

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
BOARD OF CERTIFICATION OF OPERATORS  
OF WASTEWATER TREATMENT FACILITIES**

**MINUTES FOR MARCH 5, 2003 MEETING**

**MEMBERS IN ATTENDANCE:** Rick Dionne, Fred Kurdziel, Bill Patenaude, Jon Schock, Tom White and Ray Wright

**OTHERS IN ATTENDANCE:** Traci Lima, DEM  
Joe LaPlante, NWPCA

Mr. Patenaude called the meeting to order at 9:30.

The first order of business discussed was the proposed Legislation H 5848 Relating to Wastewater Treatment Facilities. Mr. Joe LaPlante was present as a representative of the New England Water Pollution Control Association (NWPCA). With no prior notification to the Board, NWPCA introduced legislation in February to amend the Board of Certification of Operators of Wastewater Treatment Facilities Enabling Legislation (§42.17-4) to include completion of continuing education requirements as a condition for operator renewal. Mr. LaPlante thought that such training for recertification is necessary because of advances in new technology and the need to insure that operators are properly trained. He also stated that only 2 states remain without recertification – Rhode Island and Connecticut. The Department of Health has recertification in its drinking water section and he felt as though the bill would be passed. Mr. LaPlante stated plant superintendents (18 out of 19) were in support of the legislation and he is now asking for the Board's support and would like to have the new regulations in place by January 1, 2004.

Mr. Patenaude then spoke and gave a brief history of the Board's involvement in the issue, and summarized discussions of recertification from previous Board meetings. Mr. Patenaude then asked NWPCA if they could notify the Board of potential changes that would affect the Board in the future prior to taking such action. Mr. Patenaude noted some of the many problems recertification would bring to the staff at DEM such as tracking, fiscal shortfalls and lack of staff to administer the program in a meaningful way. Other troubles included who would be responsible for the signing of the continuing education requirements, the complication of monitoring operators not employed at a facility in Rhode Island, the development of an internal policy to track the recertification requirements and the development of a policy and the steps necessary for revocation of a license if the continued education requirements are not met.

Mr. White then spoke and stated that in Section 13 in the Rules and Regulations, there is a method in place for the mandatory retraining for renewal and the burden should be placed on the licensee. Mr. White was in favor of recertification and stated that it is current and needed, stating that the Board should support the program. Mr. White also stated that there is proper training available.

Mr. Dionne then spoke and stated that, in general, many of the same courses are being offered year-after-year. Though he is in favor of operators being well-trained, he had concerns about the cost to the operators, especially if the state or municipality could not subsidize the cost of the course. Also, there is potential for repetitive course taking.

Mr. Kurdziel agreed with Mr. White, however he disagreed with Mr. Dionne, stating that an individual repeating a particular class was not a concern to him as it could help the operator enforce his knowledge at the treatment plant.

Mr. Shock stated he did not believe that DEM could monitor and take action on every violation. He also stated training was a good idea (especially for proven cases of operator error) but foresees a significant fiscal problem, which included staffing, labor costs for staff out of work to take training, and tracking of the coursework. He thought the legislation might have a worthy motive but that such a requirement should not be used generally for all operators at all times.

Mr. Wright stated that he thought the cost would be significant to all parties. He also was unclear as to where the 20 hours of mandatory training was derived.

After all members present spoke, Mr. Patenaude inquired if the operators would benefit from mandatory training and if these requirements are truly effective. Mr. Schock and Mr. Patenaude discussed that while some of the burden should be placed on the plant and community for tracking, a signature confirming that an individual attended a training course may not necessarily ensure that the individual received valuable information out of the training.

Mr. LaPlante offered that there is free training and seminars available. Training could also be brought to the facility at a low cost. He also stated that even though it was NWPCA's initiative for such legislation, the Department and the Board ultimately would be responsible for administering such a program. Mr. Patenaude informed the Board that, at this time, Director Reitsma is not supportive of the legislation for many of the concerns noted above, most notably the effect on the DEM workload.

Mr. Patenaude stated that he was at this time unsure what steps the Board can or should take to make comments to Legislation, but that he will discuss this with DEM's Legal Counsel and report back to the full Board.

Mr. LaPlante then left the meeting.

The next item discussed was Mr. Earl Salisbury, an employee of the Warwick Sewer Authority who will eventually be seeking the position of Assistant Superintendent. Mr. Salisbury submitted a Grade 4 application at the February 2003 meeting (at which the Warwick Superintendent, Mr. Joel Burke attended) per the request of the Board. As expected, after review the Board ascertained that Mr. Salisbury would not be eligible to sit for the Spring 2003 exam. Mr. Salisbury is in the process of obtaining a bachelor's degree. After obtaining this degree he would be considered to take the Grade 4 exam, as he then would only need 3 years of experience and direct responsible charge to attain Grade 4 licensure. Presently, Donald Benz is the Assistant Superintendent and Mr. Salisbury is in a position of responsible charge as a shift supervisor. Mr. Patenaude noted that the Board will have to discuss and decide (when the time comes and Mr. Salisbury is able to sit for the Grade 4 exam) would his Grade 4 OIT be appropriate for allowing him to hold an Assistant Superintendent's position without the full Grade 4. This was a question posed to the Board to examine and rule on when the time comes for Mr. Salisbury to sit for the Grade 4 exam.

The next item discussed was License Revocation/Suspension guideline development. Mr. Patenaude was seeking Board volunteers to help set up a committee to develop guidelines for License Revocation/Suspension. Messrs. White and Schock volunteered and a meeting will be set up.

The next item discussed was an update of the Operator I course. Doug Nettleton, the course instructor, provided an outline. Twelve individuals are presently enrolled in the course and the New England Interstate Water Pollution Control Commission is sponsoring the course.

**With no further business, Mr. Dionne motioned to adjourn the meeting, seconded by Mr. Wright. All members voted in favor of adjournment and the motion passed.**

The next meeting was scheduled for Wednesday, April 2, 2003 at 9:30 am in conference room 280C in the Office of Water Resources on the 2<sup>nd</sup> floor of the Department of Environmental Management, 235 Promenade Street, Providence.