

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE BOARD FOR CERTIFICATION OF
WATER AND WASTEWATER SYSTEMS OPERATORS**

Board Meeting Minutes

February 6, 2009

Conference Call

Board Members Present

Michael Kyle – Chaired the meeting in John Brutz’s absence

Joe Swanderski

Mary McElhinny

Nicki Kasi

Matt Higgins

Asya Staevska, Legal Counsel

Cheri Sansoni, Board Secretary

Board Members Absent

John Brutz, Chairman

John Schombert

Non Board Members Present

Janette Washington, BWSFR

Kevin Karmosky, BWSFR

Michael Kyle called the meeting of the State Board for Certification of Water and Wastewater Systems Operators to order at 10:05.

Approval of November 13, 2008 Minutes

Michael Kyle motioned to approve the November 13, 2008 minutes with one revision to page one to change the last sentence from “Mike” to “Matt” Higgins. Joe Swanderski seconded. The vote was unanimous. Motion carried. Mike Kyle also suggested amending minutes to include first and last names.

Mary McElhinny motioned to approve the December 15, 2008 minutes as is. Matt Higgins seconded. The vote was unanimous. Motion carried.

Criminal History Records

Kevin Karmosky presented 3 operators with a criminal history record.

- Client #264663, Theft by deception, receiving stolen property, bad checks in 2007.
- Client #267743, DUI in 2007.
- Client #266914, Public Drunkenness and Disorderly Conduct in 1981. DUI in 1989, DUI in 1991.

Nicki Kasi motioned to issue licenses to these three operators. Joe Swanderski seconded. Vote was unanimous. Motion carried.

Approvals of New Applications, Upgrades Requests

The new and upgrade applications were presented to the Board for approval. Nicki Kasi motioned to approve all the new licenses and upgrades. Mary McElhinny seconded the motion. The vote was unanimous. Motion carried.

The Board reviewed an Industrial wastewater application submitted by Mark Anthony to determine if he had actual wastewater experience that would apply to obtain his certification. Joe Swanderski motioned to approve Mr. Anthony for a WWB 3 certificate. Mary McElhinny seconded. After discussion, Joe Swanderski made another motion to approve Mr. Anthony for a WWA3 certificate. Mary McElhinny seconded. After further discussion Joe Swanderski rescinded his former motion and Mary McElhinny agreed. Joe Swanderski made another motion to request more information on the types of ponds Marc Anthony operates before any additional action is taken. Mary McElhinny seconded. The vote was unanimous. Motion carried. Cheri Sansoni will draft a letter to Mr. Anthony requesting additional information on his wastewater experience. Joe Swanderski will review the letter prior to mailing.

Reciprocities

The following water reciprocity application was presented to the Board.

John Callahan holds a valid water supply operator license in Delaware that expires 9/10/09. He has 5 years 6 months experience working for the Lewes Board of Public Works. This is a Class BE system with subclasses 8, 11 and 12. Nicki Kasi motioned to issue a WBE 8, 11, 12 certificate. Matt Higgins seconded. The vote was unanimous. Motion carried.

The following wastewater reciprocity application was presented to the Board.

Kiran Pathak is requesting reciprocity for a wastewater certificate from Delaware. His certification as a Wastewater Operator Class IV is valid through June 1, 2010. He worked at a Class A plant with WW1 and WW3 experience for 9 years from April 1990 to April 1999. Through the same Delaware certificate submitted for this current request, Mr. Pathak was previously granted reciprocity in PA for an SA1 wastewater certificate on June 25, 1998. Mr. Pathak is not in eFacts; therefore, it is likely his certificate expired from failure to renew. At the time Mr. Pathak was initially certified through reciprocity, there were no continuing education requirements. Based on the language in the interim regulations, the Board could re-issue a license to Mr. Pathak. Joe Swanderski motioned to issue a WWA 1, 3 certificate. Matt Higgins seconded. The vote was unanimous. Motion carried.

Denials of Applications for Renewals

Expired: September 30, 2008

<u>Name</u>	<u>Type</u>	<u>ID</u>	<u>Hours</u>	<u>Facility ID</u>	<u>Region</u>
Dzydzora, Oleh	W	#193071	6.00	None listed in eFacts	
Kulp, Paul	W	#197342	0	None listed in eFacts	
Parrillo, Albert	W	#193445	0	None listed in eFacts	

Cheri Sansoni explained “None listed in eFacts” means that according to current records, the operator isn’t designated as an available operator for a specific system. Joe Swanderski motioned to approve the list of denials. Mary McElhinny seconded. The vote was unanimous. Motion carried.

Petition Process

Legal Counsel, Asya Staevska, presented an overview of the Petition Process as it applies to the Board following the General Rules of Administrative Practice and Procedure, also referred to as GRAPP Rules. Each Board member received a copy of the “Hearing Procedure before the State Board for Certification of Water and Wastewater Systems Operators” with their Board packet. On page 45, Exhibit A “The Hearing Process before the Board” explains the step by step procedures the Board will follow.

Board Secretary Report

Cheri Sansoni presented an appeal letter from Gary Emmel of Georgia. Mr. Emmel’s renewal application and training documentation were faxed on the last day of the two year grace period; expiration date was December 31, 2006. He did not submit the \$15 fee, nor did he sign the renewal form. His Post-Presentation Credit documentation was not submitted within the 90 day time period nor was his training approved. Nicki Kasi motioned to deny the appeal. Mary McElhinny seconded. The vote was unanimous. Motion carried.

Cheri Sansoni stated the 2009 Examination Schedule has been finalized. Nicki Kasi motioned to approve the exam schedule as presented. Joe Swanderski seconded. The vote was unanimous. Motion carried.

George Fultz from the City of Reading requested the Board provide the certification exams in Spanish on behalf of Luis Castillo. The Board has no future plans to offer the exams in any language other than English because one of the essential skills is the ability to read and comprehend English to successfully operate a plant. Nicki Kasi motioned to have Cheri Sansoni send a letter stating the above. Joe Swanderski seconded. The vote was unanimous. Motion carried.

Old and New Business

The following DEP petitions for a hearing to suspend or revoke a license were dismissed due to the operator's decision to voluntarily surrender his license:

Barry Wilson	WAE 1-14	expired 9/30/08
Robert Hunt	WWAE 1-4	expired 6/30/09
Jeffrey Foley	WCE 1-14,	expired 3/31/10

Nicki Kasi stated a need to review the language in the regulations regarding the use of the term "revocation". Revocation should be clarified to clearly indicate an operator is finished and cannot become a certified operator again. Asya Staevska, Legal Counsel will look into this and get back to the Board.

Extension Requests

Albert Eberle, III requested an extension to obtain 22 more hours of continuing education due to his incarceration until September 2009. His wastewater license expires on December 31, 2009 and he only has 8 hours of training. Nicki Kasi motioned to grant an extension for three months until March 31, 2010, due to extenuating circumstances. Matt Higgins seconded. The vote was unanimous. Motion carried.

Lynn Keith requested an extension to obtain 30 hours of continuing education, due to medical reasons. His license expired December 31, 2008. Joe Swanderski motioned to grant the extension for six months until June 30, 2009. Nicki Kasi seconded. The vote was unanimous. Motion carried.

Comments from the Public

No comments.

Nicki Kasi motioned to adjourn the meeting at 12:15.