

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE BOARD FOR CERTIFICATION OF
WATER AND WASTEWATER SYSTEMS OPERATORS
Board Meeting Minutes
October 9, 2019
10th Floor Conference Room**

Board Members Present

Joseph Swanderski, Chairman, Penn State University, Wastewater Operator
Michael Kyle, Lancaster Area Sewer Authority, Employee of a Political Subdivision
Mary Roland, Certified Water Operator
Rachel Brennan, Teacher/Professor
Ed Chescattie, Bureau of Safe Drinking Water (BSDW), DEP Secretary Designee
John Cantwell, Legal Counsel
Curt Steffy, Aqua PA Inc., Official of Private System
Mark Smith, Herbert, Rowland & Grubic, Inc., General Public

Non-Board Members Present

Brian Chalfant, Policy Office
Jeff Allgyer, BSDW
David Long, BSDW
Shalini Moola, BSDW
Mahendra Patel BSDW
Laura Chambers, BSDW
Gary Moyer, BSDW
Lori Wise, BSDW
Bill McNamara, BSDW
Leslie Ferguson, BSDW
Anita Stabile, BCW

Chairman Swanderski called the meeting to order at 9:59 AM and asked those present to introduce themselves to the group.

Approval of August 7, 2019 Minutes

After reviewing the previous draft Board Minutes, Mr. Kyle pointed out that Mr. Steffy and Mr. Smith should be listed as having participated via phone. Ms. Roland asked that we remove her affiliation with PA American Water, since she is now retired. Mr. Roland motioned to approve the minutes with these suggested edits. Mr. Steffy seconded the motion, which passed unanimously. Motion carried.

Approval of New and Upgrade Applications

The new and upgrade applications were presented to the Board for approval. More specifically:

- Wastewater: 55 new licenses, and 17 upgrades were presented.
- Drinking Water: 84 new licenses, and 47 upgrades were presented

After review, Ms. Roland motioned to approve them all. Mr. Steffy seconded the motion, which passed unanimously. Motion carried. Mr. Chescattie noted that DEP has been tracking the

volume of licenses being granted and the average age of the operators. The number of new and upgraded licenses is increasing, and the average age of operators seems to be decreasing, both of which are positive trends.

Mr. Chescattie mentioned that DEP has a team of eight to ten staff who meet to discuss the reciprocity requests prior to each Board meeting so that DEP staff can offer the Board more detailed information as to the thought processes behind each reciprocity request and how DEP staff come to the conclusion as to what specific license and subclasses to grant, if any.

Reciprocity Requests

Water

William K. Owens – Holds a Maryland T3, W5, WA, T4 Water treatment license that expires on March 01, 2022. He has 37 years’ experience working at Harborview Water Treatment Plant, which is a Class D facility using subclasses 4,6,7,8,9,12 and Distribution. He has 7 years’ experience working at Port Deposit Water Treatment Plant, which is a Class D facility using subclasses 1,2,4,7,8,11 and Distribution. Also holds a Delaware Reciprocal License which expires on February 18, 2021. He has 7 years’ experience working at Artesian Water System, DE, which is a Class A facility using subclasses 4,5,6,7,8,9,10,11,12 and Distribution.

From the information provided to the Department by Maryland, there is no documentation that the applicant passed a distribution system exam. Looking at the information provided to the Department by Delaware, Delaware granted the applicant reciprocity except for distribution system. The applicant then passed Delaware’s distribution exam in January 2019. Delaware staff indicated that they do not use ABC exams; however, they did not provide the need-to-know criteria.

The Department’s recommendation for Board consideration: this individual is currently eligible for a WA 1,2,4,5,6,7,8,9,10,11,12 certificate—no E at this time since we have not yet received the necessary exam information from Delaware.

Mr. Kyle pointed out that there is no notary seal on the application. Chairman Swanderski made a motion to table Mr. Owens’ reciprocity request due to the lack of notary seal. Mr. Chescattie seconded the motion. Motion carried.

Robert R. Gardner, Jr. – Holds an Ohio Water Supply Operator license that expires on December 31, 2019. He has 36 years’ experience working at City of Westerville water division, which is a Class B facility using subclasses 1,7,8,10,11,12.

After some discussion, the Department’s recommendation: this individual is eligible for a WB 1,7,8,10,11,12 certificate.

Mr. Kyle made a motion to approve the Department’s recommendation. Ms. Roland seconded the motion, which passed unanimously. Motion carried.

Wastewater

Charles E. Schwartz, III – Holds a Delaware Wastewater Operator level II license that expires

September 1, 2021. He has 3 years' experience at DNREC groundwater remediation System which is a Class E facility using Collection System WWE4. Testing experience was verified via NJ and operating experience was verified via DE.

The Department's recommendation: this individual is eligible for a WWE4 certificate.

Mr. Kyle asked whether the form with the table that is signed by Nicole Smith is for NJ or DE. Ms. Moola replied that the table is for DE. Mr. Chescattie mentioned that moving forward we will start including the title/position of the person signing off on the processes for which the applicant has experience.

Mr. Steffy made a motion to approve the Department's recommendation. Chairman Swanderski seconded the motion, which passed unanimously. Motion carried.

Alan W. Blake – Holds a California Wastewater Operator level II license that expires September 1, 2021. He has 1 year and 8 months' experience at Lehigh Acres WWTP, which is a Class B facility using Activated Sludge WW1.

Based on review of the reciprocity application provided, Mr. Blake does not appear to be eligible for a license at this time due to lack of operating experience. More specifically, Mr. Blake has one year, eight months' experience operating a Class B wastewater system in California. He would need a total of three years of experience for a Class B license in Pennsylvania. The Department's recommendation for Board consideration is to deny this reciprocity request.

Mr. Kyle made a motion to approve the Department's recommendation. Ms. Roland seconded the motion, which passed unanimously. Motion carried.

Board Secretary Report

Ms. Chambers reminded those in attendance that per Article 6 a. (2) of the Bylaws, "The Board shall meet in person at least two (2) times in a calendar year." Ms. Chambers will email the Board members some suggested potential meeting dates for 2020 and request feedback so the dates can be solidified.

Old and New Business

Mr. Steffy announced his retirement from Aqua effective March 2020, and resignation from the Board during that same timeframe.

Ms. Roland mentioned that she received some materials from Josh Dicker, who works at LB Water's and is interested in obtaining his WE Distribution license. He is not specifically tied to one particular water system but has approximately 9 years' experience in the water industry working and consulting for various water systems. Mr. Dicker asked Ms. Roland if the Board would approve his license and experience should he apply in the future. Mr. Chescattie strongly cautioned against making any promises prior to the applicant submitting a formal application. Mr. Chescattie noted that the Board cannot give verbal approval because the Board needs to vote once the proper documentation is submitted and reviewed by the Department and the Board. The level of written documentation via the application, signatures, and notary seal is the yardstick for

approval, not a verbal summary of experience. Ms. Roland said she would relay that information to Mr. Dicker.

Mr. Smith shared with the Board a letter he drafted as a result of a concern that was raised at the August 7, 2019 Board meeting regarding the possibility of offering discounted rates for retirees taking exams to maintain their continuing education requirements. A goal was set to have the Board members review and provide edits to Mr. Smith's draft letter by the December 4, 2019 Board meeting so a final version can be voted upon at that time. Upon receiving the draft letter from Mr. Smith, Ms. Chambers will disseminate the letter to the Board members via email for review. Once the letter is finalized, the Board could potentially disseminate the letter to approved training providers via an email from a department resource account, and/or a hard copy mailing. Mr. Chescattie would first need to obtain prior approval for such a mailing from Lisa Daniels (Director, Bureau of Safe Drinking Water) and Bill Cumings (legal counsel for Bureau of Safe Drinking Water).

Chairman Swanderski mentioned that a committee has been formed at PSU to explore avenues to provide opportunities to water and wastewater utility operators who are not eligible for a license because of lack of experience, in order for them to be able to gain the experience they need via mentorship/apprenticeship/internship with certified operators.

Chairman Swanderski announced his retirement from PSU effective December 31, 2019 and potential resignation from the Board soon thereafter. Both Chairman Swanderski and Mr. Steffy will provide recommendations from the private sector to Mr. Chescattie and Ms. Chambers so they can begin working on getting replacements appointed to the Board. After retirement from his current employment, Mr. Steffy would no longer be eligible because he would no longer represent a private system. However, after retiring from PSU, Mr. Swanderski would still be eligible to maintain his role on the Board, should he choose to do so, because he represents licensed wastewater operators.

Mr. Kyle introduced Mr. Paul Bishop, President and CEO of Association of Boards of Certification (ABC), who provided a verbal overview with pamphlets and brochures as reference material. This information was regarding ABC test questions, ABC exams, ABC services, and an upcoming related conference.

Comments from the Public

There were no comments from the public.

The Board went into executive session at 12:16 PM to review confidential information relating to criminal histories of certification applicants.

Criminal History Report

Chairman Swanderski presented the following CHRs on behalf of the review committee:

Wastewater applicant 348032 requested certification for WWE-4. This client was arrested 09/04/1991 for one count Possession of a Controlled Substance (M), Arrested 09/04/1991 for one count Manufacture of a Controlled Substance (F1) and Arrested 09/04/1991 for one count Criminal Conspiracy Manufacture of a Controlled Substance (F1). Disposition Plead Guilty on

03/17/1992, was sentenced to State Prison 36 months to 72 months plus fines and costs. Parole 12/17/1997 to 08/09/1998.

Water applicant 195075 requested certification for WAE. This client was arrested 07/11/2007 for one count of Driving Under the Influence of a Controlled Substance (M). Disposition Plead Guilty on 12/09/2008 and was sentenced to County Probation for 6 months plus fines and costs. Arrested 12/13/2007 for one count of Receiving Stolen Property (M1). Disposition Plead Guilty 12/09/2008 plus fines and costs. Arrested 12/13/2007 for one count of Fleeing or Attempting to Elude Police Officer (F3). Disposition Plead Guilty 12/09/2008 and was sentenced to County Probation for 2 years plus fines and costs. Arrested 12/13/2007 for one count of Theft By Unlawful Taking or Disposition (M1). Disposition Plead Guilty 12/09/2008 and was sentenced to County Probation for 2 years plus fines and costs.

Mr. Cantwell provided an update of the ongoing Ohio reciprocity issue involving an agreement between the Department and Ohio EPA.

Mr. Chescattie reminded the Board that Ms. Roland made a motion at the June 12, 2019 Board meeting to update our exam questions. Mr. Chescattie confirmed that all the Board members are still in agreement with moving forward. Mr. Chescattie, Mr. McNamara, and Ms. Chambers are developing a plan with regard to drinking water exam question revisions. Further logistics will be discussed further at the December 7, 2019 Board meeting. After drinking water exam questions have been updated, the Board will then move on to wastewater exam questions.

The Board came out of executive session at 12:48 PM.

Ms. Roland made a motion to approve the CHRs for water applicants 348032 and 195075. Mr. Smith seconded the motion, which passed unanimously. Motion carried.

Mr. Kyle made a motion to clarify that the Board would not approve another accrediting state reviewing exam questions without a mutually agreed upon and signed non-disclosure agreement. Ms. Roland seconded the motion. Motion carried with unanimous support.

Chairman Swanderski motioned to adjourn the meeting at 12:49 PM.