

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE BOARD FOR CERTIFICATION OF
WATER AND WASTEWATER SYSTEMS OPERATORS
Board Meeting Minutes
December 4, 2019
10th Floor Conference Room**

Board Members Present

Joseph Swanderski, Chairman, Penn State University, Wastewater Operator
Mary Roland, Certified Water Operator
Ed Chescattie, Bureau of Safe Drinking Water (BSDW), DEP Secretary Designee
John Cantwell, Legal Counsel
Curt Steffy, Aqua PA Inc., Official of Private System
Mark Smith, Herbert, Rowland & Grubic, Inc., General Public
Laura Chambers, Board Secretary
Michael Kyle, Lancaster Area Sewer Authority, Employee of a Political Subdivision (via phone)
Rachel Brennan, Teacher/Professor (via phone)

Non-Board Members Present

Bill McNamara, BSDW
Jeff Allgyer, BSDW
David Long, BSDW
Shalini Moola, BSDW
Mahendra Patel, BSDW
Gary Moyer, BSDW
Lori Wise, BSDW
Brian Chalfant, Policy Office

Chairman Swanderski called the meeting to order at 10:00 AM. Mr. Chescattie took roll call to confirm members that called in.

Approval of October 9, 2019 Minutes

After reviewing the previous draft Board Minutes, Ms. Roland pointed out that in the third sentence under “Approval of August 7, 2019 Board Meeting minutes,” her name is referenced inaccurately. Ms. Roland motioned to approve the minutes with this suggested edit. Chairman Swanderski seconded the motion, which passed unanimously. Motion carried.

Approval of New and Upgrade Applications

The new and upgrade applications were thoroughly reviewed by Department staff, experience and education summarized, and presented to the Board for approval. More specifically:

- Wastewater: 62 new licenses, and 29 upgrades were presented.
- Drinking Water: 77 new licenses, and 62 upgrades were presented

After review, Mr. Steffy motioned to approve all of the above referenced drinking water and wastewater new and upgrade license requests. Ms. Roland seconded the motion, which passed unanimously. Motion carried.

Mr. Chescattie explained that one additional upgrade request was received for a Mr. Jeremiah Cohout. This application included extenuating circumstances, for which Mr. Chescattie provided a summary, along with DEP's review and outreach to Mr. Cohout. The Department's recommendation for Board consideration is that the Board approve this upgrade request. After answering Board member questions, Mr. Chescattie made a motion to approve Mr. Cohout's upgrade request. Ms. Roland seconded the motion, which passed unanimously. Motion carried.

Reciprocity Requests

The Board had previously requested that the Department provide them with a summary of how the Department reviews reciprocity requests to obtain the information which is ultimately provided for Board review and consideration. Prior to reviewing the reciprocity requests for this meeting, Mr. Chescattie provided Board members with the requested reciprocity review summary. Department staff's review is focused on meeting Chapter 302 regulatory citations applicable to reciprocity. One of the challenges and time delays is requesting and obtaining the original licensing state's exam content. Once as much detail as possible regarding exam content is obtained, it is compared to the content of Pennsylvania's exams, (See § 302.304 (a)). Reviewing applicant's experience is also a required step in the review process but is normally less difficult than the exam comparison. Mr. Chescattie also presented to the Board the revised reciprocity letter that Department staff provide to the requesting state to complete and submit, which now includes more detailed information than the previous reciprocity letter. Mr. Chescattie then asked the Board to offer any additional edits or, if none, vote on the revised form. Ms. Roland suggested removing Lab Supervisor from the table from under both Water and Wastewater since we do not offer Lab Supervisor licenses through reciprocity. Ms. Chambers agreed to make the suggested edit to the form. Chairman Swanderski asked who contacts the requesting state's agency and whether the Department asks for the applicant's exam score. Mr. Chescattie replied that Operator Certification staff reach out to the requesting state to complete the reciprocity letter and form. Staff does not receive the applicant's specific exam score, but we do receive confirmation that the applicant has passed the exam. Department staff who review these applications do have access to the minimum passing score for each state's exams, along with Need-to-Know criteria which provides insight to exam content and complexity. All of the information obtained is summarized in the reciprocity presented for Board member consideration to make the final determination as to whether or not to approve each reciprocity request. Chairman Swanderski asked whether the Department has experienced problems when requesting this information from other states. Mr. Chescattie responded that so far, the Department has not experienced any issues with other states not being cooperative regarding this process but there is a time delay in most instances. Once the Department receives exam content information/Need-to-Know criteria from other states, staff save that information to refer to when evaluating future reciprocities.

Chairman Swanderski asked whether Department staff provide to other states the same level of detailed information for reciprocities as other states provide to the Department. Mr. Chescattie confirmed that the level of detailed information the Department provides is similar to what we request/receive from other states. Mr. McNamara asked whether the "minimum passing score" column that has been added to the reciprocity table might cause confusion if the other state does not have exams for the same subclasses that Pennsylvania uses. Mr. Chescattie replied that so far, the Department has received separate pages from the applicants which reflect the detail of

the exam content they have taken in lieu of completing the table within the reciprocity letter we provide them to complete.

Ms. Roland stated that the additional data the Department is providing regarding reciprocities is extremely helpful. Mr. Steffy asked whether the Department believes that other states are all on the same page with the testing information being provided for reciprocities. Mr. Chescattie replied that currently, he does not have statistically significant data but that the Department is committed to providing the Board with as much information as it can. Mr. Chescattie explained that for some of subclasses, Pennsylvania's exam pass rates are higher than in some other states, and overall Pennsylvania appears to offer more test preparation and training than some other states. When looking at comparable exams during the reciprocity application review process, Department staff and the Board need to also look at the passing rates for the state in which the applicant passed the exam in addition to quantity of the exam content.

Mr. Kyle commented that the detailed information the Department's review provides for Board consideration is very beneficial, although it puts a burden on the Board as far as decision making. Mr. Chescattie summarized that as the Board approves reciprocity applications from specific states, that information is saved and can be referenced for consistency when similar requests for that licensing state are received in the future.

Mr. Chescattie noted that he and Ms. Chambers will have conference calls with the states from which the Department receives the most reciprocities; the purpose would be to obtain and maintain applicable exam summary information for reference during future reciprocity reviews. This may help improve efficiency of reviews. Ms. Moola summarized that we currently receive the most reciprocity applications from Maryland, New York, New Jersey, Ohio, Delaware and North Carolina.

Ms. Roland made a motion to approve the updated reciprocity form. Mr. Smith seconded the motion, which passed unanimously. Motion carried.

Water

Kyle E. Schumacher – Holds a Florida Class C Water treatment license that expires on April 30, 2021. His application documents 8 years, 3 months' experience working at Camp Blanding Water Treatment Plant, which is a Class C facility using subclasses 1, 11 and 12. An operator is required to have a minimum of 2 years of experience in order to obtain a Pennsylvania Class C license. Therefore, the Department's determination is that Mr. Schumacher has documented that adequate experience relative to a WC 1, 11, and 12.

Regarding the comparison of examination questions, the applicant took the Class C Water exam in Florida, which had 100 questions and a 70% minimum passing score. Please see the attachment which follows page 2 of Mr. Schumacher's application for details on the associated Florida test content area. For a comparison of applicable Pennsylvania exams, please see the final attachment to this packet.

The Department's recommendation: Board should please review the examination information provided and vote on whether Mr. Schumacher has documented that he has passed a comparable examination in the State of Florida.

After review and discussion by Board members, Ms. Roland motioned to approve Kyle Schumacher's WC 1, 11, 12 water license. Chairman Swanderski seconded the motion, which passed unanimously. Motion carried.

Wastewater

Kyle E. Schumacher – Holds a Florida Wastewater Operator Class C license that expires April 30, 2021. He has 8 years, 3 months' experience working at Camp Blanding Wastewater treatment Plant, which is a Class C facility using Activated Sludge WW1. An operator is required to have a minimum of 2 years of experience in order to obtain a Pennsylvania Class C license. Therefore, the Department's determination is that Mr. Schumacher has documented that adequate experience relative to a WWC 1.

Regarding the comparison of examination questions, the applicant took the Class C Wastewater exam in Florida, which had 100 multiple choice questions and a 70% minimum passing score. Please see the attachment which follows page 2 of Mr. Schumacher's wastewater reciprocity application for details on the associated Florida test content area. For a comparison of applicable Pennsylvania exams, please see the final attachment to this packet.

The Department's recommendation: Board should please review the examination information provided and vote on whether Mr. Schumacher has documented that he has passed a comparable examination in the State of Florida.

After review and discussion, Mr. Kyle motioned to approve Kyle Schumacher's WWC 1 wastewater license. Ms. Roland seconded the motion, which passed unanimously. Motion carried.

Alan W. Blake – Previously presented at October Board meeting for consideration of a Class B. Mr. Blake had 1 year, 8 months' experience operating a Class B wastewater system in California. He would need a total of three years of experience for a Class B license in Pennsylvania. Therefore, the Board voted, at their October 2019 meeting, to deny this reciprocity request. On November 20, 2019, Ms. Chambers spoke with Mr. Blake and explained that if he was interested in a Class D, his experience would be eligible for consideration of a Class D license at this time. Once he obtains a full 3 years' experience at a Class B facility, he can at that time submit an Upgrade Application to request his Class B license.

Therefore, this application is being presented for reconsideration at this meeting for a Class D license. Mr. Blake holds a California Wastewater Operator level II license that expires September 1, 2021. He has 1 year, 8 months' experience at Lehigh Acres WWTP, which is a Class B facility using Activated Sludge WW1. An operator is required to have a minimum of 1 year of experience in order to obtain a Pennsylvania Class D license. Therefore, the Department's determination is that Mr. Blake has documented that adequate experience relative to a WWD 1.

Regarding the comparison of examination questions, the applicant took a Grade III Wastewater examination in California, which had 54 questions with a 70 percent minimum total weighted score. Please see the attachment on page 2 of Mr. Blake's wastewater reciprocity packet for details on the

associated California test content area. For a comparison of applicable Pennsylvania exams, please see the final attachment to this packet.

The Department's recommendation: Board should please review the examination information provided and vote on whether Mr. Blake has documented that he has passed a comparable examination in the State of California.

Mr. Steffy asked about page 3 of the application not being signed by a certified operator. Ms. Roland pointed out that Mr. Blake used a former version of the reciprocity form which may have caused confusion, as the updated version of the reciprocity form more clearly requires the signature of a supervisor and a certified operator. Mr. Chescattie stated that the regs specify that experience reflected on initial applications and upgrade applications needs to be obtained under the direct supervision of a properly certified operator making process control decisions for the system. In general reciprocity form signature is viewed slightly differently in that the signature is verifying employment since a neighboring state already awarded a license for specific subclasses. Based on Board concerns, moving forward, Department staff will make an extra effort on reciprocity applications to reach out to the applicant to further discuss signatures whenever necessary.

Ms. Roland motioned to approve Alan Blake's WWD 1 license. Mr. Steffy seconded the motion, which passed unanimously. Motion carried.

George R. Flowers, Jr. – A reciprocity application was received on 11/13/19 for both water and wastewater but was incomplete. Ms. Chambers summarized that we are awaiting additional information from Mr. Flowers regarding his operating experience at Delaware systems. The applicant only provided experience from Pennsylvania systems in his application. Ms. Moola called Mr. Flowers and spoke with him on 11/13/19 (the day his application was received) and explained that additional information is needed in order to evaluate his application. Mr. Flowers also did not provide a copy of his license or certificate number from Delaware; therefore, Department staff are not yet able to reach out to Delaware DEP staff regarding completion of the needed verification form.

Victor L. Camporine – Wastewater reciprocity application received on 11/25/19. Verification pending; verification form sent by Department staff to New Jersey on 11/25/19 via email.

Unity E. Oviasogie – Reciprocity application received on 11/25/19 for both water and wastewater. Verification pending; verification form sent by Department staff to New Jersey on 11/25/19 via email.

Board Secretary Report

Ms. Chambers reviewed the 2020 Board meeting dates that the Board had previously voted on via email on October 15, 2019 and asked whether the Board members would be open to changing the proposed date of December 2, 2020 to December 9, 2020.

Ms. Chambers asked Board members whether they were able to specifically identify which meetings would be in person verses conference call. Chairman Swanderski suggested that it would be best to wait to make that decision because the complexity of the issues on the agenda should be the factor used to determine whether a meeting should be in person. All Board

members concurred with Mr. Swanderski on this issue. Ms. Chambers will conclude each Board meeting by asking whether the next meeting should be in person, based on anticipated agenda.

Chairman Swanderski motioned to approve all the 2020 meeting dates with the proposed change from December 2, 2020 to December 9, 2020. Mr. Smith seconded the motion, which passed unanimously. Motion carried.

Ms. Chambers provided a summary of the exam seats being offered for 2020 as compared to the number of seats that were offered and filled in calendar year 2019. More specifically, in calendar year 2019, 1,936 seats were offered, and 1,748 were filled. After the summary, Mr. Chescattie asked the Board to vote on whether they believe the number of seats being offered for 2020 (approximately 1900 seats) is adequate.

Mr. Roland motioned to approve 1900 seats being made available for 2020 exams. Chairman Swanderski seconded the motion, which passed unanimously. Motion carried.

Ms. Roland asked whether the Department lost any AEPs in 2019. Ms. Chambers responded that it has not; the AEPs are all still interested in working with the Department and offering exams. Mr. Chescattie noted that Op Cert staff would like to reach out to the AEPs in the beginning of 2020 to ensure things go smoothly for the examinees and the proctors (i.e., exam rooms are prepared prior to the exam).

Old and New Business

Under old business, Mr. Chescattie presented some data on the average age of operators, which is currently at 51.7 years. The trend over the past several years showed a steady increase in age but has been starting to drop, which is good news. Mr. Chescattie also noted that our current number of certified drinking water operators is at an all-time high at 5,171. Mr. Chescattie also noted that the overall exam pass rate for 2018 was 65%, which is an all-time high. The average pass rate for wastewater exams is notably lower than the pass rate for the drinking water exams. The Department will continue to look into this and research what trainings are available for the various subclasses.

Chairman Swanderski asked whether the Department has access to the number of bioperable operators. Mr. Chescattie responded that, a recently run report indicated there were approximately 1,670 bioperable operators currently.

Mr. Chescattie shared some data regarding the number of new conferences that were approved by the training section and the number of contact hours obtained by the certified drinking water and wastewater operators in calendar year 2018.

Mr. Chescattie asked the Board for a status update on the letter the Board had previously discussed sending to training providers to encourage them to consider whether they could offer reduced rates for retired operators to obtain their training hours. Mr. Smith agreed to have an updated letter to share with the Board prior to the February 2020 Board meeting.

Under new business, Chairman Swanderski shared that he reached out to Paul Bishop after the October board meeting to thank him for attending the meeting and providing the information to the Board. Chairman Swanderski received a very nice email response from Mr. Bishop, which

Chairman Swanderski shared verbally with the Board. Mr. Bishop commented that he was impressed with the organization and detailed discussion he experienced at the October Board meeting. Chairman Swanderski also expressed his gratitude to Department staff for taking the time to prepare the information provided to the Board so that it can more easily make decisions.

Chairman Swanderski emphasized his gratitude for Mr. Steffy's tenure on the Operator Certification Board, and that Mr. Steffy will be greatly missed when he steps down from the Board, due to retirement. Mr. Chescattie expressed concern about Mr. Steffy leaving since he has been such a valuable member of the Board and that the Department is very interested in getting the best possible replacement. Mr. Chescattie explained that the Board members will each have an opportunity to provide a suggestion for consideration to fill Mr. Steffy's upcoming vacancy. They should submit a name and resume to Ms. Chambers and that Ms. Chambers will then email out the information out to the Board members to place a confidential vote in order to determine the selected candidate. Mr. Chalfant specified that, Per Section 3 of the *Water and Wastewater Systems Operators' Certification Act of 1968*, the candidate for this position on the Board must be a "certified operator who is the owner or official of a privately-owned water or wastewater system."

Mr. Chescattie presented a postcard the Department created which would be provided to all operators sitting for exams in order to avoid confusion regarding the Department's \$35 exam fee and asked the Board if they had edits, to vote on whether or not they agree with this postcard being distributed. Board members thought the postcard should be valuable to help prevent confusion. Ms. Roland motioned to approve use of the postcard for 2020. Chairman Swanderski seconded the motion, which passed unanimously. Motion carried.

Ms. Roland asked whether the Board meeting materials, such as reciprocities and extensions, could be emailed out to the Board one week prior to the meeting in order to give the Board members a little more time to review those materials. Mr. Chescattie and Ms. Chambers agreed that this is a good idea and will implement the new process for the first Board meeting of 2020. Any application received after this deadline (one week prior to the meeting) will not be included for Board consideration until the following meeting.

Chairman Swanderski asked about nominations for the Board Chair and Board Secretary. Mr. Chescattie replied that the nominations need to occur once per year, and this was last discussed in December 2018. After discussion, which included verbal invitations for anyone interested in becoming the new Chair, Ms. Roland motioned to retain Chairman Swanderski as the Board Chair for 2020. Mr. Steffy seconded the motion, which passed unanimously. Motion carried. Chairman Swanderski motioned to retain Ms. Chambers as the Board Secretary for 2020. Ms. Roland seconded the motion, which passed unanimously. Motion carried.

Comments from the Public

There were no comments from the public.

The Board went into executive session at 11:42 AM to review confidential information relating to Extension Requests received.

Operator ID 330695 requested an extension of his WA 7,12 and WE license, which expired on September 30, 2019. After Board member discussion of the extenuating circumstances, Mr.

Steffy made a motion to approve a one-month extension until October 23, 2019. Ms. Roland seconded the motion, which passed unanimously. Motion carried. Chairman Swanderski emphasized the need to stress that this one-time extension does not change the expiration date for the next three-year cycle, which is September 30, 2022.

Operator ID 225161 requested an extension of his WA NTNC license, which expired on September 30, 2019, due to extreme circumstances. Ms. Roland made a motion to approve a four-month extension until January 31, 2020. Chairman Swanderski seconded the motion, which passed unanimously. Motion carried.

Operator ID 308042 requested an extension of his WWE 4 license, which expired on September 30, 2019, due to extreme circumstances. Ms. Roland made a motion to approve a four-month extension until January 31, 2020. Mr. Smith seconded the motion, which passed unanimously. Motion carried.

Operator ID 254785 requested an extension of his WWE 4 license, which expired on September 30, 2019, due to medical circumstances. Ms. Roland made a motion to approve a six-month extension until March 31, 2020. Chairman Swanderski seconded the motion, which passed unanimously. Motion carried.

Mr. Chescattie reminded the Board that, as per previous discussions, the process to revise examination questions will start on January 14 with the drinking water exams. He explained which Department subject matter experts would be involved, and that Mary Roland would represent the Operator Certification Board in this process. Mr. Chescattie said it would be a lengthy process, which would also involve updating examination preparation materials; he, and / or Bill McNamara will provide the Board with progress updates at future Board meetings.

Chairman Swanderski motioned to adjourn the meeting at 12:28 PM.