



STATE OF RHODE ISLAND
BOARD OF CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT FACILITIES
c/o RI DEM Office of Water Resources, 235 Promenade Street, Providence, Rhode Island 02908

**MEETING MINUTES
JUNE 2, 2021 AT 9:30**

MEMBERS IN ATTENDANCE: Brenda Cheaye, Paul Desrosiers, Julia Forgue, Frank McLynch, Bill Patenaude and Jon Schock

OTHERS IN ATTENDANCE: Eddie Davies, Quonset WWTF
Christina Hoefsmit, Esq, and Traci Pena, RIDEM

The meeting was held via Zoom.

Mr. Patenaude called the meeting to order at 9:31 a.m.

A roll call of Board members and members of the wastewater industry/public that were participating was performed (see above).

The first order of business was the review of the draft May 5, 2021 meeting minutes.

After review, Mr. Schock motioned to accept the May 5, 2021 meeting minutes as amended. Ms. Cheaye seconded the motion. The motion passed with the following roll call: Ms. Cheaye, Mr. Desrosiers, Mr. McLynch, Mr. Schock, Ms. Forgue and Mr. Patenaude voting in the affirmative.

The next item discussed was the review of public comments for the draft Regulations. The public comment period was held April 23, 2021 - May 23, 2021. There were two letters of support from John Contrino and Fred Diaz from the NBC – Bucklin Point facility. There was also a letter of suggested revisions from Peter Connell, President of the RI Clean Water Association (RICWA). RICWA made two suggested changes: The first to reduce the late renewal late fee from \$50 to \$25. The second would be to add Laboratory Personnel to be afforded the same opportunity to take the Grade 3 exam as spelled out in the draft regulations for Maintenance Technicians. Mr. Edward Davies, the RICWA/NEWEA state representative, submitted back up information/justification for the proposed RICWA language regarding the second suggested amendment regarding Laboratory Personnel.

The Board first discussed the suggested decrease of the late fee from \$50 to \$25. Mr. Schock asked if RIDEM did a cost analysis and thought \$50 was a reasonable amount for a late fee. Mr. Patenaude informed the Board that monies from the renewal do not come to RIDEM but rather to the state's general fund.

Mr. Patenaude motioned to approve the request reducing the \$50 renewal late fee to \$25. Ms. Cheaye seconded the motion. With a roll call voting in approval: Ms. Cheaye, Mr. Desrosiers, Mr. McLynch, Ms. Forgue and Mr. Patenaude the motion passed. Mr. Schock voted nay.

The Board then discussed the suggested comment to allow Laboratory Technicians to sit for the Grade 3 exam. The Davies/RICWA justification to allow a pathway not only for Maintenance Technicians but also for Laboratory Technicians to sit for the Grade 3 exam as they played a vital role in ensuring adequate process control and thus that all discharges meet RIPDES permit standards. Mr. Davies also mentioned several laboratory professionals who, when given the opportunity and became involved in operations, have shown aptitude for managing wastewater treatment facilities. Mr. Davies also

provided the Board's Grade 3 study guide which highlighted that maintenance accounts for approximately 9% of the Grade 3 exam and Laboratory is 13%.

Mr. Patenaude stated that the logic for allowing only Maintenance Technicians was that they are closely related to the process but understood Mr. Davies' comments.

Mrs. Hoefsmit informed the Board that if the Board adopted the RICWA suggested comments, the changes would be considered substantive changes and a draft would have to go back to public comments and the process would have to be repeated and resubmitted to ORR.

Ms. Cheaye thought allowing the laboratory technicians the opportunity would help diversify the field. Mr. Desrosiers said that he wondered about the number of laboratory staff who have supervisory experience, as laboratory staff typically work independently, especially at smaller facilities. Subsequently, Mr. Desrosiers noted that while he supported the suggestion in general, he thought it may be better for the profession to move forward with the current draft regulations and then issue draft amendments to adopt the Laboratory Technician comment. Mr. McLynch agreed with Mr. Desrosiers's initial comment about supervisory experience and wondered how the proposal would benefit the profession. Mrs. Forgue suggested that there is merit to RICWA proposal as laboratory staff have a good understanding of process, lab data, and process adjustments. Mr. Schock expressed concern about the extent to which the Board will allow higher grade examination opportunities and noted that he did not support the comment. Mrs. Hoefsmit advised that the comment did not need to be addressed in this submittal to ORR and could be addressed later.

After further discussion, Mrs. Forgue motioned to amend the draft Regulations to adopt the RICWA comment to include Laboratory Technicians (as defined in the Board Regulations) to sit for the Grade 3 exam, with the same criteria to be met as Maintenance Technicians. Mr. Patenaude seconded the motion. The motion passed with the following roll call: voting in favor were Ms. Forgue, Ms. Cheaye, Mr. McLynch, and Mr. Patenaude. Messrs. Shock and Desrosiers voted against. With the majority voting in favor, the motion passed.

Mr. Patenaude will suggest holding a special meeting to re-approve the draft regulations with the RICWA suggested amendments.

The next item discussed was the response regarding the Grade 1 basic course examination results. The Board received comments from RICWA regarding their concerns that the results of the basic wastewater course were taking an excess period of time. (At the time of the RICWA comments, the course exam had been administered two weeks prior.) Mr. Patenaude shared those concerns in an earlier email to the Board. He also noted that the Board's enabling legislation states that the Department of Administration's examination unit shall aid the Board with exam grading. Mr. Patenaude reviewed the process noting that such third-party exam grading prevents the perception that the Board or DEM has undue involvement in individual examination grading and thus it is in the best interest of the profession. He also stated that in the last several years, DOA has been very timely with getting results—especially given their workload correcting all state exams. Mr. Patenaude further noted that at all exams it is always stated the Board does not know the timing when the results will be received. Mr. Patenaude also noted that there is no legislative or regulatory requirement for the current practice of holding the course before the Board's examination (to allow the possibility of having the course results prior to the Board examinations, which allows students to sit for the Grade 2 or retake the Grade 1 should they not pass the course). Mr. Patenaude then opened the comments open for discussion. No comments were offered by the Board's members or the public.

The next item was to rescind the COVID-19's Board policy.

After discussion, Mr. Patenaude voted to rescind the COVID-19 policy. Mr. McLynch seconded the motion. The motion passed with the

following roll call in favor: Ms. Cheaye, Mr. Desrosiers, Mr. McLynch, Mr. Schock, Ms. Forgue and Mr. Patenaude voting in the affirmative.

Mr. Patenaude informed the Board that the Governor's office has approved Mr. CJ Spellman as the education representative to the Board.

The May 2021 exam results were reviewed.

Mr. Patenaude also stated there would be some changes to the Application for Certification and asked the Board if they had any recommendations.

In new business, Mr. Desrosiers informed the Board that RICWA will be holding the golf tournament and banquet on June 22, 2021 at the Pottawamutt Golf course. There are also more events to come in the fall.

At 10:38 a.m. Mr. Patenaude motioned to adjourn. Mr. Desrosiers seconded the motion. With all members voting in approval, the motion.

The next meeting, to approve the new draft regulations, will be scheduled at a later date.