

**BYLAWS
STATE BOARD FOR CERTIFICATION
OF WATER AND WASTEWATER SYSTEMS OPERATORS**

ARTICLE 1. NAME: The name of this Board shall be the State Board for Certification of Water and Wastewater Systems Operators (Board). This Board is within the Pennsylvania Department of Environmental Protection (Department).

ARTICLE 2. AUTHORIZATION: The Water and Wastewater Systems Operators' Certification Act (Act), 63 P.S. §1001, *et seq.*, authorizes the creation of this Board and provides the Board with certain powers and duties.

ARTICLE 3. PURPOSE: The purpose of this Board is to administer a certification program for water and wastewater system operators.

ARTICLE 4. MEMBERSHIP:

- a. The membership of this Board shall include:
 - (1) the Secretary of the Department or his or her designee.
 - (2) an employee of a political subdivision or an individual who represents a State association who is certified to operate a water or wastewater treatment system.
 - (3) an individual who is certified to operate a water system.
 - (4) an individual who is certified to operate a wastewater system.
 - (5) an individual who is the owner or official of a privately owned water or wastewater system who is a certified operator.
 - (6) an individual who is on the teaching staff of a civil, environmental or sanitary engineering department of an accredited Pennsylvania university or college.
 - (7) an individual who is from the general public who is knowledgeable in water and wastewater systems.
- b. All members, except the Secretary or his or her designee, shall be appointed by the Governor. Each appointment shall be for four years.
- c. No alternatives or designees may be appointed or recognized by this Board unless provided for by the Act.

- d. Any member failing to attend three (3) consecutive regular Board meetings without approval of the chairperson may be recommended for removal by the Board to the Governor.
- e. Members shall serve without compensation other than reimbursement for reasonable and necessary expenses in accordance with Commonwealth policy or regulations.

ARTICLE 5. COMMITTEES: The Board may provide for standing or special committees. Each such committee shall perform such duties as may be assigned to it by the Board. Members of any such committee may include non-Board members as needed for special purposes as identified by the Board.

ARTICLE 6. MEETINGS: The following meeting requirements are established by these bylaws.

- a. Scheduling meetings:
 - (1) Regular meeting dates shall be established on an annual basis prior to November 1.
 - (2) The Board may schedule additional meetings at the discretion of the chairperson or upon request of the Department.
 - (3) All Board and committee meetings shall be advertised in accordance with the Sunshine Act, 65 Pa.C.S. §701 *et seq.*, (Sunshine Act).
- b. Conducting Board business:
 - (1) A quorum for conducting business shall consist of four or more of the Board membership who are participating in person or by phone.
 - (2) All Board and committee meetings shall be open to the public, except as permitted by applicable state law.

ARTICLE 7. VOTING: All actions taken by the Board shall be approved by a vote of the membership at a scheduled Board meeting. No action can be taken on a specific matter unless the meeting and its agenda meets the requirements provided by the Sunshine Act.

- a. A Board member shall have one vote.
- b. A Board member may not vote by proxy.
- c. No secret voting is permitted.
- d. A Board member shall abstain from any vote that may constitute a conflict of interest.
- e. All actions by the Board shall require a majority vote of those present.

ARTICLE 8. OFFICERS: A chairperson shall be elected annually by a majority vote of the Board.

- a. It shall be the duty of the chairperson to preside at all meetings of the Board, call special meetings, and perform such other duties that pertain to the office of chairperson.
- b. All members of the Board shall take their turn in alphabetical order to serve as acting chairperson in the absence of the chairperson.

ARTICLE 9. SECRETARY OF THE BOARD: The Board shall elect a department employee as secretary for the Board. The secretarial duties include:

- a. recording the transactions of the Board,
- b. giving public notice of Board meetings,
- c. providing a full and permanent record of Board minutes,
- d. conducting outgoing and incoming correspondence,
- e. maintaining Board records, and
- f. performing other duties as requested by the Board.

ARTICLE 10. COMMENTS AND RECOMMENDATIONS TO THE ENVIRONMENTAL QUALITY BOARD: The Board shall provide the department comments and recommendations on all proposed rules and regulations dealing with the certified operator program.

- a. Comments and recommendations shall be in a written format addressed to the chairperson of the Environmental Quality Board.

- b. Comments and recommendations shall represent the majority opinion of the Board membership.
- c. Comments and recommendations may include a minority opinion of the Board membership.
- d. A quorum is necessary to take action to submit comments and recommendations to the Environmental Quality Board.
- e. The Board shall consider recommendations and comments provided by the Certification Program Advisory Committee.

ARTICLE 11. PARLIAMENTARY AUTHORITY: Robert's Rules of Order, latest edition, shall serve as the parliamentary method for conducting business for the Board. It shall be considered final authority, unless superseded by these bylaws or the Act.

ARTICLE 12. AMENDING THE BYLAWS: The bylaws of this Board may be amended, repealed or suspended at any meeting by a (2/3) two-thirds majority vote of the Board.