



STATE OF MARYLAND
BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS
MINUTES OF THE MEETING HELD ON:
Thursday, January 20, 2022 At 10:00 A.M
Virtual Video Conference Meeting via Google Hangouts

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

Jay Price	Sanitary Commission; Board Chair
Benjamin Thompson	County Government; Board Vice-Chair
Rosann Ndebumado	Municipal Government
Ed Hogan	Industrial Superintendents
Bruce Darner	Agriculture; WWOA Liaison
Hiram Tanner	Public-At-Large
Eric Dutrow	Public-At-Large
Connie Luffman	Wastewater Supervision

BOARD MEMBERS NOT PRESENT

Doug Abbot	Water Supervision
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LIASONS, GUEST & STAFF PRESENT

Dee Settar	Board Secretary
Jennifer Bowman	Board Counsel
Pamela Franks	Board Staff
Martin Fuhr	Board Staff
Victoria Arbaugh	Board Staff
Shailaja Pelosi	MDE Liaison– Compliance Program
Clark Howells	CWEA Liaison
Bill Shreve	TRE Committee Liaison
Jane Pierce	MCET Liaison
Tony Sierra	Guest / MDE Water Supply Program
Sam Grimard	Guest / Operator MES
Michael Hallman	Guest / Baltimore City WW Facilities
Jessica Kilbec	Guest / Anne Arundel County DPW

01. CALL TO ORDER

Board Chair Jay Price called the meeting to order at 10:00 AM. Victoria Arbaugh, Board staff performed roll call. The Board meeting was conducted online using Google Meet.

02. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA

Board Members reviewed the January 20, 2022 draft Agenda. Ben Thompson moved to adopt the proposed meeting agenda with amendments. Ed Hogan seconded the motion. The motion carried unanimously with Board Chair abstention.

03. REVIEW AND APPROVAL OF DRAFT FOR PRIOR MEETING MINUTES

Board Members will review the December 16, 2021 draft Meeting Minutes at the February 2022 Meeting.

04. BOARD CHAIR’S COMMENTS

Board Chair Jay Price opened the meeting by thanking Partha Tallapragada for his distinguished service to the Board. His sentiments were echoed by all Board members who expressed their appreciation for Partha’s expertise and service. Board Chair then thanked all Board Members, Staff, and Guests for their time and attendance. He asked all guests to introduce themselves. Bill Shreve noted that in addition to teaching for MCET, he would now also as WWOA representative for the TRE Committee. Jay then asked the remaining guests, Samuel Grimard, Michael Hallmen and Jessica Kibec to introduce themselves and provide a brief background. He thanked everyone for their interest in the Board.

05. BOARD STAFF’S REPORTS

Board Appointment Update and Introductions

Dee Settar introduced the newest Board Member appointed, Connie Luffman and invited her to provide a summary of her background and experience. Dee also introduced Tony Sierra, who was recommended to represent MDE on the Board and is awaiting appointment by Secretary Grumbles; Dee invited Tony to provide a summary of his background and experience. Board Chair Jay Price then asked all Board members and staff to introduce themselves and their role on the Board.

Revenue & Expenditures Update

Board Secretary Dee Settar presented the November and Draft December Revenue & Expense Report to the Board and explained that the figures for December had not yet been confirmed by MDE Fiscal. She explained that the Exam Contract with ABC for CY2022 had commenced and highlighted the appropriations portions of both reported months. After the presentation, Dee opened the floor to inquiry and comment. The Board had no questions or comments regarding the information that was reported.

<i>FY22 Appropriations</i>	<i>Through June 30, 2022</i>	<i>\$390,093.00</i>
<i>Draft cumulative revenue</i>	<i>As of December 31, 2021</i>	<i>\$85,527.00</i>
<i>Reconciled cumulative revenue</i>	<i>As of November 30, 2021</i>	<i>\$71,612.00</i>
<i>Reconciled cumulative expenses</i>	<i>As of November 30, 2021</i>	<i>\$62,285.27</i>
<i>CY21 ABC Encumbrance</i>	<i>As of November 30, 2021</i>	<i>\$24,345.74</i>

Inquiry by Sam Grimard (plant classification inquiry)

Operator Sam Grimard attended the meeting to explain that the Board recently reclassified his plant of operation from I2 to I1 and requested the Board acknowledge his passing of his I2 exam in place of his taking the I1 exam in order to obtain his full I1 certification. Board Secretary Dee Settar confirmed that Board staff, in conjunction with MDE's Industrial Permit Writers, reclassified the industrial plant as I1 in June 2021 due to clarification of treatment-solely pH control. Mr. Grimard emphasized that resolution of this matter was an urgent matter as plant operations are impacted. Hiram Tanner recused himself from the discussion as he sits on the MES Board of Directors.

Board Chair Jay Price noted the different processes for I1 and I2 plants, which are not progressive, and that the regulations do not authorize reciprocal operation; as previous Board Chair, Bill Shreve concurred. Martin Fuhr explained that while the classification descriptions in COMAR are different, the I1 and I2 exams are identical. Bill Shreve recommended the Board consider any decision made would create a precedent.

Dee Settar recommended the Board to table the discussion until the closed session. Bill Shreve suggested Shailaja Polasi attend the closed session to provide technical and compliance input. Dee Settar advised Mr. Grimard that she would contact him with the Board's decision after the closed session.

Board Initiatives & Updates

Updates (database, emailed certificates and online payments / applications)

Dee Settar provided an update of the fiscal component of the Board's new database. Jay Price asked for a projected timeframe for full automation. Dee responded that automation or online payments/ applications are not currently available but MDE is making progress towards this goal and she hopes implementation will begin by end of CY2022. She noted that staff currently mail renewal forms at least 60 days prior to expiration date and will begin posting operators' renewal forms on the website for download in the near future. The Board members presented no additional questions.

Board Attendance Report CY2021

Dee advised Board Members that she submitted the annual Attendance report for CY2021 to the Governor's Office of Appointments as required, and provided the report to Members prior to this meeting. Dee reminded Members of the requirement to attend at least 50% of meetings and that excused absences do not count in determining that percentile. Board members presented no additional questions.

Discussion with Governor's Office (proposed roundtable)

Dee Settar briefed the Board on her discussion with Andrew Cassilly, Senior Advisor for the Office of the Governor on December 21, 2021 regarding the operator/ water and wastewater industry. Dee explained Mr. Cassilly conveyed concerns with water / wastewater plant staffing limitations that can lead to compliance issues and an urgent need to improve recruitment efforts in this industry. As MDE and the Board share similar concerns, Dee accepted Mr. Cassilly's invitation to participate in a roundtable discussion and suggested other potential participants, including at least one Board Member. While a meeting date has not yet been determined, Jay Price and Bill Shreve both volunteered to participate. Eric Dutrow advised that Maryland Rural Water Association developing an apprenticeship program that may be of interest to the Governor's Office. Connie Luffman advised that she previously spoke with Mr. Cassilly and she will gladly participate. Eric suggested Dee invite Scott Harmon as the MRWA Training Coordinator who could also contribute to the roundtable discussion.

Operator Inquiry / Plant Classification

Dee Settar briefed the Board on an inquiry received by a military contractor regarding plant classification for the Patuxent Naval Air Station, an activated sludge plant that Board staff could not specify between W3 or W5 wastewater classifications. While Shailaja Polasi and Bill Shreve agreed the plant could be classified as W3 or W5, Shailajah expressed her thought that it is a package plant but requested the matter be tabled so she could further research the matter. The Board members presented no additional questions.

06. OLD BUSINESS

Industrial-7 and other Sub-classifications

Dee Settar reminded the Board of a previous conversation to expand the I7 classification, along with the W6 and T5 classifications and indicated any change to the current plant classification structure would require a regulatory change and / or approval by the Department Secretary. Bruce Darner noted that if a plant classification transitioned, the Board should automatically transition operators' certifications as well. Dee responded that an exam should be required for certain certifications and relayed concerns of the Water Supply Program's Engineering Division regarding secondary treatment at hospitals, condos, and nursing homes for legionella. Dee noted for this sub-classification, distribution flushing is as important as treatment. Dee acknowledged a proposed Senate Bill that could require a water management plan for all public buildings and will provide an update at the next meeting

07. NEW BUSINESS

SB 111 Occupational Licenses / Certificates – Pre-Application Determinations & Criminal Convictions

Dee Settar advised that the Board provided a financial impact statement on proposed legislation that would prevent an occupational licensing board from denying certification of non-violent offenders simply based upon their conviction. She noted her response was that the proposed legislation had no financial or operation impact to the Board. Board members had no questions at this time.

SB 221 Administrative Penalties

Dee Settar advised that Board Counsel reviewed proposed legislation that would expand MDE's enforcement authority for administrating civil and administrative penalties. Board Counsel will provide additional information during the closed session. Board members had no questions at this time.

Review of Proposed Reciprocity Verification Form

Martin Fuhr presented a draft form to supplement the current Maryland reciprocity application. The proposed document will request a state agency to confirm an operator seeking reciprocity in Maryland has a valid certification/ license from another state. The intent of the form is to (1) decrease Board staff workload associated with verifying a reciprocity application and (2) streamline the decision making process for reciprocity. As Board Counsel and Members were not able to review the form prior to the meeting, the Board tabled the matter until the next meeting.

08. EXAM SUBCOMMITTEE REPORT

The Exam Subcommittee continued to review and update the water T3 exam, and they hope to present recommendations at the February meeting. Dee Settar advised that she could provide additional information during a closed session.

09 TRE SUBCOMMITTEE REPORT

Recommendations for Training Applications

Dee Settar advised the Board that the Training, Review and Evaluation (TRE) Subcommittee has agreed to meet six (6) times a year and presented the TRE recommendations to the Board. There was a brief discussion of the “conference rule” and Members agreed all conferences should be approved for all operator and superintendent classifications. Hiram Tanner made a motion to adopt the Subcommittee’s recommendations; Ben Thompson seconded. The motion passed unanimously with the Board Chair abstaining.

Change in Committee Membership (Jessica Kilbec for Ben Thompson)

Ben Thompson notified the Board that he will no longer serve on the TRE Subcommittee and recommended Jessica Kibec as his replacement. Jessica introduced herself and noted her experience as a STEM teacher at Anne Arundel County Schools and her current position with Anne Arundel County Department of Public Works’ Utility Management Program as the Training & Outreach Manager. Board Chair Jay Price noted the Board requires no specific approval for Committee volunteers. Board Members welcomed Jessica to the TRE Committee. Jay also suggested the possibility of changing meeting dates to better accommodate the Committee.

11. DISCUSSION WITH BOARD LIAISONS AND GUESTS

Dee Settar (MDE) – Dee advised that Saeid Kasraei has retired and Greg Bush is Acting Program Manager for MDE’s Water Supply Program.

Clark Howells (CWEA) – Clark advised that CWEA meets on the same day as the WWSO Board, and will provide an update next month.

Bruce Darner (WWOA) – Bruce advised that WWOA had a budget meeting yesterday and they are solvent. They have 319 members and 124 are from the Eastern Shore while other are scattered throughout the State of Maryland. He advised that a joint Utility Training with MCET is scheduled for January 26, 2022, which could be beneficial to operators and asked the Board to spread the word.

Jay Price (CSAWWA) – Jay advised that the CSAWWA budget was approved and had no other comment.

Eric Dutrow (MRWA) – Eric advised that the Association scheduled the annual conference during the first week in May of 2022 and the content would be especially beneficial to small system operators. Eric is seeking a volunteer presenter for his Short Course training “The Ten Core components of Water Systems”, scheduled for June 8, 2022, as he has a scheduling conflict. Bill Shreve tentatively offered to assist. Eric also mentioned both he and /or Scott Harmon would be happy to attend the Governor’s Office roundtable on operator recruitment.

11. BOARD VOTE TO MOVE INTO CLOSED SESSION

Pursuant to General Provisions Article (“GP”) § 3-305(b), on a motion made by Ben Thompson and seconded by Bruce Darner, the following Board members voted in favor to move into closed session on January 20, 2022 at 11:32 AM via Google Meet video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Ben Thompson, Roseann Ndebumado, Ed Hogan, Bruce Darner, Eric Dutrow and Connie Luffman. Board Chair Jay Price abstained. The motion carried.

12. ADJOURNMENT

Bruce Darner moved to adjourn the open meeting at 11:32 AM. The next meeting will be held on **February 17, 2022 via Google Meet.**

CALL TO ORDER AND PURPOSE OF CLOSED MEETING

With a quorum present, Chairman Jay Price called the meeting of the closed session to order at 11:40 AM to perform administrative functions, pursuant to the following provisions of GP § 3-305(b):

GP § 3-305(b)(2) - To protect the privacy or reputation of individuals concerning a matter not related to public business

GP § 3-305(b)(7) - To consult with Board Counsel to obtain legal advice

Dee Settar performed the roll call. During the closed meeting, the following Board members were present: Chairman Jay Price, Vice-Chairman Ben Thompson, Roseann Ndebumado, Hiram Tanner, Ed Hogan, Bruce Darner, Eric Dutrow and Connie Luffman. The following MDE staff were also present during the closed meeting: Jenn Bowman, Dee Settar, Martin Fuhr, Pam Franks, Victoria Arbaugh and Shailaja Polasi. The following Board Members were not present: Doug Abbott.

TOPICS DISCUSSED DURING CLOSED MEETING

Board Members reviewed the agenda for today's closed meeting and draft minutes for the December 16, 2021 closed meeting, and discussed the following items: plant classification, a proposed emergency meeting to facilitate MDE compliance efforts, a proposed form for reciprocity; and proposed legislation that would impact Board function.

The January 20, 2022 Open Meeting Minutes were approved by the WWSO Board on February 17, 2022