Mr. Patenaude noted that responses to the draft language sent to Board members prior to the meeting were agreeable. Mr. Dionne commented that he did not agree with the overall intent and tone of the letter, and cautioned that sending such a letter would result in erroneous reports being made to the Board. Mr. Dionne further commented that it was his opinion that the Board should not over-emphasize its enforcement role. Mr. Schock asked Mr. Patenaude if the superintendents were indeed reporting such incidents. Mr. Patenaude answered that such information is typically received from the notification of a failure or bypass from a WWTF to DEM's Operations and Maintenance Section; he also stated that the intent of the letter was to remind operators of their responsibilities (which is a common courtesy taken by DEM) so that the superintendent or operator would be in a better position to carry out their duties. He also reminded the Board that this type of letter had been discussed and agreed upon by the Board at previous meetings. In considering Mr. Dionne's concerns, Mr. Patenaude suggested that the draft language be altered to remind the superintendents to be "mindful" of the Board's responsibilities in pursuing such matters. Mr. Schock suggested additional editorial changes to respond to Mr. Dionne's concern. Mr. White agreed, noting that a general statement would be enough. Dr. Wright suggested merging and deleting portions of the second and third paragraphs.

Mr. Patenaude motioned to send the letter, as amended, to all superintendents. Mr. Kurdziel seconded the motion. Ms. Fogue and Messers. Dionne, Kurdziel, Schock, White and Wright voted in favor and the motion passed.

The next enforcement action discussed was Mr. George Mantaian. Mr. Mantaian submitted a letter to Mr. Patenaude dated September 29, 2005 stating that for specific reasons he would not accept the condition of a proposed consent agreement to settle an outstanding suspension of his license. Mr. Mantaian's letter was dated September 21, 2005. Mr. Schultz suggested that the Board discuss a hearing date and to further investigate the information contained in Mr. Mantaian's response. Mr. Patenaude thought it was necessary to have a hearing date in place before Mr. Schultz contact Mr. Mantaian, and suggested the December 7th meeting 9:00 – 12:00.

Based on Mr. Mantaian's September 29, 2005 response to the consent agreement offered by the Board, Mr. Patenaude motioned for a formal administrative hearing to be set for the Board's normal meeting time and date of 9:00AM on December 7, 2005 at the DEM, 235 Promenade Street, Room 300, Providence, RI. Mr. White seconded the motion. All members voted in favor of a hearing and the motion passed.

Mr. Patenaude solicited Board volunteers to review videotapes owned by the NBC. In addition, Dr. Wright suggested a letter to NBC informing them of the Board's intent based on Board discussions.

Mr. Wright motioned to request information by the Narragansett Bay commission regarding the information from George Mantaian's September 29, 2005 letter. Mr. Patenaude seconded the motion, all Board members present voted in favor, as such the motion passed.

The next item on the agenda to be discussed was Mandatory Retraining. Mr. Patenaude noted that there has been no change that he had been made aware of since the last meeting.

The next item on the agenda were the results from the Grade 1 September 16, 2005 exam. The results from DOA at the time of the meeting were still pending.

The next item discussed was new business. Mr. Dionne noticed in the Statute that board members could be reimbursed for travel expenses. Mr. Patenaude informed the Board that he would investigate the matter.

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

The next meeting was scheduled for Wednesday, November 2, 2005 at 9:30 a.m. in room 280 of the DEM Office of Water Resources, 235 Promenade St., Providence, RI.