



## Utility Operator Certification Advisory Board Minutes August 9, 2016

Prior to the start of the meeting, Ms. Shuryn acknowledged for the record that the meeting was supposed to begin at 12 noon. However, the meeting was delayed because the Advisory Board members were at the WQCC hearing for the Professional Code of Conduct. Ms. Salazar confirmed that she was in the appointed Advisory Board meeting room beginning at noon and all other individuals intending to attend the Advisory Board meeting were still in attendance.

At 1:15 p.m., Ms. Eisen called the meeting to order. She began with a moment of silence for John Ramos, the operator in the Ruidoso WWTP who lost his life in a tragic accident at the plant in July. Following the moment of silence, Ms. Eisen began with the roll call and introduction of guests.

### ***1. Roll Call & Introduction of Guests:***

#### ***Present:***

Cathie Eisen, Joe Bailey, Dale Graham, (Ivan) Michael Abell, Joe Harvey, Rick Mitchell, Maria Gilvarry, Anne Keller, Bobby Towle, Sydney Hoke

***Guests:*** April Salazar, NMED-UOCP; Eric Hall, NMED-UOCP; Danielle Shuryn, NMED-DWB; Sean Brady, NM DOT; Anne Keller, NMED-UOCP; Caroline Martinez, NMWWA; J.J. Gutierrez, NMWWA; Mike Coffman

### ***2. Welcome New Advisory Board Members:***

Ms. Eisen welcomed the returning Advisory Board members who were re-appointed to their positions at the WQCC meeting prior to the Advisory Board meeting.

### ***3. Review and approval of agenda:***

Ms. Eisen inquired if everyone had a chance to review the agenda and asked for any changes or corrections. Joe Bailey moved to accept the agenda. Dale Graham seconded the motion. All members voted affirmatively and the motion passed unanimously.

### ***4. Review and approval of Minutes from the Meeting of May 12 & June 10, 2016:***

Ms. Eisen Ms. Eisen asked if everyone had a chance to review the agenda. She listed the changes she wanted included in the final copy of the May minutes and inquired if anyone else had changes. Ms. Keller read the corrections submitted by Mr. Nathanson for the May 12 minutes and reported those were already corrected. Ms. Eisen brought forth a couple of changes

and inquired if anyone else had changes. With no response, Ms. Eisen asked for a motion to approve both the May 12 and the June 10 minutes as amended. Mr. Abel moved to accept the minutes. Mr. Bailey seconded. All members voted affirmatively and the motion passed unanimously.

### ***5. Experience review for Sean Brady:***

Ms. Keller reported that Mr. Brady submitted documentation of his experience back in June. The Advisory Board reviewed and determined he lacked 1 year experience required by regulation so that his education could be counted for experience. Mr. Brady submitted additional information and a letter with employer labor details and a time weekly daily total documenting his hours of experience. Mr. Brady was present at the meeting and spoke on his behalf.

Mr. Brady requested the Advisory Board to reconsider his experience. He has been employed NMDOT for a year. NM DOT is currently under a compliance order from the EPA for a lack of WS2 operators for rest areas. He was tasked and volunteered to become NM DOT's WS2 operator. Subsequent info provided by Mr. Brady was for the Watery Power Plant in South Carolina, which documented over 7 months of time working in the field for this project. Mr. Brady discussed the various operations he performed in the pilot plant. He quoted the Utility Operator Certification Regulations (20.7.4.7.L NMAC) as the basis that his previous pilot plant experience should be considered and counted as experience. In UOC Regulation 20.7.4.K Experience, should provide the department the flexibility to encompass a broader definition of experience in terms of how his experience is evaluated.

Ms. Eisen commented that he is full qualified, but her response was if you make an exception for one person you open a doorway for another. They originally determined that most experience was wastewater, but didn't have water experience. She explained that it's challenging to make the exception without adequate experience. She would be willing to allow Mr. Brady to test for the WS1.

Ms. Keller reminded the Advisory Board that, by regulation, 1 year experience is required for all levels of certification.

Ms. Eisen suggested Mr. Brady could attend the NMWWA short school to acquire 27 training hours, acquire additional 3 online training credits, continue with mentoring and working in the rest area water systems, and to allow him to test in January for the WS2 when he has 1 year of experience.

After further discussion regarding Mr. Brady's pilot plant experience, Mr. Brady asked the Advisory Board to consider pro-rating the 7 months of experience, not at 1:1 ratio, but something less than that to give him a few more months of experience. The Board chose not to pro-rate his pilot plant experience.

Mr. Hoke made a motion to approve Shawn to test in January 2017 for his SW2 if he obtains 30 training credit and completes 1 year experience. Mr Abell seconded the motion. All members voted affirmatively and the motion passed unanimously.

***6. Legal request: Determination of “state, territory or foreign jurisdiction” as it applies to Indian tribes and reciprocity:***

Ms. Keller reported she has not had time to submit a legal request. Mr. Abel moved to table Agenda item #6 to the next Advisory Board meeting. Mr. Bailey seconded the motion. All members voted affirmatively and the motion passed unanimously.

***7. Legal request: Issue with 20.7.4.12.C not matching the Need to Know Criteria updates for distribution sample requirements:***

Ms. Shurn reported she has not had time to submit a legal request. Mr. Abel moved to table Agenda item #6 to the next Advisory Board meeting. Mr. Bailey seconded the motion. All members voted affirmatively and the motion passed unanimously.

***8. Work Force Solutions training opportunity program:***

Ms. Eisen explained she did some research on New Mexico Workforce Connection – Central Region as one way to get more operators into the field. Patricia Georges emailed information packets that were included in the Advisory Board packets, but was not present at the meeting. Ms. Eisen explained the Work Force Solutions has many resources and services available. Their purpose is to provide training and career services. She feels their services fit the NMWWA training program perfectly and asked all Advisory Board members to review the info. Ms. Eisen wants to get the board’s approval to take this to the next step and work with NMWWA to have NMWWA provide the trainings. Ms. Eisen will do the leg work to do some further research on this.

After lively discussion, Mr. Abell stated that Work Force Solutions should really be in direct contact with NMWWA and the Advisory Board should be left out of the equation.

***9. Discussion of formation of W/WW stakeholder group:***

Anne explained that during a discussion at a recent NMWWA Executive Board meeting, she proposed the formation of a water and wastewater stake holder group that would consist of water and wastewater trainers in New Mexico. The stakeholder group would work with the Advisory Board on updating the Need to Know criteria with the ultimate goal to make the Need to Know criteria as the outline trainers would use when developing operator training content. Ms. Keller requested participation by at least one existing Advisory Board member in the stakeholder group, so that the Board’s goals and objectives are served.

Ms. Keller and Ms. Shurny will work together to schedule an initial meeting with potential stakeholder participants. The purpose of the meeting will be to inform the potential stakeholders of the formation of this group and the purpose and goals of the group. Ms. Gilvarry requested an agenda of the initial stakeholder meeting be emailed to the Advisory Board prior to the initial meeting so they can provide input.

Ms. Gilvarry suggested level 3 & 4 operators should be polled for ideas regarding what trainings they would like to attend. Ms. Shurny explained the purpose of developing “Train the Trainer” classes would be to improve the pool of trainers who are qualified to provide water and wastewater trainings. Ms. Gilvarry suggested that lead operators working in the water and wastewater systems would be a good pool of individuals to pull from to be trainers. Ms. Shurny agreed that this was a good idea.

### ***10. NM Drinking Water Bureau Review:***

Ms. Shurny reported that DWB continues to deal with the roll-out of the Revised Total Coliform Rule (RTCR). There is significant non-compliance that they’re trying to mitigate right now. Up until August 1, DWB has covered the cost of analyzing distribution samples, whether or not they are compliance samples. Beginning August 1<sup>st</sup>, the Water Conservation Funds will not be used to pay for analyzing non-compliance samples; they will pay for compliance samples only.

Advisory Board members expressed their frustration at the complexity of the Distribution System Sampling Plans and directions and the 3-day notice that DWB will not be paying for water samples that are considered “non-compliance” samples. Ms. Gilvarry also expressed her frustration that there are some systems (hers included) who submitted their DSSPs on time, but the plans have not yet been reviewed by DWB staff. As a result, water samples submitted by those systems are considered “non-compliant” samples because their DSSPs have not been approved and they receive sampling violations. Mr. Mitchell agreed and stated his system had received a sampling plan violation because of this situation.

Ms. Shurny explained the change in paying for non-compliant samples was to solve a potential budget problem. Further, she explained that DWB has taken many measures to assist operators and systems with the implementation of the new RTCR. She said operators are not showing up to the trainings, and they have had to cancel classes.

Ms. Shurny asks for recommendations on how to improve the DSSP and directions. Mr. Graham suggested it could be made more “user friendly. The board also suggests “better outreach.” Ms. Shurny explained there is DSSP training within the RTCR class and after April 1, DWB offered separate DSSP trainings to operators.

Ms. Shurny explained that with DWB’s reorganization a few years ago, DWB removed the assistance role from the compliance officers’ duties. Now compliance officers are only

compliance officers. Technical assistance to systems is handled by the Technical Services Program. She stated that SWIG will work on communication and outreach. The Advisory Board requested that DWB notify operators if and when a new rule change will take place or when a rule or departmental change will affect a system's budget.

Ms. Shuryn stated he training calendar will be scheduled through December very soon.

### ***11. NM Operator Certification Program Review:***

Ms. Keller reported that she has been working on hearing related tasks and now the hearing is complete. She stated Mr. Hall is starting to work on exam applications for the September exam session. Ms. Keller requested the Advisory Board assistance with proctoring the September exam. Several Board members volunteered. Exam sessions are larger due to increased Mr. Hall's assistance to assist operators in filling out exam applications.

Ms. Keller stated she will be working with Ms. Shuryn and department counsel on the legal requests. She reported that she would be meeting with Caroline Martinez (NMWWA) and Bill Conner (NMRWA) to set the 2017 exam schedule. Ms. Salazar has been very busy grading exams and processing renewals. There were an unusually high number of renewals for July.

Mr. Hall stated the Program is getting a lot of reciprocities, especially from Arizona.

Ms. Shuryn reported that the UOCP manager position was submitted to HR in the previous week and she's expecting it to be posted very soon.

### ***12. Other Business:***

Ms. Eisen stated the Program needs to continue bringing a few exam questions for review and correction to every meeting so that the Program continues verifying the test questions. Ms. Shuryn asked if exam questions are reviewed at public meetings. Mr. Hall responded that the meeting is closed and goes into executive session for exam question review.

Ms. Eisen suggested the following topics for future discussion during an Advisory Board meeting:

- Raising exam and renewal fees.
- Minimum number of operators required to run a water or wastewater facility.
- Recruitment of new operators in the water/wastewater field to fill vacant positions

### ***13. Adjournment:***

Mr. Abell made a motion to adjourn the meeting. Mr. Graham seconded the motion. The Advisory Board members below were all in favor:

- Rick Mitchell
- Sydney Hoke
- Maria Gilvarry
- Michael Abell
- Joe Harvey
- Joe Bailey
- Dale Graham
- Cathie Eisen

Next meeting scheduled for October 28, 2016, in the District 1 office in Albuquerque.

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