



STATE OF MARYLAND
BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS
MINUTES OF THE MEETING HELD ON:
Thursday, September 21, 2017 At
Back River Wastewater Treatment Plant, Baltimore, Maryland

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MISSION OF THE MARYLAND BOARD OF WATERWORKS & WASTE SYSTEMS OPERATORS
 The Treatment Systems that provide drinking water for our citizens and handle the wastes generated by our daily activities play an important role in protecting Public Health and the Environment of Maryland. Through the Certification Program established by State Law, the “Board of Waterworks and Waste Systems Operators” sets the education, experience and examination standards for Operators and Superintendents who work in these vital systems.

BOARD MEMBERS PRESENT

William Shreve	Dee Settar
Joe Haxton	Dominic Deludos
Bruce Darner	Nancy Hausrath
Dr. Russell Kelley	Bruce Darner

PRESENT LIASONS & OTHERS

Scott Harmon	CWEA Representative
Neil Winner	Board Staff
Stephanie Brown	Board Staff
Martin Fuhr	Board Staff
Pam Franks	Board Staff
Aris Evia	Board Counsel

Guests

Hiram Tanner	CWEA
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Not Present

Joseph Johnson	Board Member
Doug Myers	Board Member
Jay Price	AWWA Representative
Burt Curry	WEF Representative

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01. CALL TO ORDER

Board Chairman called the meeting to order at 10:06 A.M.

02. AGENDA REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA

It was moved by Nancy Hausrath and seconded by Dee Settar to adopt the meeting agenda as amended. Motion carried.

A. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

Board Members reviewed the July 20, 2017 draft meeting minutes, and voted unanimously to approve the minutes with the necessary corrections. Moved by Nancy Hausrath and seconded by Dee Settar. Motion carried.

03. BOARD CHAIRMAN’S COMMENTS

Board Chairman thanked everyone for attending the meeting.

04. SECRETARY’S REPORT

A. Report on Board’s Administrative Activities (Neil Winner)

1. As of August 31, 2017, appropriations for fiscal year 2018 are \$219,074.00, expenses are \$48,463.34, revenue is \$32,190.00, and the encumbrance is \$50,198.00. Board requested a quarterly breakdown of expenditures. Appropriations for fiscal year 2018 were discussed.
2. Maryland Department of the Environment (MDE) created a Sole Source Contract to pay the \$15,000 fee modification which was approved by the Maryland Board of Public Works as of July 26, 2017.
3. Neil Winner gave a recap of ABC webinar, stating that over the last 3 years there has been a complete revision of ABC’s standardized exams. The 2018 standardized exams will consist of 110 questions, inclusive of the required 100 questions and an additional 10 proposed questions randomly distributed throughout the exam. The 2018 standardized ABC exams are fully validated by ABC and consist of 16 Exams to include: Wastewater Treatment 1-4, Water Treatment 1-4, Water Distribution 1-4, and Wastewater Collection 1-4. All other exams provided by ABC are now considered customized exams and are not validated by ABC. ABC standardized exams will no longer contain questions on State, Federal and Local regulations; States will have to provide or require regulatory training on their own, if desired. The ABC implementation packet will be sent to all Board and staff members by October 2017, and paper and web based exams will be available for review. Board Chairman suggested upon receipt of the packet, we need to establish a subcommittee for review of the new standardized exams after review of the webinar. Board questioned if ABC is forcing States to implement their own validation process; and suggested that we use a subcommittee to provide validation and to replace questions that appear to unduly challenge operators. Board chairman, inquired if there are any other validated testing companies available.

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B. Report on Examination Results

1. Please refer to Attachment A.

05. REVIEW OF APPLICATIONS

1. Juan Pagan – Requested reciprocity from New Jersey to be a MD class 7 Industrial Wastewater Operator. Board questioned whether reciprocity for a site specific certification classification is applicable. Board denied Mr. Pagan’s reciprocity request and instead recommended he should be issued a Temporary class 7 Industrial Wastewater certification and to take the examination. Once he passes, he may apply for Operator Certification. The fees that were paid for reciprocity will be applied to his Temporary certification, examination, and Operator certification. Dee Settar moved to approve the Board’s recommendation and was seconded by Joe Haxton. Motion carried.
2. James Conklin - Requested reciprocity from New Jersey to be a MD class 7 Industrial Wastewater Operator. Board questioned whether reciprocity for a site specific certification classification is applicable. Board denied Mr. Pagan’s reciprocity request and instead recommended he should be issued a Temporary class 7 Industrial Wastewater certification and to take the examination. Once he passes, he may apply for Operator Certification. The fees that were paid for reciprocity will be applied to his Temporary certification, examination, and Operator certification. Dee Settar moved to approve the Board’s recommendation and was seconded by Joe Haxton. Motion carried.
3. Tony Aceto - Requested reciprocity from the State of Florida to be a class 4 Water Treatment Operator. Board Staff recommended that Mr. Aceto be granted reciprocity for the Class 4 Water Treatment Operator certification. Nancy Hausrath moved to accept Board Staff’s recommendation and was seconded by Bruce Darner. Motion carried.
4. Collin Cole – Requested reciprocity from West Virginia to be certified as a Maryland class 1 Water Treatment, class 1 Wastewater Treatment, class 1 Water Distribution, and class 2 Wastewater Collection certified operator. Board Staff recommended Mr. Cole be granted reciprocity for the Wastewater Collection class 2, Water Distribution class 1, and Wastewater Treatment class 1 operator certifications. The Board denied his request for reciprocity with the Water Treatment class 1 certification. Joe Haxton moved to approve Board Staff’s recommendation and was seconded by Nancy Hausrath. Motion carried.
5. Brandon Greene – Requested experience credit toward his Operator class- 2 Wastewater Collection certification. Mr. Greene has held his Temporary Wastewater Collection class 2 certification since March 1, 2016 and has successfully passed the examination. Board Staff recommended granting Mr. Greene six months of experience which would make him eligible to receive certification by October 1, 2017. Dee Settar moved to accept Board Staff’s recommendation and was seconded by Bruce Darner. Motion carried..
6. Daniel Fissel – Requested experience credit toward his Operator class 5A Wastewater Treatment certification. Mr. Fissel has held his Temporary class 5A Wastewater Treatment certification since October 1, 2015 and successfully passed the examination. Board Staff recommended Mr. Fissel be granted one year of experience credit towards his class 5A

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138 Wastewater Treatment Operator certification, which would make him eligible to receive his
139 certification by October 1, 2017. Joe Haxton moved to accept Board Staff's recommendation
140 and was seconded by Nancy Hausrath. Motion carried
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- 142 7. Michael Swanger - Requested education substitution towards his Operator class 5A
143 Wastewater Treatment certification. Mr. Swanger has held a Temporary 5A Wastewater
144 Treatment certification since November 1, 2015 and has successfully passed the examination.
145 Board Staff recommended Mr. Swanger is granted one year of education substitution towards
146 his Operator's certification. This would make him eligible to receive certification by
147 November 1, 2017. Joe Haxton moved to accept Board Staff's recommendation and was
148 seconded by Nancy Hausrath. Motion carried.
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- 150 8. Maia Tatinclaux - Requested education substitution toward her Operator class 5A Wastewater
151 Treatment certification. Ms. Tatinclaux has held a Temporary Wastewater Treatment 5A
152 certification since December 1, 2014 and has successfully passed the examination. Board
153 Staff recommended Ms. Tatinclaux be granted one year of education substitution toward her
154 Operator certification, however she only required three months. This would make her eligible
155 for Operator certification immediately. Joe Haxton moved to grant her three months of
156 education substitution and was seconded by Nancy Hausrath. Motion carried.
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158 **06. COMMITTEE REPORTS**

159 **A. Training Review Committee - TRE**

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- 162 1. The Board reviewed the training recommendations provided by the TRE Committee from the
163 September 13, 2017 meeting. Nancy Hausrath moved to accept TRE report as amended and
164 was seconded by Dominic Deludos. Motion carried.
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- 166 2. Board Staff was made aware that the Water Distribution course (TRE #6083-17-03) held at
167 the short course should have been approved for All Operators and as Non-Process, as it was
168 originally approved for only Water Distribution Operators for Process credits. Joe Haxton
169 moved to approve this change and was seconded by Bruce Darner. Motion carried.
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- 171 3. The Board discussed implementing a fee structure as a requirement for for-profit companies in
172 order to obtain Board Approval for their training courses. Non-profits would be exempt from
173 this requirement.
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175 **08. ON-GOING BUSINESS**

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- 177 1. Board staff reported that in accordance with Board direction, all training classes greater than
178 10 years old, 2006 date and older, were deleted from the current approved training list. The
179 number of approved classes decreased from approximately 12,000 to approximately 6,000.
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- 181 2. Board staff recommended that the same class presented by a different sponsor, would be
182 considered a new class and have new number, even if the same instructor and/or slides due to
183 differing course requirements of the different sponsors. An email from Karen Brandt of
184 MCET on the subject was presented to the Board.
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09. NEW BUSINESS

1. Andrew Witt – Requested special accommodations for his upcoming exam scheduled for October 12, 2017 including dictation, transcription and additional time to take the exam. Board Staff recommended an additional hour for Mr. Witt to take the exam. Joe Haxton moved to accept Board Staff’s recommendation and was seconded by Nancy Hausrath with stipulations of offering Mr. Witt a distraction free environment with the option to take the web based or paper examination.
2. Scott Murphy - Request for review of Licensure. Mr. Murphy applied for Class 3 Wastewater Operator certification using 1,586 hours in a Class 3 Wastewater Treatment Plant and 1,637 hours he has gained working in Class 5 and Class-A Wastewater Treatment facilities, as allowed by a Board Policy Memo dated July 17, 2003. The Board confirmed the Policy Memo was still valid and in effect. Mr. Murphy states he has successfully passed the Class 3 Wastewater examination. Pending verification of successful completion of the Class 3 Wastewater examination it was moved Mr. Murphy be granted Certification. The motion was seconded by Nancy Hausrath. Motion carried.
3. EPA Operator Certification Meeting - Dee Settar provided a recap and also information on prescriptive questions and a discriminatory lawsuit in Alabama, 31 operators filed a lawsuit because of the high number of exam failures. The Judge assigned a Special Master to evaluate the exams. A standardized need to know criteria for certified operators and a list of how States classify licensing was discussed. Board recommend consulting with a compliance group and to put Operator Certification as an Ongoing Business item in the Board meeting monthly agenda. The Board suggested an electronic survey to gauge the different issues regarding Operator Certification with input from both operators and systems. The Board directed staff to prepare questions for the survey to be discussed at a future Board meeting.
4. 2018 Operator Exam Schedule – A draft exam schedule was presented to the Board and the request for additional exam opportunities during or immediately following the short course was discussed.
5. Plant Classification – Nancy Hausrath presented a question regarding guidance from the MDE Compliance Program on the plant classification for an Industrial Discharge. A discussion of whose responsibility it is to determine plant classification ensued and the Board agreed with staff that it was the Board and Board Staff’s area of responsibility, with input from other MDE programs as necessary.
6. List of Operators – The Board confirmed that when requested through the PIA, a list of Operator’s names, business address, and business telephone number may be provided, in conformance with the Maryland Attorney General ruling on this subject.
7. Plant Upgrades – A discussion of how to ensure that Board staff is informed of plant upgrades in a timely manner. Board staff suggested that notification be given when a plant has been granted a water or Sewerage Construction Permit or a NPDES Permit from MDE. This will alert Board staff about an effective date of the upgrade. Neil Winner will contact the Wastewater Permits Division and Engineering and Capital Projects Program to discuss.

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10. DISCUSSION WITH BOARD LIAISONS AND GUESTS

11. ADJOURNMENT

Nancy Hausrath moved to adjourn meeting at 1:02 P.M. The next meeting will be held on **October 19, 2017 10:00 A.M. at Howard County Bureau of Utilities, Columbia, Maryland.**

Minutes recorded by: Pamela Franks, Board Staff Administrative Officer

Minutes reviewed and edited by: Neil Winner, Division Chief WSA
Pamela Franks, Board Staff Administrative Officer

William Shreve
William Shreve, Board Chair

Christine Nagle
Christine Nagle, Board Secretary

These minutes were approved on: October 19, 2017