

# RHODE ISLAND AND PROVIDENCE PLANTATIONS

## *Board of Certification of Operators Of Wastewater Treatment Facilities*

### **Meeting Minutes of August 1, 2001**

**Board in Attendance:** Richard Dionne, Julia Forgue, Bill Patenaude, Jon Schock and Thomas White

**Also in Attendance:** Traci Lima, DEM

Mr. Patenaude called the meeting to order at 9:30 am. The first order of business with the review of the June 6, 2001 meeting minutes. Mr. Schock recommended a few changes. The first change being in the third paragraph, first sentence, the removal of the word "was". In the second sentence the correction of the spelling of Mr. Schock's name was also needed. Another item that needed changes was in the eighth paragraph, the twelfth and thirteenth line where it talks about the "Association". Mr. Schock thought it should be clarified as to what association was being talked about. The Association in question was the Narragansett Water Pollution Control Association (NWPCA). The last item that needed to be corrected was on the second page, the third to last paragraph, Mr. Wright wanted the meetings to be moved to Tuesdays or Thursdays not Wednesdays.

**Mr. Schock motioned to accept the minutes as amended. Seconded by Mr. Patenaude, all members voted in favor of the changes and the motion passed.**

Because Mr. Patenaude had an update on Board membership status, so he moved to this, the third item on the agenda. At this time Mr. Patenaude introduced Ms. Julia Forgue, from the City of Newport, who is the new appointee from the Rhode Island League of Cities and Towns All members present welcomed Ms. Forgue aboard. Mr. Schock asked Mr. Patenaude to explain the make-up of the Board to Ms. Forgue so she would have a better understanding as to who the Board represents.

The second item on the agenda was the update on the Rules and Regulations for Wastewater Treatment Facility Operators. Mr. Patenaude gave the Board draft rules and regulations with color coded changes (strikeout and underline). DEM's Office of Legal Services had reviewed the changes and provided comments. Mr. Schock asked Mr. Patenaude if he took a look at the reoccurring issues that the board may come across several times. Mr. Patenaude informed the board that there were not many issues that need to be incorporated as a result of previous meetings. Mr. Patenaude informed those present that the amendments reflect clarification in the existing rules and regulations. Mr. Schock wanted to be sure that the new proposed amendments would not conflict with a facility's current Operations and Maintenance Manual. Mr. Patenaude said they would not. Some of the changed were grammatical in nature. Others were clarification of the definitions on "Wastewater Treatment Facility". The proposed amendment included privately owned

wastewater treatment facilities and those facilities with sub-surface disposal. Another change was the amount of time an Operator-in-Training certificate was issued. The regulations currently state that it is valid for up to 2 years the proposed regulations recommend that it is valid up to 3 years. Another change was the addition to section 12, which the proposed Regulations State that individuals not employed at an approved Rhode Island wastewater treatment facility shall not be allowed to sit for examination, which is current Board policy. Another addition was made to Section 13, the addition states that "Should the Board be unable to contact a licensee whose address of record has changed and no forwarding address is available, and if that licensee is no longer working at a wastewater treatment facility in Rhode island, that individual's license will be terminated without further attempts at notification."

Ms. Forgue felt as though there seemed to be nothing in the Regulations stating that special waivers were granted to people in special circumstances. She felt this was important because it is so difficult to get operators. Mr. Dionne stated there are certain circumstances and stated some examples. Mr. Patenaude told the members present that he usually asks for special requests in writing. Mr. Schock suggested that there be a section devoted to request from the Board with individuals seeking special needs.

DEM's Office of Legal Services had a concern whether the AAD has the ability to hear an appeal from the Board; perhaps the correct form of appeal would be to the Superior Court. Ms. Forgue wanted to know what similar boards did. Mr. Patenaude said he would investigate if possible. There was consensus that if there was a legal determination that the AAD is an inappropriate us for Board appeals, then the new section should be drafted by our legal office for inclusion in the draft document.

After the summary, Mr. Schock wanted to have the document e-mailed to him. Mr. Patenaude stated he only wanted one actual electronic draft, so he would send or have returned just those portions with changes/recommendations e-mailed back to him. Members wanted to review the changes, as such time was granted.

The next item was new business. Mr. White updated the Board on the Narragansett Water Pollution Control Association, of which there was no new business. Other new business involved Mr. Patenaude's work to propose beefing-up the exams to include BNR as a special endorsement.

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

The next meeting was scheduled for 9:30 on Wednesday, September 5, 2001 in conference room 280C in the Office of Water Resources on the 2<sup>nd</sup> floor of the Department of Environmental Management, 235 Promenade Street, Providence.