

**ARKANSAS WASTEWATER LICENSING COMMITTEE
WEDNESDAY, AUGUST 8, 2018
Room 1E09 – Conference Room**

Committee Members

Rodney Williams, Chairman, Ph.D., University of Arkansas
Jennifer Enos, Vice-Chairman, Springdale Water Utilities
William Wright, Albemarle Corporation
Michael Overstreet, Jacksonville Wastewater
Lance McAvoy, City of Fort Smith
Richard Healey, Executive Secretary, ADEQ
Jonathan Richardson, Martin Operating Partnership - absent

MINUTES

The meeting of the Arkansas Wastewater Licensing Committee (AWLC) was called to order by Chairman Rodney Williams, at 10:02 A.M. on Wednesday, August 8, 2018.

Public Present: Jamie Ewing, Little Rock Water Reclamation Authority; Jeremy Rowe, AR Environmental Training Academy; Susan Poe, AR Rural Water Association; Stacie Wassell, ADEQ, Office of Legal Services; Robert Blanz, Sandy Luttrell and Leslie Allen-Daniel, ADEQ, Office of Water Quality.

Previous Minutes: After reviewing the May 9th meeting minutes, **Mr. Wright made a motion to accept the minutes as written, which was seconded by Ms. Enos. The motion was accepted.**

Financial Report: Ms. Luttrell presented the financial reports covering expenditures and budget totals during the past quarter, which include the beginning of the 2019 fiscal year.

Licensing Report: Ms. Luttrell reported the numbers and types of wastewater licenses issued during the past quarter.

Immediately following the department reports, Chairman Williams introduced Dr. Robert Blanz with ADEQ's Office of Water Quality. He has joined us to bring up the topic of occupational licensing, which the agency's Director wanted the Committee to be informed of. A group was formed by the legislature to determine if too many licenses are being issued and how to better consolidate them. Currently there are 350 different occupational licenses in Arkansas. At this time, it is unclear what changes can be expected. A report must be turned in by the end of November, 2018.

Mr. Healey has done research for Mr. Blanz and discovered state statutes that date back to 1949, with the Clean Water Act. It considers wastewater operators to be qualified operators. This was not something required by ADEQ. Ms. Wassell added that the Committee assists the department in an advisory capacity, not to make decisions but bring recommendations to ADEQ's Director for consideration.

Training Updates: Mr. Rowe presented a report of the Environmental Training Academy's wastewater students in attendance, along with the number of training courses offered during the last quarter.

Ms. Poe presented the Committee with a report showing classroom training completed and attendance counts since January, 2018, for the Rural Water Association.

Public Comment: Ms. Poe expressed her concerns with ABC testing being considered by the Committee for use with state wastewater operators, as it was done for the Department of Health with all water license levels. She claims her existing water license converted from a Class 3 license to a Class 2, when ABC acquired access to state water certifications. Ms. Enos claims her water license did not change when this conversion took place. She added that the Committee has only discussed using ABC for proctoring exams only, which would have no effect to existing licensed wastewater operators.

Old Business: The Committee was informed that their acceptance of ADEQ's revised License Exam Application form at the previous meeting was implemented by the agency as of August 1st. It had also been mentioned at that meeting, we should consider a similar application for reciprocity applicants with other states. ADEQ has started to revise this form with the same format as the application, which still needs to meet the agency's approval before it can be introduced to the Board. This item was tabled until our next meeting.

Conversation continued from our previous meeting, regarding Ms. Ellington's recommendation for ADEQ to adopt its own version of a Code of Ethics for all wastewater operators to complete and sign, perhaps with their applications for license certification exams. She had provided the Committee with examples used by other states, which she obtained from her trip to the annual ABC conference in January, 2018. Mr. Overstreet mentioned the Arkansas Water Environment Association's (AWEA) voluntary collection systems operator training course offers a "Code of Conduct" document as well. This form was acquired by ADEQ and was available for the Board to review.

Ms. Wassell wants to review this matter further before making recommendations to the Director. "Who should be responsible, ADEQ or the employer?" She suggested a statement in the exam applications, expressing what is expected of a wastewater operator and how it can affect their active licenses with the state, as it pertains to Regulation 3. Chairman Williams tabled this issue for need of more information and future discussion.

Mr. Healey spoke of the Committee's recommended changes regarding Regulation 3, which need to be reviewed with the Committee, then by the department and finally routed to the Director. Ms. Wassell stated we must first change the statute to have the fees set. This will give us the opportunity to open up the Regulation for changes.

New Business: Ms. Luttrell presented the Board with the Arkansas Pollution Control and Ecology Commissions minute order no. 18-11. This order approves Mr. Lance McAvoy to serve out the remaining 3-year term vacated by Ms. Jo Anna Brown, who resigned her position on the Committee. Mr. McAvoy's first term will end on December 31, 2019. On behalf of the Board, Chairman Williams "welcomed" Mr. McAvoy.

Next on the agenda, Mr. Healey requested the Committee's interpretation of: "What does a wastewater treatment plants major components consist of?" This comes directly from Regulation No. 3, as stated in Reg.3.301(E)(3); Class IV requirements for licensure, regarding the years of experience an operator has met for Class IV exam eligibility. Ms. Enos said "pretreatment", followed by "lab" from Mr. McAvoy. Other categories mentioned were bio-solids, maintaining equipment (pumps/calibrating...), and the ability to multi-task. This covers a broad spectrum of duties operators perform daily, depending on the type of facility they are employed by. There were a couple of questions brought up on this matter as well: 1.) Can the operator make a decision that can cause or prevent harm to the public or others on staff? 2.) Is the operator working with something that can directly affect the water treatment process or the environment?

Ms. Luttrell announced materials were available in their packets for their review and consideration of Mr. Darryll James Waller, a reciprocity applicant from Missouri. He holds a Class A (equivalent to Arkansas Class IV) effective until May 31, 2019, which was obtained through a state administered exam. **Ms. Enos made a motion to grant Mr. Waller an Arkansas Class III license with the opportunity to sit for a Class IV examination when it comes available. The motion was seconded by Mr. McAvoy and it carries.**

Chairman Williams excused everyone as the Committee entered into Executive Session. Upon returning, the Committee had reviewed and discussed three (3) nominations received by the department for a vacancy left when Ms. Ellington's term ended. This position calls for "an active wastewater treatment plant operator licensed by our department", as stated in Reg.3.201 (A) of Regulation 3. **The Committee recommends Mr. Cecil Zolliecoffer to serve in this vacant seat on the Board and Mr. Healey will prepare this correspondence to go before the Arkansas Pollution Control and Ecology Commission for their approval of this appointment.**

Ms. Ellington announced the next scheduled meeting: **November 14, 2018 at 10:00 a.m.**

The meeting adjourned at 11:36 a.m.