

ARKANSAS WASTEWATER LICENSING COMMITTEE
THURSDAY, FEBRUARY 9, 2023
ONLINE ZOOM CONFERENCING MEETING

COMMITTEE MEMBERS

Lance McAvoy, City of Fort Smith, Chairman
Jeff Ford, Kimzey Regional Water District, Vice-Chairman (Absent)
Doug Ford, Pollution Management, Inc.
Wen Zhang, PhD, University of Arkansas, Fayetteville
Austin Ramsfield, Jacobs Engineering
Heath Ward, Springdale Water Utilities
Andrew Rike, Harbor Environmental Inc.
Richard Healey, DEQ

The meeting of the Arkansas Wastewater Licensing Committee (AWLC) was called to order by Chairman Lance McAvoy, at 10:32 A.M. on Thursday, February 9, 2023.

Richard Healey introduced DEQ Staff present at meeting: Stacie Wassell, Sarah Pierce and Leslie Allen-Daniel. Also present from AETA Randy Harper and Kenneth Robertson and Ches Jackson with Arkansas Rural Water (microphone not working).

Motion by Heath Ward to accept minutes as written; second by Doug Ford. No discussion. Motion carried. Minutes will be accepted and filed.

Financial Report: Ms. Allen-Daniel presented the quarterly budget and expenditures report to the Committee.

Licensing Report: Ms. Allen-Daniel gave a report of the number of wastewater exams proctored and license certifications issued the past quarter.

Class I 68 Tested 58 Licenses Issued
Class II 4 Tested 4 Licenses Issued
Class III 41 Tested 34 Licenses Issued
Class IV 20 Tested 2 Licenses Issued
Advanced Industrial 8 Tested 2 Licenses Issued
Basic Industrial 18 Tested 15 Licenses Issued
4 Apprentice Licenses Issued
4 Reciprocity Licenses Issued
74% Pass Rate

Discussion of Class IV pass rate. Low pass rate is a testament to the standards to achieve a Class IV License. Question was asked about how many time the individuals who had passed the test had

previously set for the exam. Sarah reported that one had previously taken the test and first time to test for the other individual.

Concern is that if an individual keeps retaking the test, are they learning the material or the test? Understanding was that tests were online but Leslie explained that in 2020 due to Covid we encountered a shortage of computers for testing and had moved back to a paper test. Since we do use a paper version of the test recommended that we discuss with ABC about providing different version of the test to each individual that is testing. Sarah is will address with ABC this week.

Training Updates: Mr. Randy Harper, with the AR Environmental Training Academy stated that for the first time in three years they are fully staffed. Training schedule for 2023 hit mailboxes mid to late November. All training sites are now open.

2023 Training Schedule includes:

108 Waste Water Direct Credits

74 In Person Classes

25 ZOOM Classes

34 Online Classes

Phones are busy and they are trying to accommodate on-site training requests.

Last statistic provided was an update on the Retail Water Provider Board Training. A lot of this training is also Waste Water related. Training across the state was July through December with 40 Retail Water Provider Board Training classes with 741 attendees.

Arkansas Rural Water. No report. Rural Water staff is in D.C. this week.

Public Comments: No public in attendance. Closed with no objection.

Old Business: Mr. Healy reported that Andrew Rike was accepted by PC&E Commission to serve remaining term vacated by David Sartain. Was approved since our last meeting.

Lance McAvoy was approved to serve a 2nd three year term.

Andrew Rike introduced himself to the committee with a short personal history (Professional Engineer since 1998 and does hold an Advanced Industrial Waste Water License) and was welcomed by all present.

Committee approved next AWLC Meeting to be scheduled Tuesday, May 2, 2023 @ 9:30 a.m. at AWW&WEA Conference. Meeting will also be available by ZOOM for anyone not able to attend in person.

New Business: Report from Ms. Allen-Daniel. Continuing to schedule training sessions to sign up waste water operators for e-portal. Last month attended AWWA NWA and was able to sign up several waste

water operators. Thanks to Austin and Ches for their assistance. Favorable reports from committee members from locations where DEQ staff has done on-site e-portal training. Plan to also have computers available and assistance from staff to assist waste water operators to sign up for e-portal at the Waste Water Conference in May. Also will continue to do on-site training in 2023.

Ms. Allen-Daniel shared a copy of the Flyer for Wastewater Operator Requirements. Flyer has been approved. Plan to e-mail to all Responsible and Cognizant Officials to ensure they know all Waste Water Operators will be required to enter training hours through e-portal. In process of verifying contact information.

Annual approval by committee to accept the set stipend reimbursement amount (\$60.00). Motion by Heath Ward to extend with second by Wen Zhang. No discussion and motion is approved. Ms. Pierce will send out documentation later today.

Billy R. Teague, Class B License from Texas wants to be granted an Arkansas Class III. He reciprocated his Class II in 2019. Question raised by Mr. Healy that Mr. Teague had already reciprocated for his Class II and would he be eligible to do so again. Ms. Wassell advised Mr. Teague is now in our system and he can only advance in accordance to Rule 3. **Motion by Heath Ward to take no action but to inform Mr. Teague that since he is already in our system and to advance to the next class he must do so in accordance with Arkansas Pollution Control and Ecology Commission Rule 3 which requires him take our Class III exam. Second by Andrew Rike.** Thanks to Mr. Healy and Ms. Wassell for their guidance. No discussion and motion is approved by all present.

Precedent set by this action. Ms. Wassell suggested that in the future our letter to operator should include a paragraph that states now that he/she is now in our system must follow Rule 3 to advance to the next class.

Discussion about how to handle requests for reinstatement when current license has lapsed. Decided that DEQ team will draft a proposal to handle lapsed licenses. Copy will be sent to committee to review and will be discussed at next meeting.

Tim R. Thorson, license from Missouri, requests a Class IV. **Motion by Heath Ward to deny request for Class IV and he must have training hours current before taking Class III Exam in Arkansas. Second by Andrew Rike. Motion carried.**

Timothy Earl Danielson, license from Iowa and S-B from Minnesota, requesting a Class III and Advanced Industrial License. **Motion by Heath Ward to approve Class III depending upon reciprocity status with the state of Iowa. Deny request for Advance Industrial since no basis for granting license is provided. Second by Wen Zhang. Motion by Heath Ward to amend motion to include "if reciprocity is not recognized by Iowa, to allow applicant to sit for Class III if all other requirements have been met". Second by Doug Ford. Motion as amended carried.**

Heath Ward made everyone aware of Senate Bill #90 – to create the automatic occupational licensure for out-of-state individuals act. Heath met with Senator Ricky Hill and Michael Clayton met with Kendall Underwood. They agreed language of the bill needs to exclude water and waste water licensing. Have not seen final draft of bill.

Bill could affect this committee. Need to watch and be aware of outcome. Heath will testify against if needed.

Heath Ward asked if we are considering a Formal Collection System of Licenses in Arkansas and if so what is status?

Ms. Wassell responded that an allowance would have to be made in Rule 3 for licensing scheme.

- Working on Rule 3, but with the new governor's Executive Orders about rules not quite sure how to maneuver that; no rules to put up for appeal, update or to introduce new rules. Trying to figure out how to navigate that situation but we do need to build that into our rule first and then we would be able to build out that program.

Mr. Ward

- Agree that does need to be written in draft and will be a positive benefit to individuals holding licenses. Believe we will have organized and professional support. Collection system operators would also benefit.

Ms. Wassell stated that she has added that to the draft for Rule 3.

Mr. Ward added the following information that was in the Meeting Chat.

2022 Training Rural Water Update

1001 Students

332 Training Hours

12 Direct Waste Water

4 Renewal Hours

Next meeting will tentatively be May 2, 2023 @ 9:30 a.m. at the conference and will also be available by ZOOM.

Mr. Heath Ward, motion to adjourn and Andrew Rike seconded the motion.

Meeting adjourned at 12:00 p.m.