

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

Board Meeting Minutes

**April 8, 2020
Conference Call**

Board Members Present (via phone)

Ed Chescattie, Bureau of Safe Drinking Water (BSDW), DEP Secretary Designee
Joseph Swanderski, Chairman, Penn State University, Wastewater Operator
Mary Roland, Certified Water Operator
Mike Kyle, Lancaster Area Sewer Authority, Employee of a Political Subdivision
Mark Smith, Herbert, Rowland & Grubic, Inc., General Public
John Cantwell, Legal Counsel
Laura Chambers, Board Secretary

Non-Board Members Present

Bill McNamara, BSDW
Jeff Allgyer, BSDW
Lori Wise, BSDW
Shalini Moola, BSDW
Mahendra Patel, BSDW
Dave Long, BSDW
Theia Hofstetter, Bureau of Clean Water
Brian Chalfant, Policy Office

Public Present

Joel Jordan, PA Rural Water

Mr. Chescattie took roll call to confirm all individuals participating in this Board meeting via conference call. He alerted members of the public present that they would be provided an opportunity for comment and input prior to the Board moving into Executive Session. Chairman Swanderski called the meeting to order at 10:07am.

Approval of February 12, 2020 Minutes

Mr. Kyle suggested that we add the word “unanimously” after each motion that carried with no objections. Mr. Kyle motioned to approve the minutes with these suggested edits. Chairman Swanderski seconded the motion. Motion carried unanimously.

Approval of New and Upgrade Applications

Ms. Chambers and her staff presented the following new and upgrade license for Board consideration:

- 30 new water licenses
- 6 upgraded water licenses
- 23 new wastewater licenses
- 11 upgraded wastewater licenses

Ms. Roland motioned to approve all of the new and upgraded license applications. Mr. Smith seconded the motion. Motion carried unanimously.

Reciprocity Requests

Wastewater

Matthew J Barca – Holds an Ohio Class 2 Wastewater Treatment Operator License, which was issued to him on February 25, 2020 and expires on December 31, 2022. His application documents 6 years' experience working at City of Struthers WWTP Facility, Ohio, which is a Class A facility using subclass 1, 2, 4 (Collection System). He has 7 months' experience working at City of Hubbard WWTP Facility, which is a Class B facility using subclasses 1. An operator is required to have a minimum of 4 years' experience in order to obtain a Pennsylvania Class A license. Therefore, the Department's determination is that Mr. Barca has documented the adequate experience relative to a WWA, E – 1, 2,4

Regarding the comparison of examination questions, the applicant took the Class 2 Wastewater ABC exam in Ohio.

The Department's recommendation: Board should consider issuing a WWA, E – 1, 2, 4 to Mr. Barca

After a brief discussion, Mr. Kyle motioned to approve the recommendation for WWA, E – 1,2,4. Ms. Roland seconded the motion. Motion carried unanimously.

Mr. Chescattie noted that the Department received two incomplete reciprocity applications, one for Mr. Mark Lavenburg and one for Mr. Charles Dwyer. After providing a summary of the information which was not included with each license, Mr. Chescattie asked the Board members whether they agree that it is not feasible to present these requests to the Board consideration today. The Board members were all in agreement. If adequate additional documentation is obtained prior to the June Board meeting, the Department will present these applications for Board consideration at that time.

Board Secretary Report

Mr. Chescattie provided an overview of the revisions Department staff have made to the initial certification application. He explained that the purpose of these revisions is to insure applicants provide as much necessary detail as possible to improve efficiency and accuracy of application processing. Therefore, the Department wishes to begin using the revised version as soon as possible after obtaining Board input and approval. Mr. Kyle stated that it is an improvement and asked whether the terminologies listed within the application are from the Chapter 302 Regulations. Mr. Chescattie explained how the revisions are consistent with language in 302.704. Ms. Roland motioned to approve the revised application. Mr. Kyle seconded the motion. Motion carried unanimously.

Ms. Chambers noted that she has been working with the Approved Exam Providers (AEPs) to reschedule and postpone exams. More specifically, two weeks prior to each previously scheduled exam, Ms. Chambers facilitates a conference call with the AEP and a consensus decision is reached with the AEP to postpone or reschedule that exam in accordance with the

most current CDC guidance and applicable Governor's restrictions. This was the Board and Department's agreed upon protocol. Most AEPs are not currently choosing a specific reschedule date due to the uncertainty of when COVID related risks and restrictions will decrease.

Mr. Kyle asked whether the Department has considered if it is feasible to grant any provisions to operators that need to become certified but are experiencing difficulty due to classes and/or exams being canceled. Mr. Chescattie replied that the Department is committed to opening exam opportunities as soon as feasible based on COVID related restrictions and, in the interim, operators without a license should be working under the direct supervision of a properly certified operator and/or following an SOP written by a properly certified operator. Mr. Kyle agreed, and asked about whether it is possible to offer online exams at this time. Mr. McNamara explained that the web-based exams are limited to the computer rooms in DEP regional offices because they require a special login to help protect the integrity of the exams. This has always posed an issue whenever we've evaluated plans to attempt to hold web-based exams anywhere other than a DEP regional office. DEP computer rooms are small, allowing for on average 15 examinees sitting in very close proximity. With social distancing of 6 feet, and the offices being closed, it is unfortunately not feasible to offer exams in these offices at this time.

Old and New Business

Mr. Allgyer provided an update on two operators who voluntarily surrendered their licenses due to their applications inaccurately representing the process control experience they actually had. It is important to note that the Department is carefully reviewing applications and investigating instances where inaccurate experience is represented by the applicant or supervising operator who signed the application to verify said applicant experience.

Mr. Chescattie provided an overview of six initial applications the Department received for staff from Bucks County which lack documentation of adequate process control experience. Mr. Chescattie asked whether the Board agrees with granting Operator-in-Training (OIT) status to these applicants at this time until they can gain additional process control experience. After some discussion, the Board agreed unanimously with granting OIT to each of the aforementioned operators.

Comments from the Public

Joel Jordan commented that PRWA has been working with the Department regarding rescheduling of training and examinations, and the current interactions and approach is working for the challenging circumstances we are facing.

The Board went into Executive Session at 11:17am to review confidential information relating to an Extension Request and several other items.

Extension Requests

Operator ID 196958 requested an extension of his WDE-12, which expired on March 31, 2020, due to various COVID-19 related extenuating circumstances including class cancellations and lack of internet access for online classes.

The Board discussed at length the most appropriate Board decisions and guidance for operators whose license expires June 30, 2020. Board members agreed that Board guidance on extension requests for June 30, 2020 should be posted on the operator certification website by the Department. Mr. Chescattie said that he will provide a final draft of the agreed upon language via email to the Board members and incorporate suggested edits the Board members provide.

Mark suggested tabling extension requests for operators whose licenses expire September 30, 2020 for discussion at the June Board meeting because COVID related circumstances continue to evolve and we will be able to make a more informed decision in June for the September 30 license cycle. All Board members agreed with this suggestion.

Chairman Swanderski mentioned that he had recently spoken with Jeff Bickel, Mr. Steffy's replacement on the Board. Ms. Chambers has submitted the appointment paperwork, which is on the fast-track to Governor's Office for approval. Ms. Chambers will forward Mr. Bickel's bio and resume to all Board members via email.

Criminal History Report

The Department did not receive any Criminal History Reports for this meeting.

The Board came out of Executive Session at 12:29 pm.

Mr. Chescattie made a motion to approve the extension request for Operator ID 196958 to June 30, 2020 with a letter providing him with important information the Board wants to ensure he is aware of. Chairman Swanderski seconded the motion. Motion carried unanimously.

Mr. Kyle made a motion to authorize Mr. Chescattie to edit and post language on the Operator Certification website on behalf of the Board to state that – for operators whose licenses expire June 30, 2020, the Board will grant an extension of 60 days until August 31, 2020, provided a properly completed written extension request is submitted that documents any of the following: COVID-19 circumstances; applicant is working extra hours; applicant is impacted by illness; applicant lacks internet access to complete online courses. The Board agrees that the Department needs to include in each applicant's extension approval letter an explanation that the continuing education hours obtained during the 60-day extension will not be double counted towards next continuing education cycle. Ms. Roland seconded motion. Motion carried unanimously.

Mr. Chescattie motioned that the Operator Certification Board expects the Department to provide the Board with intermittent updates as the COVID-19 situation evolves and the Board will schedule emergency executive session conference calls as needed to make timely decisions regarding operator certification. Chairman Swanderski seconded the motion. Motion carried unanimously.

Meeting adjourned at 12:43.