

ARKANSAS WASTEWATER LICENSING COMMITTEE
WEDNESDAY, MAY 10, 2017
Room 1E09

Committee Members

Lisa Ellington, Chairman, Paragould Light, Water & Cable
Rodney Williams, Vice-Chairman, Ph.D., University of Arkansas
Jennifer Enos, Springdale Water Utilities
William Wright, Albemarle Corporation
Tommy Tooke, Tyson Foods, Inc.
Michael Overstreet, Jacksonville Wastewater
Jo Anna Brown, Little Rock Wastewater
Richard Healey, Executive Secretary, ADEQ

MINUTES

The meeting of the Arkansas Wastewater Licensing Committee (AWLC) was called to order by Chairperson, Ms. Lisa Ellington, at 10:01 A.M. on Wednesday, May 10, 2017.

Public Present: Thea Hughes, AR Water Environment Association (AWEA); Jason Bolenbaugh, ADEQ; Kim Holston; Calvin Ware; Randy Harper, AR Environmental Training Academy (AETA); Sandy Luttrell and Leslie Allen-Daniel, ADEQ.

Previous Minutes: The February 8, 2017 meeting minutes were reviewed by the Committee. **Mr. Wright made a motion to approve the minutes as written. Mr. Williams seconded the motion and it was accepted.**

Financial Report: Ms. Luttrell presented the Financial Report for the Wastewater Licensing Program.

Licensing Report: Ms. Luttrell reported on the number and types of license issued for the past quarter.

Training Updates: Mr. Harper with the AETA presented hand-outs to the Committee and reported on recent training at the Academy. No one was present from the Rural Water Association.

Public Comments: Ms. Luttrell introduced the newest Committee member, Ms. Jo Anna Brown. Ms. Luttrell said the Arkansas Pollution Control and Ecology Commission approved the Committees recommendation. A copy of the APC&EC's Minute Order reflecting this approval was provided in their packets.

Ms. Thea Hughes, General Manager with Jacksonville Wastewater and representing the Arkansas Water Environment Association gave a presentation to the Committee about the voluntary collection system certification being offered through Arkansas Water Environment Association (AWEA). Mr. Bolenbaugh with ADEQ was also present. He is the regulatory representative on the Certification Committee. Ms. Hughes explained the classes being taught are specific to collection system operations, which most operators are reporting to be valuable to what they actually do daily on the job. Classes are currently being taught in Jacksonville and Rogers but they hope to expand to other areas in the future. There are 45 operators currently certified in the state of Arkansas with this voluntary license. Arkansas Water Environment Association is interested in making the collection system operator's license mandatory as a new license requirement. She stated there is no timeframe set but there is growing interest. Changes to APC&EC Reg. 3 would be required to add a new license.

Old Business: Mr. Healey and Ms. Daniel discussed the results of the 2017 AWW&WEA Wastewater Awards luncheon. Mr. Healey made a suggestion that the Committee Chairman or Vice-Chairman should present these

new Class IV wastewater treatment plant operators with this recognition at future award luncheons. Mr. Healey also mentioned holding a quarterly meeting of the AWLC at the spring conference.

Mr. Healey discussed with the Committee the memo regarding a new license for operators of non-municipal domestic sewage treatment plants. Dr. Robert Blanz from the Department requested the committee to look at the need for a license for these treatment plants. Recent legislation has been past that did not require an additional license but it did require a Professional Engineer to assess the plant to determine the cost to operate. It will result in more being paid into the mandatory trust fund. At this time, the Committee feels there is no need for an additional license, but would continue to research this issue. **Ms. Brown made a motion to table the memo until a later date. Ms. Enos seconded the motion and it carries.**

New Business: Ms. Luttrell, said in their packet was a request from Ms. Kim Holston to reinstatement of her Class IV wastewater license. Ms. Luttrell explained that Ms. Holston's Class IV Municipal Wastewater Operator License and her Industrial license were not renewed in June 30, 2015. Ms. Holston was present at the meeting, along with Mr. Calvin Ware, who assisted her on her job at the City of Hope Wastewater. Ms. Holston asked the AWLC to reinstate her Class IV wastewater license. Ms. Holston explained her work history at the City of Hope Wastewater. She said she work for the City for 29 years. She explained her medical leave/absence from work. She also conveyed to the Committee the circumstances surrounding her license renewal during her medical leave and how she provided everything necessary, but was not allowed to expedite the paperwork herself because of her leave from work. Ms. Holston stated that she submitted her paperwork for training to her employer and assumed it had been taken care of. Ms. Holston also expressed how she did not think she could take and pass the exam again after holding it for several years. She currently works for the Spring Hill School District, which requires a Class III wastewater license operator.

During the Committee's discussion, Ms. Brown said APC&EC Reg. 3, Chapter Four, Section 402, says it is the responsibility of each individual operator to verify their own training. Ms. Brown said she was also troubled by Ms. Holston statement that the Class IV exam was very hard and she did not feel she could pass the Class IV exam again and that was a concern to Ms. Brown if she was operating a treatment plant that required a Class IV operator. Mr. Williams mentioned that according to the APC&EC Reg 3, Chapter 6, D, any operator that allows their license to lapse for more than one year, will be required to take a new examination. **Ms. Enos made a motion that the Committee allow Ms. Holston to test for the class of her choosing (Class I – IV). If she chose to take a Class III and passed, she would be allowed to test for the Class IV exam immediately upon passing her Class III test. Ms. Brown seconded this motion and it carried.**

Mr. Healey asked the Committee to consider a request by Mr. William Crowe, that he be allowed to retake his lapsed Class III wastewater license exam. According to Mr. Crowe he held a Class III license for the City of Harrison in 1995. The Department has no archived records showing that he held a Class III license. The City of Harrison did not have records showing he held this license either. The only document available for review, which was provided by Mr. Crow, indicates he held a Class I wastewater license. The records also show he has enough hours to take a Class II test at this time. Ms. Ellington stated in her opinion, Mr. Crow should be required to start over and be required to take the Class I exam. **Ms. Enos made a motion that the Committee deny Mr. Crow's request for reexamination at the Class III level and suggested he start at the beginning with the Class I examination. Mr. Wright seconded this motion and it carried.**

Mr. Healey discussed ABC's wastewater testing program. Currently, ABC is changing the Class IV exam and doing a trial run. They are offering a trial exam to review. Mr. Healey stated that he asked ABC if they had exams for other wastewater licenses (Class I, II & III). Four members of the Committee (Ellington, Williams, Enos and Brown) expressed an interest in reviewing the training materials related to the Class IV exam. They stated they would like it in book form to review. They also wanted to review ABC's exams for Class I through Class III. Mr. Harper requested that the committee review AETA's curriculum to make sure it is in line with the test.

Ms. Luttrell asked the committee to review Missouri reciprocity applicant John Burns' request for an Arkansas Class IV wastewater operator license. He holds a Class A in Missouri which is equivalent to the Class IV in Arkansas. Missouri does reciprocity with Arkansas. Ms. Brown brought up that he has less than 200 hours. He only has 14 hours in the past two years. His license in Missouri was issued in 2008. His Missouri license expired on January 31, 2017 and there is no documentation showing it is current. However, the application for reciprocity was submitted on November 21, 2016, when the license was still current. **Ms. Brown made a motion to deny his request for reciprocity based on lack of hours and not having a current license. However, if he can show that his license is current and he has additional hours, they would consider him at a later date. Ms. Enos seconded this motion and it carries.**

Ms. Luttrell asked the committee to review Texas reciprocity applicant Jerry Wayne Whitehead's request for an Arkansas Class IV wastewater operator license. He didn't have anything listed for employment but he does live in Arkansas. He currently holds a Class A license in Texas, which is equivalent to a Class IV in Arkansas. His Class A license was obtained through a state administered exam. His previous address, his drivers' license, and most of his training comes from New Mexico. **Ms. Brown made a motion to table the request for reciprocity until further information is provided to determine if his license is in good standing in the state of New Mexico. Mr. Tooke seconded this motion and it carried.**

Ms. Luttrell asked the committee to review reciprocity applicant Nicholas Fabbriatore's request for an Arkansas Class IV license and an Advanced Industrial license. Mr. Fabbriatore holds an Advanced Industrial license in the state of New Jersey and a 4A license in New York. The 4A license is equivalent to the Arkansas Class IV license. Ms. Brown asked if there was anywhere in the paperwork that showed where Mr. Fabbriatore had tested for a Class IV license. Ms. Brown said that New York granted Mr. Fabbriatore the 4A license based on the New Jersey license. Ms. Brown brought up an email that stated the Class 4A was granted from reciprocity. **Ms. Brown made a motion to table Mr. Fabbriatore's request for reciprocity until more information is provided to determine if Mr. Fabbriatore has sat for an exam that is the equivalent of the Class IV exam in Arkansas. The motion also included more information about the Advanced Industrial license he holds and if it is equivalent to the Advanced Industrial license in Arkansas. Mr. Overstreet seconded the motion and it carried.**

The committee discussed nominations for an Industrial operator to replace Tommy Tooke when his second term ends in August. Mr. Healey stated that the Department could send letters to the various stakeholders for recommendations.

Ms. Ellington announced the next scheduled meeting: **August 9, 2017, at 10:00 a.m.**

The meeting adjourned at 12:05 p.m.