

**BYLAWS
STATE BOARD FOR CERTIFICATION
OF WATER AND WASTEWATER SYSTEMS OPERATORS**

ARTICLE 1. NAME: The name of this Board shall be the State Board for Certification of Water and Wastewater Systems Operators (Board). This Board is within the Pennsylvania Department of Environmental Protection (Department).

ARTICLE 2. AUTHORIZATION: The Water and Wastewater Systems Operators' Certification Act (Act), 63 P.S. §§1001 – 1015.1, authorizes the creation of this Board and provides the Board with certain powers and duties.

ARTICLE 3. PURPOSE: The purpose of this Board is to administer a certification program for water and wastewater system operators.

ARTICLE 4. MEMBERSHIP:

a. The membership of this Board shall include:

- (1) the Secretary of the Department or his or her designee.
- (2) an employee of a political subdivision or an individual who represents a State association who is certified to operate a water or wastewater treatment system.
- (3) an individual who is certified to operate a water system.
- (4) an individual who is certified to operate a wastewater system.
- (5) an individual who is the owner or official of a privately owned water or wastewater system who is a certified operator.
- (6) an individual who is on the teaching staff of a civil, environmental or sanitary engineering department of an accredited Pennsylvania university or college.
- (7) an individual who is from the general public who is knowledgeable in water and wastewater systems.

- b. All Board members, except the Secretary or his or her designee, shall be appointed by the Governor. Each appointment shall be for four (4) years.
- c. No alternatives or designees may be appointed or recognized by this Board unless provided for by the Act.
- d. A Board member is required to attend a minimum of fifty (50) percent of the scheduled meetings during a calendar year.
- e. A Board member may have his or her meeting absence excused due to a legitimate medical reason or other extenuating circumstance.
- f. To obtain an excused meeting absence, the Board member shall submit a written request to the chairperson stating the reason for the absence. The chairperson will provide the Board member with a written response stating the reason for approval or disapproval of the Board member's request.
- g. The chairperson may obtain an excused meeting absence by submitting his or her written request to the other Board members. By a majority vote and provided that there is a quorum present, the Board members will provide the chairperson with a written response stating the reason for approval or disapproval of the chairperson's request.
- h. By a majority vote of the Board and provided that there is a quorum present, the Board may direct that the chairperson make a written request for the resignation of any Board member who does not adhere to his or her attendance requirement. If the Board member does not tender his or her resignation within thirty (30) days of the written request, the chairperson may make a written recommendation to the Governor that the Board member be removed from the Board.
- i. By a majority vote of the Board and provided that there is a quorum present, the Board may make a written recommendation to the Governor that the chairperson be removed from the Board if the chairperson does not adhere to his or her attendance requirement.
- j. Members shall serve without compensation other than reimbursement for reasonable and necessary expenses in accordance with Commonwealth policy or regulations.
- k. A Board member whose appointment has expired shall remain in office with full authority until the Board member is reappointed by the Governor or until his or her successor is appointed by the Governor.

ARTICLE 5. COMMITTEES: The Board may provide for standing or special committees. Each such committee shall perform such duties as may be assigned to it by the Board. Members of any such committee may include non-Board members as needed for special purposes as identified by the Board.

ARTICLE 6. MEETINGS: The following meeting requirements are established by these bylaws.

a. Scheduling meetings:

- (1) Regular meeting dates shall be established on an annual basis prior to December 31 of the preceding year.
- (2) The Board shall meet in person at least two (2) times in a calendar year. Board members are encouraged to attend all scheduled meetings in person. The chairperson shall have the discretion to waive the need for in-person meetings.
- (3) The Board may schedule additional meetings at the discretion of the chairperson or upon request of the Department.
- (4) All Board and committee meetings shall be advertised in accordance with the Sunshine Act, 65 Pa.C.S.A. §§ 701 - 716, (Sunshine Act).

b. Conducting Board business:

- (1) A quorum for conducting business shall consist of four or more of the Board membership who are participating in person or by phone. If a member participates by phone, participation must be clearly audible to the public in attendance to be valid.
- (2) All Board and committee meetings shall be open to the public, except as permitted by applicable state law.

ARTICLE 7. VOTING: All actions taken by the Board shall be approved by a vote of the membership at a scheduled Board meeting. No action can be taken on a specific matter unless the meeting and its agenda meets the requirements provided by the Sunshine Act.

a. A Board member shall have one vote that is provided verbally.

- b. A Board member may not vote by proxy.
- c. No secret voting is permitted.
- d. A Board member shall publicly reveal for the record any vote that may constitute a conflict of interest and thereafter abstain from any vote on that matter.
- e. All actions by the Board shall require a majority vote of those present provided that a quorum exists.

ARTICLE 8. OFFICERS: A chairperson shall be elected annually by a majority vote of the Board provided that a quorum exists.

- a. It shall be the duty of the chairperson to preside at all meetings of the Board, call special meetings, and perform such other duties that pertain to the office of chairperson.
- b. All members of the Board shall take their turn in alphabetical order to serve as acting chairperson in the absence of the chairperson.

ARTICLE 9. SECRETARY OF THE BOARD: By a majority vote of the Board and provided that there is a quorum present, a Department employee shall be elected annually as secretary for the Board. The secretarial duties include:

- a. recording the transactions of the Board,
- b. giving public notice of Board meetings,
- c. providing a full and permanent record of Board minutes,
- d. conducting outgoing and incoming correspondence,
- e. maintaining Board records, and
- f. performing other duties as requested by the Board.

ARTICLE 10. COMMENTS AND RECOMMENDATIONS TO THE ENVIRONMENTAL QUALITY BOARD: The Board shall provide the Department comments and recommendations on all proposed rules and regulations dealing with the certified operator program.

- a. Comments and recommendations shall be in a written format addressed to the chairperson of the Environmental Quality Board.
- b. Comments and recommendations shall represent the majority opinion of the Board membership.
- c. Comments and recommendations may include a minority opinion of the Board membership.
- d. A quorum is necessary to take action to submit comments and recommendations to the Environmental Quality Board.
- e. The Board shall consider recommendations and comments provided by the Certification Program Advisory Committee.

ARTICLE 11. PARLIAMENTARY AUTHORITY: Robert's Rules of Order, latest edition, shall serve as the parliamentary method for conducting business for the Board. It shall be considered final authority, unless superseded by these bylaws, the Act, or other statutory authority.

ARTICLE 12. AMENDING THE BYLAWS: The bylaws of this Board may be amended, repealed or suspended at any meeting by a two-third ($2/3^{\text{rd}}$) majority vote of the Board provided that written notice of amendment, repeal, or suspension has been distributed and received by each Board member at least two (2) weeks prior to the scheduled meeting and there is a quorum present.