

ARKANSAS WASTEWATER LICENSING COMMITTEE
WEDNESDAY, November 13, 2019
Room 1E09 – Conference Room

Committee Members

Rodney Williams, Chairman, Ph.D., University of Arkansas

Jennifer Enos, Vice-Chairman, Springdale Water Utilities

Doug Ford, Pollution Management, Inc.

Richard Healey, Executive Secretary, ADEE

Michael Overstreet, Jacksonville Wastewater **(Late Arrival)**

Lance McAvoy, City of Fort Smith **(Absent)**

Jonathan Richardson, Martin Operating Partnership **(Absent)**

Cecil Zolliecoffer, Ozark Water Department **(Absent)**

MINUTES

The meeting of the Arkansas Wastewater Licensing Committee (AWLC) was called to order by Chairman Rodney Williams, at 10:13 A.M. on Wednesday, November 13, 2019.

Public Present: Jana Della Rosa, State Representative District 90 (NWA); Randy Harper, AR Environmental Training Academy; Stacie Wassell, ADEE, Legal Division; Sandy Luttrell and Leslie Allen-Daniel, ADEE, Division of Environmental Quality.

Previous Minutes: After previously skipping this topic due to lack of members present for a quorum, we now return with four members on the Board to review the August 14th meeting minutes. **Mr. Ford 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 quarterly budget and expenditures to the Committee.

Licensing Report: Ms. Luttrell reported the number and types of wastewater exams proctored and license certifications issued during in the past quarter.

Training Updates: Mr. Harper presented a training report to the Board, outlining the number of students enrolled and the training hours awarded by the Environmental Training Academy.

No one was present at the meeting from the Rural Water Association.

Public Comments: Chairman Williams recognized the Honorable Jana Della Rosa and asked if she would address the Committee. Her concerns were with the City of Bethel Heights and the wastewater issues they have encountered with neighborhood properties flooding. She feels the issues being dealt with were deliberate and that a separate operator license needs to be available for small systems in the state and would appreciate consideration and input by the Board on this matter. Ms. Enos said this is nothing new and has been an on-going concern for some time. The training provided is legitimate, fundamentals are taught but running a plant gives operators the experience they need to oversee it. Mr. Williams stated the most common problems known to small package systems is the lack of funds and preventative maintenance, which most members agreed.

Ms. Enos informed the state representative, that the Committee has been discussing the consideration of an international licensing program through the Association of Boards of Certification (ABC), with difficulties moving forward due to appropriate legislation. Mr. Williams added that license fees are set in statute, which has frozen our ability to make Regulation changes desperately needed. He announced that the Committee is handicapped as far as what they can do to assist in matters brought before them. They have the ability to make recommendations and advise ADEQ on ways to address issues, but ADEQ has the authority to make decisions that are taken before the Arkansas Pollution Control and Ecology Commission for approval.

Ms. Wassell informed the Committee that ADEQ would like to publish a notice of hearing to consider a 4-year suspension of an operator's wastewater certification license due to inadequate situations. An operator with the City of Bethel Heights has falsified data on multiple analyses being performed, by choosing the lowest readings to report. The Board would like this handled as quickly as possible, since he is still currently working on the job. Ms. Enos stated this could have rapid repercussions and is critical due to this fact. ADEQ needs to give him at least a 20-day notice of this hearing, and with the holidays quickly approaching, it appears the dates to consider by the Committee are January 8 or January 15, 2020. Ms. Luttrell will inform Ms. Wassell of the date that best works for our Board to meet for this hearing, so she may follow-up with presenting this notice within the next 7 business days.

Old Business: Ms. Wassell updated the Committee on her review of Act 820 as it pertains to licensing veterans in the state of Arkansas. She feels changes in Arkansas statutes or rules (regulations) are not necessary for reciprocity of occupational licenses held by veterans in other states, as long as their current license is substantially equivalent to Arkansas' requirements (work experience and training hours).

Ms. Luttrell contacted ABC staff to determine the current test version being administered to Arkansas Class IV wastewater operators, which was requested at the August meeting. To our dismay, we were informed that the exam has never been switched due to lack of consent being given by Arkansas Energy and Environment, Division of Environmental Quality (formerly ADEQ).

New Business: Ms. Luttrell presented correspondence for the Committee to review for reciprocity consideration of Tennessee Grade III WWT/Grade II Collection System operator, Harvey Ellis, Jr. His current license was obtained through a state administered exam. **Mr. Ford made a motion to grant an Arkansas Class III license through reciprocity, which was seconded by Mr. Overstreet. The motion carried.**

The Committee reviewed reciprocity correspondence submitted by a Kansas Class IV wastewater operator, Christopher McMahon. After several attempts were made during a 60 day period leading up to the deadline for this meeting, no response resulted in obtaining a completed reciprocity questionnaire from the Kansas Department of Health and Environment. **Ms. Enos made a motion to table this request until additional information needed was received, in order to make a decision on the license that he would be granted. Furthermore, she stated that the department's licensing staff be able to grant him an Arkansas Class IV license if his Kansas Class IV was obtained through ABC standard exam. If a state exam was proctored, then grant him an Arkansas Class III license. The motion was seconded by Mr. Ford and it carried.**

The first term of service for board member, Lance McAvoy, ends on December 31, 2019. He will be notified and asked if he is interested in serving a second term on the Wastewater Licensing Committee. **Mr. Ford made a motion to recommend Mr. McAvoy for a second consecutive term with the Licensing Committee. Ms. Enos seconded this motion and it carried.**

Chairman Williams announced the next scheduled meeting of this Committee: **February 12, 2020 at 10:00 a.m.**

The meeting adjourned at 11:35 a.m.