

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Board of Certification of Operators
Of Wastewater Treatment Facilities

*Meeting Minutes for
May 5, 2004*

Members in Attendance: Julia Forgue, Fred Kurdziel, Bill Patenaude, Jon Schock, Tom White and Ray Wright

Others in Attendance: Steve Ballou, Kim Dyches, ABC
Raymond Levesque, Roger Boltrushek, Woonsocket WWTF
Greg Schultz, DEM Legal Counsel
Traci Lima, DEM

The first item discussed was the matter of Raymond Levesque, an operator at the Woonsocket WWTF who had submitted an application for Grade 2 licensure through reciprocity. Mr. Patenaude briefed the Board that Mr. Levesque did have a valid Grade 6C in the Commonwealth of Massachusetts, but that his experience in Massachusetts was at a facility that did not treat sanitary wastes, and as such did not meet the qualifications for experience at a wastewater facility under the Rhode Island program. Mr. Patenaude noted that the Board could issue a Grade 1 or a 2 OIT certificate, given Mr. Levesque's level of certification in Massachusetts; such an action, however, would set precedent as the Board only ever issued a full license via the equivalency language in Rule 13.F (1). Mr. Patenaude raised one concern about doing so, that being that Rule 9.A states that the Board "may permit an applicant for any grade to take an examination ..." This would seem to imply that only examinations may be granted via that section. Discussion by the Board, and further information provided by Messrs. Levesque and Boltrushek indicated that Mr. Levesque's level of experience far exceeded many of the technical requirements for Grade 2 licensure. Further discussion by the Board indicated that there seemed to be no conflict between Rules 13.F (1) and 9.A.

Mr. Patenaude motioned to allow Mr. Levesque to be issued a Grade 1 OIT under section 13.F(1); the OIT would remain in place until Mr. Levesque attained one full year of experience at the Woonsocket WWTF in a position of operations; after the one year the Board would review the application for a determination on the issuance of the requested Grade 2 license. Mr. White seconded the motion. During discussion, Ms. Forgue sought clarification as to why the full Grade 2 license was not being considered by the Board, to which Mr. Patenaude stated that while there was little difference between the 1 and the 2, it seemed appropriate to certify at the lesser grade due to the applicant's lack of experience at a WWTF treating sanitary wastes. Mr. Shock then requested amending the motion to require Mr. Levesque to reapply at the end of the one year period should he wish to attain a Grade 2 license via equivalency. Messrs. Patenaude and White agreed to amend the motion per Mr. Schock request. All Board members voted in favor of the motion as amended. As such, the motion passed.

Mr. Levesque thanked the Board and left the meeting.

The next item on the agenda was an application by Mr. Thomas Potvin, also of the Woonsocket WWTF. Mr. Potvin's application was for a Grade 3 via examination. Mr. Potvin holds an Associates Degree in Chemical Engineering Technology, which would only require him to have 4 years of experience at a WWTF, with 2 years being in DRC. Similarly to Mr. Levesque, Mr. Potvin, who holds a RI Grade 2 license issued under equivalency, and a Mass. Grade 5-c, worked at an industrial WWTF in Mass. (Guilford of Maine in East

Douglas, Mass.) Mr. Patenaude was awaiting confirmation from the Commonwealth of Massachusetts regarding the types of treatment at that facility (sanitary or purely industrial.) As Mr. Potvin only has 10 months of experience in operations at Woonsocket, the experience at Guilford of Maine would have to be considered for a Grade 3 examination under Section 12(f).

Mr. Patenaude motioned to be granted authority to approve or deny the request pending the information needed about the Guilford of Maine facility. Dr. Wright seconded the motion. With all members voting in favor, the motion passed.

Mr. Boltrushek left the meeting.

The next item on the agenda was a presentation by the Association of Boards of Certification. Mr. Patenaude thanked Messrs. Ballou and Dyches for coming to Providence to discuss their program with the Board. A discussion ensued as to what ABC can offer the state such as examination services, testing question banks, and other certification tools. Mr. Ballou urged Rhode Island to attend ABC annual meetings to dialog with other states. Mr. Patenaude noted that while a worthy idea, fiscal restraints preclude Rhode Island from such a consideration. The Board agreed that some assistance with testing may be helpful, and asked DEM to look into the feasibility. Mr. Patenaude noted that such assistance could be appropriate, and stated that Fiscal Fitness has suggested that all professional licensure programs be consolidated at the Dept. of Business Regulation; as such, pending the outcome of that proposal, ABC assistance in examinations would be best sought after from either DEM or DBR. Either way, Mr. Patenaude would further examine such assistance in the interim.

The next item discussed was the draft April 2004 Executive Session meeting minutes.

After Board review, Mr. Schock motioned to approve the minutes as drafted. Mr. Patenaude seconded the motion. With all members present voting in favor, the motion passed.

The ABC representatives then left the meeting.

Pursuant to Rhode Island General Laws §42-46-5(a), Mr. Patenaude requested that the Board convene in executive session to discuss and the potential of criminal or civil enforcement at a Rhode Island facility.

Mr. Patenaude led a role call of votes to convene into Executive Session: Mr. White, Mr. Kurdziel, Mr. Wright, Ms. Forge, Mr. Schock and Mr. Patenaude all voted in favor, and the motion passed.

After completing specific business in executive session, the meeting reopened into open session. Mr. Patenaude motioned to seal the May 5, 2004 executive session meeting minutes. Mr. White seconded the motion. With all members present voting in favor, the motion passed.

The next item discussed was the request of a license renewal by a Mr. Frederick Grant. Mr. Grant was unable to renew his 2005 license due to his tour of duty overseas in Iraq, for which he had provided United States Army discharge papers.

Mr. Patenaude motioned to rescind Mr. Grant's license revocation due to a non-renewal, and allow him to renew his license at the pre-December 31st \$10.00 fee. Mr. Schock seconded the motion. With all members present voting in favor, the motion passed.

The next item agenda reviewed was Spring 2004 exam applications.

The first application to be reviewed was that of a Ms. Muriel Bibeault. Ms. Bibeault was applying to sit for the Grade 3 exam under 12(f); currently she is not in direct responsible charge and her past experience needs to be reviewed.

Mr. Patenaude motioned to be allowed to get additional information from Ms. Bibeault and her employer, and pending that information received, be authorized to approve or deny Ms. Bibeault's application. Mr. White seconded the motion. With all members present voting in favor, the motion passed.

The next exam application to be reviewed was for a Ms. Robin Christiansen, applying for the Grade 3 examination. Again, additional information was needed to make a determination.

Mr. Patenaude motioned to be allowed to obtain additional information from Ms. Christiansen and her employer, and pending that information received, be authorized to approve or deny Ms. Christiansen's application. Mr. Schock seconded the motion. With all members present voting in favor, the motion passed.

Due to time constraints Mr. Patenaude suggested the issues of Part-Time/Temporary Operator Licensure and Non Operation and Non Mechanic Licensure be continued to the next meeting. In the meantime Mr. Patenaude asked if there would be any volunteers to organize a subcommittee to discuss the issue at the next meeting. There were no volunteers.

The next item discussed was an update of House Bill 7707. Mr. Patenaude reported that the bill was had been making progress in the House, but that there was at present no Senate version of the Bill.

The next item discussed was the draft April 7, 2004 meeting minutes.

After Board review, Mr. Patenaude motion to approve the minutes as amended. Mr. Schock seconded the motion. With all other members present voting in favor, the motion passed.

With no further business, Mr. Patenaude motioned to adjourn the May 2004 meeting. Ms. Forgue seconded the motion. With all members present voting in favor the motion passed.

The next meeting will be Wednesday, June 2, 2004 at 9:30 a.m. in conference room 280C in the Office of Water Resources on the second floor of the Department of Environmental management, 235 Promenade St., Providence.