



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 22, 2021 AT 10:00 A.M.**

MEMBERS IN ATTENDANCE: Brenda Cheaye, Paul Desrosiers (10:20 a.m.), Julia Forgue, Bill Patenaude, Jon Schock and CJ Spellman

OTHERS IN ATTENDANCE: Christina Hoefsmit, Esq, and Traci Pena, RIDEM

The meeting was held via Zoom.

Mr. Patenaude called the meeting to order at 10:01 a.m.

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

Mr. Patenaude gave an overview as to website updates.

He then introduced and gave background information of the newest Board member, Mr. CJ Spellman from URI, representing Education. Mr. Spellman is a graduate student of environmental engineering and is working towards his doctorate. He also has experience working at a wastewater treatment plant.

Ms. Forgue then informed the Board that she would be retiring on July 28, 2021. Attendees wished Ms. Forgue well and thanked her for her service to the Board. Mr. Patenaude will reach out to the City of League and Towns for a replacement.

The next order of business was the review of the draft June 2, 2021 meeting minutes.

After review, Mr. Schock motioned to accept the June 2, 2021 meeting minutes as drafted. Mrs. Forgue seconded the motion. The motion passed with the following roll call: Ms. Cheaye, Mr. Schock, Ms. Forgue and Mr. Patenaude voting in the affirmative. Mr. Spellman abstained as he was not a member of the Board at the time of the June 2, 2021 meeting.

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. The changes included comments from RICWA to reduce the late renewal late fee from \$50 to \$25. The second would be to add Laboratory Technicians to be afforded the same opportunity to take the Grade 3 exam as spelled out in the draft regulations for Maintenance Technicians.

Mr. Schock asked according to RIGL §42-17.4 if Laboratory Technicians met the definition of an operator. He had a concern that individuals not working as operators do not meet the definition. Ms. Hoefsmit noted that the definition of operator in RIGL §42-17.4 included this language (specifically, that an operator also performs “other important functions at a wastewater treatment facility”) allow the Board to include Laboratory Technicians in the statutory and regulatory definition of Operators.

Mr. Desrosiers stated that the in Definitions under “D” (regarding Direct Response Charge) requires modification to include laboratory and maintenance supervision. Mr. Patenaude noted

that the proposed language for Maintenance and Laboratory Technicians to sit for the Grade 3 exam embeds the supervisory language prerequisite in the requirements themselves. Mr. Patenaude noted that while Mr. Desrosiers' suggestion would benefit the regulations, as drafted there is no deficiency in the new process for Maintenance and Laboratory staff. Mr. Desrosiers also commented that in Section 5.10(C), "Examinations," the language makes a blanket statement for examinees interested in renewing exams, while the new, proposed language limits reviews for various exam grades. Mr. Patenaude and Ms. Hoefsmit commented that the wording "may" in the proposed language provides the regulatory specificity to meet the intended objective.

Ms. Hoefsmit recommended promulgating the draft Regulation and the Board can re-draft the regulations and re-issue them for Public Comment if such amendments are needed. Board members agreed to move forward with the draft.

Mr. Desrosiers motioned to approve the draft and move forward with the promulgation process. Ms. Cheaye seconded the motion. The motion passed with the following roll call: Ms. Cheaye, Mr. Desrosiers, Mr. Patenaude, Mr. Spellman, and Ms. Forgue voting in the affirmative. Mr. Schock voted nay.

Mr. Patenaude will update the Plain-English guide and work with RI DEM's legal staff and the Office of Regulatory Reform to clear the new draft for the promulgation process with the Office of the Secretary of State.

In new business, Mr. Patenaude informed the Board that he consulted the RI DEM's Records Retention policy regarding Letters of Reprimand. Upon request, such letters can be removed from individuals' files after their effective date but would need to be retained separately for a period of 10 years before they could be destroyed.

At 10:46 a.m. Mr. Patenaude motioned to adjourn. Ms. Forgue seconded the motion. With all members voting in approval, the motion.

The next meeting is scheduled for August 4, 2021 at 9:30 a.m.