

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE BOARD FOR CERTIFICATION OF
WATER AND WASTEWATER SYSTEMS OPERATORS
Board Meeting Minutes
April 3, 2019
10th Floor Conference Room**

Board Members Present

Joseph Swanderski, Chairman, Penn State University, Wastewater Operator
Mary Roland, Certified Water Operator
Michael Kyle, Lancaster Area Sewer Authority, Employee of a Political Subdivision
Rachel Brennan, Teacher/Professor via conference call
Ed Chescattie, Bureau of Safe Drinking Water (BSDW), DEP Secretary Designee
John Cantwell, Legal Counsel

Non-Board Members Present

Brian Chalfant, Policy Office
Jeff Allgyer, BSDW
Robert Digilarmo, Bureau of Clean Water (BCW)
David Long, BSDW
Shalini Lenka, BSDW
Mahendra Patel BSDW

Mr. Swanderski called the meeting of the State Board for Certification of Water and Wastewater System Operators Board to order at 10:02 AM.

Approval of February 6, 2019 Minutes

Mr. Kyle requested the following revision to the February 6, 2019, Board meeting minutes. On page two under Reciprocity Request for Mr. Snader, the sentence “*Mr. Kyle motioned to approve the reciprocity application, as recommended by the Department, contingent upon obtaining additional subclass experience*” shall be amended to “*Mr. Kyle motioned to the reciprocity application, as recommended by the Department, contingent on obtaining adequate documentation of additional subclass experience*”. Additionally, Mr. Kyle pointed out that the minutes failed to capture the final Board motion relative to the Criminal History report on page four. Board members agreed that it was necessary to add the following sentence in order to adequately document the previous discussion from February 6, 2019: “*Ms. Roland motioned to approve the application as recommended by the Department. Mr. Swanderski seconded the motion. The vote was unanimous. Motion carried*”. Mr. Kyle motioned to approve the February 6, 2018, minutes as amended. Ms. Roland seconded the motion. The vote was unanimous. Motion carried.

Approval of New and Upgrade Applications

New and upgrade applications were presented to the Board for approval. More specifically:

-Wastewater: 18 new licenses, and 23 upgrades were presented

-Drinking water: 42 new licenses, and 15 upgrades were presented

Ms. Roland motioned to issue licenses for all of the above new and upgrade applications. Mr. Swanderski seconded the motion. The vote was unanimous. Motion carried.

Reciprocity Requests

There were no reciprocity requests to present to the Board. Mr. Chescattie mentioned that incomplete requests were received, and Department staff were awaiting additional information before those reciprocity requests could be presented for Board consideration.

Old and New Business

Mr. Chescattie presented a Consent Order and Agreement (CO&A).

Consent Order and Agreements (CO&A)

The Board acknowledges the findings of the CO&A which was executed on April 01, 2019, between the Commonwealth of Pennsylvania Department of Environmental Protection, Northwest Region Safe Drinking Water Program and Mr. Fred C. Leyda, Sr. This CO&A results in Mr. Leyda voluntarily surrendering his Water Operators License No. W4481. Mr. Leyda also agrees to never seek reinstatement of Certificate W4481, and shall never operate, be designated as the operator in responsible charge, and/or supervise the operation of a water system, in whole or part within the Commonwealth of Pennsylvania.

Board members also expressed concern that, based on the CO&A findings, Mr. Leyda should also not be eligible to apply for a wastewater license in the future. Mr. Kyle suggested that a review for previous CO&A's should be included in an operator certification application package in addition to the existing requirement for the Criminal Background Report. Board members agreed this was a good suggestion; which should be further considered whenever Chapter 302 is revised in the future. In the interim, a copy of the CO&A is placed in the individual's electronic and paper files. Should an individual attempt to apply for a future license, the Board would be made aware of this previous CO&A.

Board Secretary Report

Mr. Chescattie presented the Board with an extension request submitted by Mr. William L. Carpenter.

William L Carpenter - is requesting an extension of his wastewater WWAE 1-4, renewal cycle which expired December 31, 2018 due to extreme circumstances. He completed 9 training hours of the required 30 training hours to renew. He did complete a 90-hour Sacramento course on February 8, 2019; unfortunately, that completion date was two months after his license expired. In his application he noted that he purchased said Sacramento course on October 15, 2018; but provided no documentation of course activity prior to December 31, 2018. The Board discussed that correspondence courses provided by Sacramento have not historically granted partial completion credits prior to the date of overall course completion. Additionally, the Board discussed that § 302.307 allows the Board to grant a time extension to a certified operator when military service prohibits an operator's ability to access continuing education; when there are health related circumstances that would prohibit an operator's ability to participate in continuing education; or when other extreme circumstances exist. Board members concluded that Mr. Carpenter's extension request did not provide adequate documentation of applicable circumstances prohibiting his ability to participate in continuing education. Mr. Swanderski motioned to deny the extension. Mr. Kyle seconded the motion. The vote was unanimous. Motion carried.

Criminal History Report

There were no Criminal History Report to present to the Board.

Comments from the Public

There were no comments from the public.

Mr. Swanderski motioned to adjourn the meeting at 10:37 AM.