



## **BOARD OF CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT FACILITIES**

### **Meeting Minutes: April 3, 2013**

**Members in Attendance:** Dr. Janet Baldwin, Paul Desrosiers, Fred Kurdziel, Frank McLynch and Bill Patenaude  
**Others in Attendance:** Gregory Schultz, Esq., RI Attorney General's Office  
Marisa Desautel, Esq. and Traci Pena, RIDEM

The first order of business was the review of the draft March 2013 minutes.

**After review, Mr. Desrosiers motioned to approve the open minutes as presented. Mr. Kurdziel seconded the motion. The motion passed with all eligible members voting in favor. Mr. McLynch abstained as he was not present at the March 2013 meeting.**

The next order was the review of the draft March 2013 executive session meeting minutes.

**After review, Mr. Patenaude motioned to approve the draft executive session meeting minutes as amended. Mr. Desrosiers seconded the motion. All eligible members voting in favor, the motion passed. Mr. McLynch abstained as he was not present at the March 2013 executive session meeting.**

**Mr. Patenaude motioned to seal the executive session meeting minutes of March 6, 2013. Mr. Kurdziel seconded the motion, with all eligible members voting in favor, the motion passed. Mr. McLynch abstained as he was not present at the March 2013 executive session meeting.**

The next topic were the draft Rules and Regulations for Wastewater Treatment Facility Operators.

While the Governor's office is requiring State agencies to adhere to new rules for new or updates to Regulations, DEM has been granted approval to move forward. A fiscal notice and an impact analysis are needed and Mr. Patenaude is working with them.

Mr. Patenaude scheduled a workshop for the state's operators/superintendents on April 23<sup>rd</sup> at the Warwick WWTF. Based on the workshop a public hearing will be scheduled. Given that 2013 is a renewal year, Mr. Patenaude asked if the Board should notify the operators about the draft Regulations in a mailing should they be interested in seeking Tier renewals? Dr. Baldwin suggested that the Tier analysis could be pro-rated. Mr. Desrosiers thought the regulations should be approved then develop a mechanism for course approval. Attorney Desautel suggested holding a public notice first, then the workshop. Revisions still can be made to the Regulations. After further review by the Board, minor changes were suggested for use at the workshop and for public notice.

The next item was Application Reviews. Mr. Patenaude received an application from Lisa McDade who is seeking an advisory opinion on an application for reciprocity, should she gain employment with a RI WWTF. Ms. McDade holds Grade 7C from the Commonwealth of Massachusetts. The Commonwealth views her status as "inactive" as she has not taken the necessary training courses as she has been overseas. Mr. Patenaude sought guidance for approval as the Board does not require

training. Mr. McLynch does not see how this has bearing on us. Attorney Desautel stated that the Regulations do not state that the license needs to be "active" per another state's definition.

**After discussion, Mr. Patenaude motioned to provide Ms. McDade an advisory opinion regarding her application. Mr. McLynch seconded, all members present voted in favor, as such the motion passed.**

The next item discuss was the City of Newport, which sought guidance on licensure levels for varying positions on different shifts.

The Board then reviewed the procedures for an upcoming hearing. Mr. Pinto was deposed for over 7 hours. Mr. Patenaude will then be deposed. Attorney Schultz is not certain if the transcript will be made available to the Board. The Board discussed various scheduling scenarios.

In new business:

- The 2013 NWPCA Clean Water Legislative Breakfast will be held on April 15, 2013 at the Crown Plaza.
- NWPCA's Annual Awards Banquet will be held on May 16, 2013 at the Cranston Country Club.
- NWPCA's Golf Tournament will be held on June 20, 2013 at the Cranston Country Club.

**With no further business, Mr. Patenaude motioned to adjourn. The motion was seconded by Mr. McLynch. With all members voting in favor, the motion passed.**

The next meeting is scheduled for Wednesday, May 1, 2013 at 9:30 a.m. at the RIDEM office located at 235 Promenade Street, Providence, RI.