

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

**Board Meeting Minutes
12th Floor Conference Room
May 8, 2009**

Board Members Present

John Brutz, Chairman
Michael Kyle
Joe Swanderski
Mary McElhinny
Nicki Kasi
Asya Staevska, Legal Counsel
Cheri Sansoni, Board Secretary

Board Members Absent

Matt Higgins
John Schombert

Non Board Members Present

Mary Zeigler, BWSFR
Roberta Radel, BWSFR
Paul Handke, BWSFR
Gary Moyer, BWSFR
Scott Sykes, BWSFR
Marc Roda, DEP Regulatory Counsel

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

Criminal History Records

Paul Handke presented 3 operators with a criminal history record.

- Client #268877, DUI in 1999.
- Client #268879, Unauthorized use of auto and vehicles in 1965, DUI in 1969, DUI in 1972.
- Client #269018, DUI in 1993, Driving while suspended or revoked in 1993, Recklessly endangering another in 1999, 4 counts Disorderly Conduct in 1999, Possession of instrument of crime in 1999, Simple Assault in 1999.

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

Approval of February 6, 2009 Minutes

Michael Kyle motioned to hold approval of the February 6, 2009 minutes pending verification of the conference call tape regarding Marc Anthony's Industrial Wastewater Application. Certification staff needs to review whether or not the motion that was rescinded was voted on. After further review of the tape, the Board did not vote on the original motion. The February 6, 2009 minutes were amended. Mary McElhinny seconded. The vote was unanimous. Motion carried.

Rulemaking Process

Marc Roda, DEP Regulatory Counsel, gave an overview of the general rulemaking process. The proposed regulations should be published in the PA Bulletin by June. After regulations are published in PA Bulletin there is a 30-day comment period. Thirty days after close of public comment period, the Independent Regulatory Review Commission submits comments. The Department summarizes the comment response document and presents to the Board and CPAC for review. Michael Kyle requested to see the public comments prior to that meeting.

Approvals of New Applications and Upgrade Requests

The new and upgrade applications were presented to the Board for approval. John Brutz motioned to approve all the new licenses and upgrades. Michael Kyle seconded the motion. The vote was unanimous. Motion carried.

Reciprocities

The following water reciprocity application was presented to the Board.

Stephen Rees holds valid licenses in California for Water Treatment Operator and Water Distribution Operator. He has 5 year 4 months experience working for the City of Fresno Water Division. This is a Class AE system with subclasses 1, 7, 8, 10, 12, and 14. John Brutz motioned to issue a WAE 1, 7, 8, 10, 12, 14 certificate. Joe Swanderski seconded. The vote was unanimous.

The following wastewater reciprocity application was presented to the Board.

William Bogdanski holds a valid Wastewater Treatment license in Alaska which expires 12/30/09. He submitted operating experience from multiple systems. They are as follows:

<u>System</u>	<u>Class & Subclass</u>	<u>Experience</u>
Eareckson Air Station	WWDE 3, 4	1 year 3 months
Martay-Taylor	WWB1	2 months
Eagle River	WWB1	4 months
Asplund Point	WWA1	2 months

Michael Kyle motioned to issue a WWDE 3, 4 certificate. Joe Swanderski seconded. The vote was unanimous.

Denials of Applications for Renewals Expired December 31, 2008

<u>Name</u>	<u>Type</u>	<u>ID</u>	<u>Hours</u>	<u>Facility ID</u>
Robert F Serpente Sr.	WW	#197763	23.00	None listed in eFacts

John Brutz motioned to approve the list of denials. Mary McElhinny seconded. The vote was unanimous. Motion carried.

Board Secretary Report

Jimmy Hughes requested a one year medical extension to obtain 30 hours of continuing education. He holds a WWAE 1,2,3,4 certificate that expires 6/30/09. After reviewing the request Joe Swanderski motioned to grant a 6 month extension. Michael Kyle seconded. The vote was unanimous. Motion carried

Cheri had a complaint regarding the conversion formula handouts for exam equations. A committee of CPAC members will review the formula handouts. This can be added to the program review.

Doug Pike mailed letters to the members of the EQB and Governors' Office stating that the proposed regulations are different from what they saw in 2003. Nicki will request permission to meet with the CPAC members to discuss the issues. The Certification Board requested to sit in on the meeting if it is scheduled.

Program Review

EPA requires an external review of the Operator Certification Program every five years. EPA picked as their priorities the following elements of the program for review: training and testing, status of certified operators and trends, stakeholder involvement and outreach. CPAC agreed to do the review and come back with recommendations for the Department and the Board. Michael Kyle made a motion to add enforcement as an element to CPAC's portion of the program review and expand review by using an outside contractor to review staffing and budget. John Brutz seconded. Members voted yes with Nicki Kasi abstaining. Motion carried.

Old and New Business

Nicki Kasi reviewed the new exam cut scores and explained that the DN exam will eventually be discontinued with the new groundwater rule.

Asya Staevska, DEP Legal Counsel, explained tha under the old regulations, the Board can revoke a license but the operator could apply for certification after six months. This is why the regions are doing long-term suspensions. The new regulations will not allow an operator to ever apply for certification after revocation.

Comments from the Public

No comments.

Nicki Kasi motioned to adjourn the meeting at 12:16.