



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**BOARD OF CERTIFICATION OF OPERATORS
OF WASTEWATER TREATMENT FACILITIES**

Meeting Minutes: April 4, 2007

Members in Attendance: Richard Dionne, Julia Forgue, Fred Kurdziel, Bill Patenaude and Jon Schock.
Others in Attendance: Carmine Goneconte and John Motta, NBC
Greg Schultz and Traci Pena, RIDEM

Mr. Patenaude opened the meeting with the review of the draft March 2007 meeting minutes.

Mr. Schock motioned to approve the draft March 2007 open minutes with grammatical amendments. Mr. Dionne seconded the motion. All members present voted in favor, and as such the motion passed.

The next agenda item discussed was examination question contestation. A Grade 4 examinee at the December 2006 exams, upon reviewing his exam, contested question number 66, which dealt with the use of positive-displacement pumps. As the individual's grade was a 69, and as he felt that his interpretation of the question was correct, he asked the Board's consideration to grant his answer as correct. A review of the question indicated that recent technological advancements could offer a reasonable answering for said question other than the indicated correct answer. As such, Mr. Patenaude recommended allowing either of 2 answers. It was thus noted that in doing so the operator would receive a passing score.

Mr. Dionne motioned to approve the answer given by the examinee, thus the individual receiving a passing score. Mr. Patenaude seconded the motion; all members present voted in favor and as such the motion passed.

With Mr. Goneconte present, Mr. Patenaude asked Mr. Goneconte, the Fields Point superintendent, to clarify the duties of Mr. Jarod Doyle 1 as employed by the Narragansett Bay Commission, who had applied for Grade 3 licensure having passed the Grade 3 exam under section 12(f), and was now in a part-time position of direct responsible charge. According to Mr. Goneconte, Mr. Doyle works in direct responsible charge as a shift supervisor in the Operation and Maintenance section at Narragansett Bay Commission on a temporary basis due to a long-term illness absence. Pending confirmation on hiring dates, etc., from the NBC Human Resources Office, Mr. Patenaude would allow further processing of Mr. Doyle's application for certification as Mr. Doyle was in a position of direct responsible charge.

The next item discussed was the matter of Jeffrey Tortorella, a Monitoring Technician at the NBC's Environmental Monitoring Data Analysis section, which oversees sampling for the agency. According to Mr. Tortorella's supervisor, Mr. John Motta, the position of "Monitoring Technician" has yet to be licensed by the Board. This position does not physically get involved in the sampling on a regular basis, but may, depending on staffing. The position also is involved in other aspects of coordination with the operations and maintenance staffs. Other responsibilities include using EPA and NBC testing routines and all standard sampling protocols, coordinating monitoring assistance (the position is not that of a supervisor but oversees the sampling and monitoring activities), and calibrating monitoring

devices. Mr. Motta also noted that this position also has significant interaction with plant operators, and also performs sampling duties if necessary, modifies and develops new plant procedures, as well as trains other technicians. Mr. Tortorella has two years at a technical college and experience in monitoring. After a review of the position duties, Mr. Schock noted a general concern about licensing individuals at a particular facility who have limited operational duties that then move to another facility. Mr. Shock stated that the Board's issuance of a general license was in fact assurance that the individual was qualified to work at all facilities. Ms. Forgue disagreed, stating that the hiring process typically takes into account an individual's experience. Mr. Dionne offered that based on his experience as the Burrillville WWTF lab manager there would be an easy transition from the position in question to operator if the need arose. Mr. Patenaude stated a general concern that it is important for wastewater staffs to be involved in all aspects of wastewater treatment and monitoring; this is often not a reality at larger facilities. Mr. Motta stated that there is a significant amount of cross training that does occur at the NBC.

Mr. Patenaude made a motion to approve the application as submitted pending confirmation of Mr. Tortorella's passing of the Grade 1 course, his time would accrue at half time therefore his operator-in-training license would at the end of 2 years from his date of hire. Ms. Forgue seconded the motion. Ms. Forgue and Messrs. Dionne, Kurdziel and Patenaude voted in favor of the motion; Mr. Schock voted against. With the majority of the members present voting in favor, the motion passed.

Mr. Schock noted that he would like to add this topic of the definition of operator to a future agenda.

The next item discussed was Mandatory Retraining. Mr. Patenaude noted that there was not legislation this year to require Mandatory Training. According to Board legal advisor, Gregory Schultz, Esq., Rule 13(b)(3)(a-h) of the Board of Certification of Operators of Wastewater Treatment Facilities regulations is already in place and was approved by the Board in the early 1990's, and so the power has been granted for the Board to initiate such a requirement. Attorney Schultz also offered that the Board has significant discretion and could put together a framework for the communities to minimize negative impacts to local cities and towns. Mr. Schock stated that the Regulations do not offer enough specificity and would likely have adverse impacts on municipalities, especially as it relates to scheduling and overtime. Mr. Patenaude stated that whatever is presently being done in house at wastewater treatment facilities would already qualify for training hours for operators. Mr. Dionne noted that in earlier discussions of this mandate he has attempted to engage the state's operators (with Board provided surveys, etc.), but has found little support to discourage mandatory retraining. Mr. Kurdziel asked about the timing of such a requirement. Mr. Patenaude noted that if the Board were to initiate this rule, mandatory retraining would be implemented by the January 1, 2008-December 31, 2009 renewal period. Ms. Forgue said from a budget standpoint communities would need to know as soon as possible so budget considerations could be made for the upcoming fiscal years. Mr. Kurdziel noted the possibility of online training, which would be less expensive than traditional training. Mr. Patenaude encouraged members to speak with their respective agencies, and especially asked Ms. Forgue to discuss this matter with the League of Cities and Towns, for their input prior to action being taken.

In introducing the next order of business, per §42-46-5(a)(4) Mr. Patenaude motioned to convene into executive session in order to discuss an issue involving potential criminal or civil misconduct at a Rhode Island wastewater treatment facility. Mr. Dionne seconded the motion. The motion passed with the following roll call voting in the affirmative: Mr. Patenaude, Mr. Dionne, Mr. Kurdziel, Mr. Schock and Ms. Forgue.

Mr. Patenaude motioned to seal the April 4, 2007 Executive Session meeting minutes. Mr. Kurdziel seconded the motion; all members present voted in favor to seal the minutes with the following roll call: Mr. Patenaude, Mr. Dionne, Mr. Kurdziel, Mr. Schock and Ms. Forgue.

Mr. Patenaude made a motion to resume the meeting into open session. Mr. Kurdziel seconded the motion. All present voted in favor and the motion passed with the following roll call: Mr. Patenaude, Mr. Dionne, Mr. Kurdziel, Mr. Schock and Ms Forgue.

The next item discussed was a request made by the Department of Labor and Training, in which they sought an update for their state license database. According to DLT records, to attain a wastewater operator license from the Board does not require citizenship of the United States. Mr. Patenaude spoke to DLT's Joyce D'Orsi, who stated that some Board's require citizenship and some do not. Mr. Patenaude was concerned about offering operator license at wastewater treatment facilities without US citizenship. After a brief discussion the Board concurred and advised him to investigate the matter further.

With no new business, Mr. Patenaude moved to adjournment. Mr. Dionne seconded the motion. With all members voted in favor, the motion passed.

The next meeting is scheduled for Wednesday, April 2, 2007 at **9:30** a.m. in room 280 of the DEM – Office of Water Resources, 235 Promenade St., Providence, RI 02908.