



**STATE OF MARYLAND**  
**BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS**  
**MINUTES OF THE MEETING HELD ON:**  
**Thursday, February 17, 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
Doug Abbot	Water Supervision
Ed Hogan	Industrial Superintendents
Bruce Darner	Agriculture; WWOA Liaison (arrived @10:18 am)
Hiram Tanner	Public-At-Large
Eric Dutrow	Public-At-Large
Connie Luffman	Wastewater Supervision

**BOARD MEMBERS NOT PRESENT**

Rosann Ndebumado	Municipal Government (Excused)
Vacancy	Maryland Environmental Service
Vacancy	Maryland Department of the Environment

**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
Scott Harmon	CWEA Liaison
Clark Howells	CWEA Liaison
Bill Shreve	TRE Committee Liaison
Margo Falahee	Guest, MDE / Water Supply Program Accountant
Tony Sierra	Guest, MDE / Water Supply Program Engineer
Joseph Wright	Guest / Operator, MES
Kerry Strong	Guest / Operator relocating to Maryland
James Ferris	Guest / Operator Requesting Reciprocity

## **01. CALL TO ORDER and ROLL CALL**

Board Chair Jay Price called the meeting to order at 10:00 AM. Roll Call was done by Victoria Arbaugh, Board staff. The Board meeting was conducted online using Google Meet.

## **02. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA**

Board Members reviewed the February 17, 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 MINUTES FOR PRIOR MEETINGS**

Board Members reviewed the December 16, 2021 draft Meeting Minutes. Several corrections were made. Ben Thompson moved to adopt the proposed minutes with changed. Doug Abbott seconded the motion. The motion carried unanimously with Board Chair abstention.

Board Members reviewed the January 20, 2021 draft Meeting Minutes. Several corrections were made. Ben Thompson moved to adopt the proposed minutes with changes. Hiram Tanner seconded the motion. The motion carried unanimously with Board Chair abstention.

## **04. BOARD CHAIR'S COMMENTS**

Board Chair Jay Price opened the meeting by thanking all the Board Members, Staff, and Guests for their time and attendance. He asked all guests to introduce themselves. Bill Shreve, Tony Sierra, Kerry Strong, Joseph Wright, Margo Falahee and James Ferris all introduced themselves with a brief background and their purpose for attending the meeting. Bill Shreve, a long time former Board member and Chair, introduced himself and advised that he would continue to serve on the TRE Committee and would be interested in assisting with any future exam revisions. Tony Sierra provided his work experience with the Water Supply Program Engineering and Technical Assistance Division (ETAD) and noted his recommendation to the MDE Secretary in order to fill the Board's vacant Maryland Department of the Environment (MDE) seat. Kerry Strong relayed her work experience in wastewater and expressed interest in serving the wastewater community after relocating to Maryland. James Ferris introduced himself and explained he was here to answer any questions regarding his application for reciprocity. Joseph Wright introduced himself and advised that he applied to fill the Board's vacant Maryland Environmental Service (MES) seat. Margo Falahee introduced herself as the accountant for MDE's Water Supply Program.

## **05. BOARD STAFF'S REPORTS**

### **A. Board Appointment Update**

Dee Settara explained that Board Members whose terms expire June 30<sup>th</sup> of this year will not be reappointed due to the upcoming gubernatorial election. Board Members with expired terms will continue to serve until re-appointed, or replaced, by the new Governor.

## **B. Revenue & Expenditures Update**

Board Secretary Dee Settar presented the January 2022 Revenue & Expense Report to the Board:

Revenue as of January 31, 2022	= \$96,627.00 (unreconciled)
Expenditures as of December 31, 2021	= \$37,812.79
Encumbrance as of December 31, 2021	= \$9,564.52
FY22 Appropriations	= \$390,093.00

Dee noted that recent monthly revenue increases indicated an increased number of applications received due to the COVID-related renewal extensions. Dee advised the Board Members that, as the Program Accountant, Margo Falahee will assess the Board's financial processes to make audit-type recommendations for record keeping and fiscal processing. Bill Shreve asked if the appropriations are lost if not used. Dee responded the money was earmarked for the Board and was uncertain whether unused money is returned to the MD General Fund, remains with the Department or remains with the Board. Margo noted she will provide additional information after further review of the Board's fiscal processing.

Dee updated Board Members that the contract with the Association of Boards of Certification (ABC) for FY 2023 exams had commenced and noted the number of exams are limited by the State's procurement process, as a contract exceeding \$50,000 must be approved by the Department of General Services, and a contract exceeding \$100,000 must be approved by the Board of Public Works. However, she noted the Board has sufficient funds if the demand for exams exceeds the amount outlined in the contract with ABC.

## **C. Board Initiatives & Inquiries**

Dee Settar briefed Board Members on the Department's Office of Information Management and Technology planned efforts to further support the updated database, which will advance the Board's efforts towards accepting on-line payments and applications. Jay Price inquired about the anticipated timeline for full automation; Dee responded the Department is slowly moving forward with online payments / applications and progress will continue over the next year. Shailaja Polasi inquired if renewal applications or certifications are currently emailed to operators. Dee advised that Board staff are working towards improving this effort, as the current means to email certificates is very cumbersome, including printing and scanning each certificate. Dee explained that renewal notices are currently available upon request and will be posted on the webpage for download in the near future. Shailajah noted the MDE Compliance Program uses an Access database for permits that is capable of generating automated emails. Bill Shreve asked if MDE can utilize the Maryland One Stop software used for fishing licenses; Dee responded that she would look into those suggestions. Dee also explained the Board receives a significant amount of returned renewal letters and certificates; in addition she expressed concern that operators are not updating addresses. Dee also advised of recently proposed legislation that would require all water and wastewater utilities to provide an annual list of operational staff to MDE if passed. The Board Members presented no additional questions.

## **06. Exam Statistics**

Martin Fuhr presented the exam statistics for the months of October, November and December 2021.

<b>Exams – October 2021</b>	<b>Format</b>	<b># Exams</b>	<b>Passing Rate</b>
Water	Paper	19	47%
Water	Online (AMP)	3	67%
Wastewater & Industrial WW	Paper	39	29%
Wastewater & Industrial WW	Online (AMP)	6	33%
<b>TOTAL</b>		<b>66</b>	<b>36%</b>

<b>Exams – November 2021</b>	<b>Format</b>	<b># Exams</b>	<b>Passing Rate</b>
Water	Paper	19	53%
Water	Online (AMP)	7	43%
Wastewater & Industrial WW	Paper	37	35%
Wastewater & Industrial WW	Online (AMP)	4	25%
<b>TOTAL</b>		<b>67</b>	<b>40%</b>

<b>Exams – December 2021</b>	<b>Format</b>	<b># Exams</b>	<b>Passing Rate</b>
Water	Paper	9	22%
Water	Online (AMP)	0	
Wastewater & Industrial WW	Paper	28	36%
Wastewater & Industrial WW	Online (AMP)	3	33%
<b>TOTAL</b>		<b>40</b>	<b>32%</b>

## **07. Review of Applications Received**

Martin Fuhr presented a reciprocity application from James Ferris. Mr. Ferris provided the Board with the plant schematics outlining the processes for pre-treatment of sewer discharge. Shailajah Pelosi inquired about the air stripping being comingled with storm water. Mr. Ferris confirmed that she was correct and the air stripped water was discharged to comingle with storm water. Shailajah then asked to inspect the permit and MD0068861 was presented to the Board for review. After review of the permit, Bruce Darner made a motion to adopt the proposal of Board Staff. Ed Hogan seconded the motion. The motion passed unanimously with the Board Chair abstaining.

## **08. OLD BUSINESS**

### **A. Industrial-7 Subclass & other subclasses**

Dee Settar explained recently proposed legislation, HB0248 “Legionnaire’s Disease Prevention Act”, seems to indicate legionella remediation treatment required for every public building in the State. While approximately two dozen public water systems utilize secondary disinfection treatment at hospitals, condos, and nursing homes for legionella and similar pathogen control, this legislation could significantly impact Board workload. Dee will continue tracking the bill and revisit its progress at the next meeting.

## **B. Governor's Roundtable / Recruitment & Apprenticeships (discussion with MRWA)**

Dee Settar reminded Board Members of a proposed roundtable discussion regarding recruitment and apprenticeship efforts in the water & wastewater industry is expected to be scheduled for some time in April by the Office of the Governor. Dee conveyed her discussion with Sue Houghton, Executive Director for the Maryland Rural Water Association regarding the success of the national program and the developing strategies for the State program. Eric Dutrow noted that seventeen states have apprenticeship programs within the local Rural Water Associations and is excited that Maryland is creating a similar program. Scott Harmon noted that they are still in the research phase, but is also excited to see the program evolve.

## **C. Operator Inquiry – Plant Classification**

Dee Settar updated the Board that Shailaja Polasi confirmed the Patuxent Naval Air Station, an activated sludge plant discussed during the January 20, 2022 meeting remains classified as a W3 plant. Shailaja also noted the treatment processes remained unaltered and that most of the operating staff continues to work at the plant; only the contractor oversight has changed. Dee thanked Shailaja for her assistance.

## **D. Email Certificates & Online Renewal Forms**

Dee Settar noted that she had addressed this matter at the beginning of the meeting and asked if anyone wished to revisit the matter. No additional questions or concerns were posed.

## **E. Reciprocity Verification Form**

Dee Settar presented the proposed Reciprocity Verification Form to Board Members. Board Chair Jay Price asked questions about the current reciprocity form; Martin Fuhr explained concerns with the limited information applicants must provide, including limited technical information on which to base a decision to issue reciprocity. Jay noted the application should include a request for a college transcript and / or proof of a high school diploma or GED. Dee responded that experience credit requests require submission of transcripts but reciprocity applications have not been required to include transcripts, and that superintendent certificates, which require college, are not issued by way of reciprocity. Doug Abbott noted that the form should specify NPDES or groundwater discharge permit numbers to determine plant operations and subsequent eligibility for reciprocity. Ben Thompson moved to approve the form as amended. Doug Abbott seconded the motion. The motion passed unanimously with the Board Chair abstaining.

## **09. NEW BUSINESS- HB 533 Occupations and Professions – Licenses, Certificates and Registration - Immigrants**

Dee Settar advised that the Board provided a financial impact statement on proposed legislation that would prevent an occupational licensing Board from denying certification to individuals whose native language is not English. Bill Shreve asked if the proposed legislation would require provision of training and exams in other languages. Dee noted there was no such language and the proposed bill specified applicants must

meet all other certification requirements. Board Counsel Jenn Bowman noted that the Bill is still under review by MDE as it would impact Statute and Department operations. Dee noted her response referenced the requirement for Operators In Training to have access to written SOPs and that much of the exam content was owned by a third party to comply with federal regulations and was not expected to be translated. Dee advised that she would continue to track the movement on the bill and Board members had no questions at this time.

## **10. EXAM SUBCOMMITTEE REPORT**

Dee Settar noted the Exam Subcommittee reviewed the Water Treatment 3 exam and she is working to finalize the updated exam prescription with the exam owner, the Association of Boards of Certification (ABC). When discussing the next exam to be reviewed, Jay Price and Eric Dutrow both noted that the W5A (wastewater) exam will encompass reviewing three different exams – the W5 exam, the WA exam and the W5A exam. As a result, they concurred the T4 (water) exam should be reviewed next as the most efficient and expedient choice. The Board Chair and Board members concurred that the T4 (water) exam should be next exam reviewed by the Committee.

## **11. DISCUSSION WITH BOARD LIAISONS AND GUESTS**

**Bruce Darner (WWOA)** – Advised that WWOA would be offering two (2) process classes in Bowie, Md on 4/21/2022. These classes may be beneficial to operators and asked the Board to spread the word.

**Clark Howells (CWEA)** – Advised that CWEA had a successful career fair on February 11, 2022. They are currently looking for Tri-Con reviewers. Anyone interested should contact Sophia Liskovich, and Clark will provide her contact information upon request. He also expressed his enthusiasm about the upcoming Water Palooza taking place in Washington, DC on April 29, 2022. They are looking for sponsors and volunteers to participate. As the CWEA Board meeting is held on the same day as the WWSO Board Meeting, he will provide additional updates to the Board next month. Clark also noted that CWEA is sponsoring some interesting upcoming webinars on March 17<sup>th</sup> and 31<sup>st</sup>.

**Scott Harmon (MRWA)** – MRWA will hold its conference from May 2<sup>nd</sup> to 5<sup>th</sup> this year. The operator exams will be given on the last day of the conference and there will be a prep course prior to testing. He noted that the Board and industry at large need to focus on education and exam preparation to ensure the success of all dedicated operators. He has a lot of experience giving exam preparation courses and believes that they significantly improve the results.

**Jay Price (CSAWWA)** – Advised the Board that they would host a job fair on March 25, 2022 and a training seminar on May 5, 2022.

**Bill Shreve (TRE Committee CSAWWA)** – Bill advised the Board that he would act for CSAWWA on the TRE Committee but not as their official liaison to the Board.

**Joe Wright (MES Board Seat Applicant)** – Advised the Board that MES is working hard on their own apprenticeship program. Noted that Dr. Ed Glass is promoting retention and exam passage rates as a priority. He hopes to be of assistance to the Board in improving exam passage rates.

**Dee Settar (MDE / Board Secretary)** – Advised that Board Staff and MDE water / wastewater field staff would meet with Baltimore City Department of Public Works to provide information regarding operator certification and plant staffing. Bill Shreve noted that the City of Baltimore is looking to hire 40 new operators. Jay Price noted a major issue for the City is their hiring practice of operators who do not have a high school diploma or GED, which limits the Operators in Training from obtaining full operator certification. Hiram Tanner added that the City is using outside vendors to staff plants due to the severity of the staffing issues. All of the members of the Board agreed to do whatever they could to assist the City.

## **12. BOARD VOTE TO MOVE INTO CLOSED SESSION**

Pursuant to General Provisions Article (“GP”) § 3-305(b), on a motion made by Doug Abbott and seconded by Ben Thompson, the following Board members voted in favor to move into closed session on January 20, 2022 at 12:08 AM via Google Meet video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Ben Thompson, Doug Abbott, Ed Hogan, Bruce Darner, Hiram Tanner, Eric Dutrow and Connie Luffman. Board Chair Jay Price abstained. The motion carried.

## **13. ADJOURNMENT**

Ed Hogan moved to adjourn the open meeting at 12:09 PM. The next meeting will be held on **March 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 12:12 PM 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

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

## **TOPICS DISCUSSED DURING CLOSED MEETING**

Board Members reviewed Closed Minutes for the January 20, 2022 and February 17, 2022 meetings.

***The February 17, 2022 Open Meeting Minutes were approved by the WWSO Board on April 21, 2022.***