



BOARD OF CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT FACILITIES

Members in Attendance: Dr. Janet Baldwin, Paul Desrosiers, Frank McLynch, Melissa Orpen-Tuz, Bill Patenaude, and Jon Schock

Others in Attendance: Kathy Perez, Rick Emery and Dan Phillips – S. Kingstown WWTF
Christina Hoefsmit, Esq. and Traci Pena - RIDEM

Meeting Minutes: Wednesday, June 5, 2019

At 9:35, the meeting was called to order.

The first item discussed was a legal determination rendered regarding a vote from the May 1, 2019 meeting, which had been made regarding a request for course approval from Rhode Island Interlocal Trust. The vote taken on May 1 resulted in a tie. The Board had requested legal counsel to advise how such a tie vote is to be applied. Legal counsel advised that a tie vote between affirmation and rejection of a motion must result in the motion failing.

The Board reviewed the draft May 1, 2019 meeting minutes.

After review, Mr. Schock motioned to approve the May 1st minutes as amended. Mr. McLynch seconded. The motion passed with all eligible members voting in favor.

The Board then reviewed the May 15, 2019 meeting minutes regarding the Regulations.

After review, Mr. Desrosiers motioned to approve the May 15, 2019 minutes as amended. Mrs. Orpen-Tuz seconded the motion. Messrs. Schock and McLynch and Dr. Baldwin abstained as they were not in attendance. Mr. Desrosiers, Ms. Open-Tuz, and Mr. Patenaude voted in favor. As such, the motion passed

Mr. Patenaude motioned to convene into executive session per §42-46-4 and 42-46-5(a)(4) to discuss matters of potential criminal or civil misconduct. Dr. Baldwin seconded the motion. The motion passed with the following roll call: Mr. Patenaude, Mr. Schock, Dr. Baldwin, Ms. Orpen-Tuz, Mr. Desrosiers, and Mr. McLynch voting in the affirmative.

Messrs. Schock and Patenaude recused themselves from the executive session's opening matter related to a matter at the South Kingstown WWTF and left the meeting. Mr. Desrosiers was designated as the vice chair for the purposes of Executive Session.

At the conclusion of Executive Session, the following motions were repeated:

After review, Mr. Desrosiers motioned to approve the minutes as amended. Mr. McLynch seconded the motion. The motion passed with all eligible members voting in favor.

In executive session, Dr. Baldwin motioned to suspend a RI operator's license. With no second, the motioned failed.

In executive session, Mr. Desrosiers motioned to serve a RI operator a letter of reprimand. Mr. McLynch seconded. Dr. Baldwin voted nay. All other eligible members voted in favor, as such the motion passed.

Mr. McLynch motioned to seal the June 5, 2019 executive session meeting minutes. Mr. Desrosiers seconded the motion. The motion passed with following roll call: Janet Baldwin, Paul Desrosiers, Frank McLynch and Melissa Orpen-Tuz voting in the affirmative.

Mr. Desrosiers motioned to resume the meeting into open session. Mr. McLynch seconded the motion. The motion passed with following roll call: Janet Baldwin, Paul Desrosiers, Frank McLynch and Melissa Orpen-Tuz voting in the affirmative.

At 10:45, Messrs. Schock and Patenaude returned to the meeting.

At 10:50, Kathy Perez, Rick Emery and Dan Philipps left the meeting.

Mr. Patenaude provided the monthly update regarding the superintendent of the Quonset facility, which was satisfactory. Mr. Puglia continues to do monthly inspections of that facility at the request of the Board.

Mr. Patenaude then informed the Board that the RI Wastewater Operator Challenge team, Ocean State Alliance, which is led by the Quonset superintendent, Mr. Edward Davies, came in first place in New England at the Annual NEWEA Operator Challenge event. The team took first place in laboratory and collection and second in safety, process control, and maintenance. The team will be going to the national WEFTEC competition in Chicago in the fall to represent New England.

The next matter discussed was an update on the special meetings to discuss regulatory revisions.

The Board reviewed discussion at the last special meeting regarding potential changes to the definition of Direct Responsible Charge. Members not present at the May 15 meeting reviewed and commented on the minutes of that meeting. The Board then discussed as a group the potential benefits of changing the definition of Direct Responsible Charge from two to one staff member; further discussion will be needed regarding the type of supervised position to be considered. Mr. Patenaude reminded the Board

that draft language will only be proposed at the conclusion of the special meetings. The draft language will then need Board approval before initiation of the usual regulation development and public notice process. Due to potential conflicts, the Board then agreed to change the special regulatory meetings to the third Tuesday of the month at 2:00. The next meeting will be Tuesday, June 18th at 2:00.

In new business, Mr. Desrosiers informed the Board of an operator at his facility that has not attained licensure within one year of employment. Mr. Patenaude informed Mr. Desrosiers that the Board would (as required by state law) issue the Narragansett Bay Commission a letter stating that the individual must be removed from operations.

Mr. Desrosiers then asked if as a Board member and facility superintendent he would be able to review an exam with one of his operators. No Board member expressed a concern for such a review.

Mr. Patenaude then asked if the Board wished to add to a future agenda the requirements for the instructor of the Basic WWTF course. Board members noted their satisfaction with the current instructor, although Mr. Desrosiers noted that the NBC would be unable to host that course for the present.

The next item discussed was the May 2019 exam results. During discussion of examinee preparedness, Dr. Baldwin proposed a cap on the number of times an individual can sit for higher grade level exams (Grade 2 and up) each year. Board members saw benefits of placing the item on the agenda for a special regulation meeting.

Mr. Patenaude reported that a RI operator requested to use RI Boot Camp training hours for his Pennsylvania and that PA was now working with the USEPA to approve Boot Camp.

At 11:30 a.m., Mr. Patenaude voted to adjourn. Mr. Schock seconded. All members present voted in favor and as such the motion passed.

The next meeting regarding the Regulation Revisions will be scheduled for June 18, 2019, at 2:00 at the RIDEM – Office of Water Resources, Room 280 located at 235 Promenade St., Providence, RI 02908.

The next regular meeting is scheduled for Wednesday, August 7, 2019 at 9:30 a.m. at the RIDEM – Office of Water Resources, Room 280 located at 235 Promenade St., Providence, RI 02908.