



STATE OF MARYLAND
BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS

MINUTES OF THE MEETING HELD ON:
Thursday, February 18, 2021 At 10:00 A.M
Virtual Video Conference Meeting via Google Hangouts

MISSION OF THE MARYLAND BOARD OF WATERWORKS & WASTE SYSTEMS OPERATORS

The Treatment Systems that provide drinking water for our citizens and handle the wastes generated by our daily activities play an important role in protecting Public Health and the Environment of Maryland. Through the Certification Program established by State Law, the “Board of Waterworks and Waste Systems Operators” sets the education, experience and examination standards for Operators and Superintendents who work in these vital systems.

BOARD MEMBERS PRESENT

William Shreve	Wastewater Supervision; Board Chair
Joe Johnson	Water Supervision; Board Vice-Chair
Bruce Darner	Agriculture
Jay Price	Sanitary Commission
Partha Tallapragada	Maryland Environmental Service
Hiram Tanner	Public At-Large
Dominic Deludos	Industrial Superintendent

STAFF, LIAISONS & GUESTS PRESENT

Dee Settari	Acting Board Secretary
Jennifer Bowman	Board Counsel
Martin Fuhr	Board Staff
Pam Franks	Board Staff
Victoria Arbaugh	Board Staff
Ben Thompson	Board Member Appointee
Rosann “Roxie” Ndebumado	Board Member Appointee
Tara Jones	MCET Liaison
Sue Houghton	MRWA Liaison
Scott Harmon	MRWA Liaison
Clark Howells	CWEA Liaison
Eric Dutrow	Guest, MRWA
Alex McNamee	Guest, MDE Division Chief (ETAD)
Virgiline Ongkingco	Guest, MDE Regulatory & Compliance Engineer (ETAD)
Rebecca Warns	Guest, MDE Natural Resource Planner (PFAS Study)

01. CALL TO ORDER

Board Chair Bill Shreve called the meeting to order at 10:05 AM. Roll Call was performed by Victoria Arbaugh. The Board meeting was conducted virtually via Video conference as required by the State of emergency proclaimed by Governor Larry Hogan due to the COVID-19 Pandemic.

02. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA

Joe Johnson moved to adopt the proposed meeting agenda with corrections, including but not limited to correction the to application review. Partha Tallapragada seconded the motion. The motion carried unanimously; Board Chair Bill Shreve abstained.

03. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

Board Members reviewed the January 21, 2021 draft meeting minutes. Jay Price moved to adopt the minutes as amended with corrections. Partha Tallapragada seconded the motion. The motion carried unanimously; Board Chair Bill Shreve abstained.

04. BOARD CHAIR'S COMMENTS

Board Chairman Bill Shreve welcomed and thanked Board Members, Liaisons and Guests for attending today's meeting. Bill advised that he was very thankful for virtual meetings but had no further comments and turned the floor over to the Acting Secretary and guests.

05. SECRETARY'S REPORT

A. Discussion regarding Certificate Structuring and New Technology

Acting Secretary Dee Settar introduced guests Alex McNamee, Division Chief for MDE/ Water Supply Program's Engineering & Technical Assistance Division (ETAD); Virgiline Onkingco, Regulatory & Compliance Engineer of ETAD; and Rebecca Warns, Natural Resource Planner of the Water Supply Program. Rebecca provided a summary of her current project evaluating PFAS contamination in the State. Dee explained PFAS removal treatment may require new treatment technology and that the existing treatment structure may need to be updated or incorporate PFAS removal treatment. Dee advised the Board that the previous Board Secretary began developing a new certification classification for legionella treatment, which is currently in use at hospitals, nursing homes hotels, and other large facilities. Based upon her previous experience working in the Engineering and Technical Assistance Division, she conveyed the management of disinfection treatment used in premise plumbing facilities also requires substantial distribution management, and a separate and distinct licensing category should be developed to address the unique challenges to manage these regulated consecutive water systems. Board Chair Bill Shreve concurred that a separate certification category should be created to contemplate the unique treatment and systems required for legionella prevention and eradication. He expounded that especially the water treatment certifications should reflect the actual duties of the operators in such scenarios.

Alex McNamee addressed the Board to share his observations and concerns regarding the impact of PFAS and related contaminants on drinking water, along with the various accepted treatment processes to eradicate such contaminants. He noted that PFAS and PFOA have been detected in Maryland and several wells have been taken offline due to elevated sample results. Alex further noted that ETAD works with operators to develop adequate treatment plans, current treatments are filter based and other technology is being developed, and operator certification is necessary. Virgiline Onkingco concurred, stating that other treatment processes existed but needed to be further improved before they could be developed and implemented on a cost effective basis.

Alex McNamee opened the floor to comments and questions. Ben Thompson noted that PFAS are predominantly a groundwater issue and inquired if ongoing PFAS treatment in Harford County required additional certifications for existing operators. Eric Dutrow noted that Harford County was performing ahead of the curve in PFAS testing and since the system was more reliant on surface than groundwater, the PFAS impact was minimal. The Board Chair asked why PFAS are more frequently detected in ground versus surface waters. Rebecca Warns responded that surface water is more diluted by runoff and rainwater, while groundwater is slow moving. In addition, PFAS contamination is locally concentrated and usually contained in a specific area that results in greater impact to groundwater sources. She also noted that while surface water can be infiltrated by PFAS, it is usually due to a spill or leak incident and not a continuous exposure, as is the case with groundwater.

Joe Johnson inquired if pre-treatment was ever necessary for PFAS removal or if the filtration through granular carbon was adequate to remove the contaminant. Alex McNamee responded that granular carbon usually removes the PFAS to safe levels, without additional treatment, unless there are competing contaminants such as iron that may block or clog the granular carbon filtration process. Rebecca Warns added that some PFAS respond better to granulated carbon filtration than others depending on the length of the PFAS chain. She added that technology is evolving based upon differing PFAS characteristics and how they respond to different treatment processes. She specified that granular carbon, ion exchange and reverse osmosis were all potential solutions for different types of PFAS removal. Alex McNamee noted that the problem with reverse osmosis is that it produces a waste stream which creates a second set of problems and issues. In such situations media must be removed, sent offsite and burned. Jay Price emphasized that there was a great complexity in storing, then destroying and eliminating disinfection byproduct wastes created by such treatment processes.

At this time Ben Thompson circled back to the need for a holistic change in our operator certifications. He expressed concern that the classifications should contemplate both the water source and the treating facility's capacity and not just the type of treatment used. The Acting Secretary added that our current certification classifications are based solely on the treatment processes and do not consider the system size or the water source. Ben Thompson suggested subclasses based upon the type of water being treated. He gave the example of using a 4A for treatment of surface water versus a 4 for groundwater. Alex McNamee noted that although the contaminant is very complex, some of the treatments used to remove it are not very complicated. He suggested that the current treatments for PFAS should be deemed on the same level as a Water Treatment Class 3. The Board Chair added that the classification contemplating PFAS treatment could be changed via motion as they are not a regulatory or statute change.

Joe Johnson made a motion to include PFAS removal treatment using either granular activated carbon or ion exchange in the Water 3 classification. The motion was seconded by Jay Price. The motion carried unanimously; Board Chair Bill Shreve abstained.

The Acting Secretary Dee Settar redirected the discussion to classification for legionella treatment. She suggested a Class 5 be required for legionella and other water-borne pathogen treatments at hotels, colleges, nursing homes and hospitals that receive water from regulated water systems. Alex McNamee noted that there are a substantial number of locations that perform these secondary

treatments to pretreated water with chlorine based treatments. Dee Settar explained the secondary treatment processes in detail and explained such systems required frequent flushing or could experience a second outbreak. Partha Tallpragada expounded on the complexity of the process stating that the use of cooling towers and the disposal of waste byproducts generated by treatment processes were cause for concern. Alex McNamee concurred with Partha Tallapragada's assessment. Acting Secretary Dee Settar asked the Board to take time to consider how to classify such operators. Board Chairman Bill Shreve tabled the matter for a future meeting.

B. Revenue & Expenditures Update

Acting Secretary Dee Settar presented the Revenue Report for the month. As of January 31, 2021, the Monthly Revenue was \$96650.00, and the Cumulative Revenue was \$91,975.56. Dee noted she had not yet received updated expenses or encumbrances from MDE's Fiscal Program and would present these numbers at the March 2021 meeting. Bill Shreve asked how the 2021 renewal revenue compared with that of previous years. Dee will provide historic data for renewal revenue to the Board at the March 2021 meeting.

C. Exam Updates

Martin Fuhr presented the examination pass / fail statistics by month and class. He noted the overall monthly pass rate was 21% for the month of January 2021, which is well below the average passing rate. A total of 42 total exams were proctored in January 2021. In Martin also noted that he continues to recommend operators utilize the ABC study guides after attempting an exam multiple times.

Board Chair Bill Shreve noted the Charles County Department of Public Works has a training room that could be used to proctor examinations. Dee Settar advised that other states require additional training after an applicant fails the examination multiple times. Bill Shreve noted the potential benefits of evaluating exam mastery sheets to determine content areas for additional training and that the data could be used to require mandatory training to target areas of high failure.

D. Other Board Initiatives – (Website & Database Update)

Acting Secretary, Dee Settar advised the Board that the website is currently being updated on a monthly basis, including regular updates to a list of active operators and the examination schedule. She also noted that Board staff is updating Boards applications and other forms. Tara Jones offered to forward model language for granting access to continuing education records to be uses on the updated applications. Dee Settar will update the Board on the progress of this initiative next at the next meeting.

E. Board Appointment Updates

Acting Secretary Dee Settar updated the Board that the Senate will confirm Appointments for Councilwoman Rosann Ndebumado and Ben Thompson by the next Board meeting.

06. REVIEW OF APPLICATIONS

Kenneth Montgomery - The Board reviewed the Application for Experience Credit from Kenneth Montgomery. Mr. Montgomery, a wastewater 5A operator, requested one year of experience credit toward his Water Treatment 4 Temporary Operator Certification. Joe Johnson noted that,

while Mr. Montgomery has held his temporary water 4 certification for twelve months, he has accumulated only 240 hours working at the plant; all hours are considered administrative. After taking into consideration his experience working in a wastewater plant, Joe Johnson made a motion to approve the request for experience credit. Jay Price seconded the motion. The Board unanimously voted to approve his request; Board Chair Bill Shreve abstained. However, when Mr. Montgomery applies for his full water treatment 4 certification, he will need to submit a full accounting of the remaining 3,600 hours. This time must reflect experience working as an operator, not as an administrator, and the account must be certified by the plant superintendent. Bill Shreve instructed Martin to forward the Board's decision letter to Joe Johnson for review for final approval. Mr. Montgomery will be notified of the Board's decision after the letter is approved by MDE per procedure for Board oversight by the Department.

07. COMMITTEE REPORTS

TRE Policy Update Approval

Acting Secretary Dee Settar advised the Board that she had updated the proposed TRE Policy changes based upon their recommendations. After Board Members requested minor edits, Jay Price moved to approve the updated TRE Policy with corrections. Joe Johnson seconded the motion. The motion carried unanimously; Board Chair Bill Shreve abstained.

08. ON-GOING BUSINESS

Acting Secretary Dee Settar conveyed costs from MDE Facilities Management regarding use of the Montgomery Park Auditorium for exams to follow the Short Course training event and that room capacity could not be assured due to fluid State and City restrictions. Board Chair Bill Shreve noted many venues throughout the state required no fee to proctor exams and suggested use of the Auditorium only if other options were not viable. Martin Fuhr will research venues in Havre de Grace, Westernport and Easton, which can all accommodate larger groups.

Board Members and Liaisons expressed concerns over the expenses that would be incurred if Montgomery Park site was to be used. Eric Dutrow offered to research other locations in Western Maryland for the Board. Clark Howells advised that he would present the Montgomery Park costs to the Short Course Committee and report their response to the Board. He also suggested that Board Staff attempt to negotiate the exorbitant fees with the Montgomery Park management. The Board Chair thanked the Board Staff for their efforts in attempting to secure testing sites.

9. DISCUSSION WITH BOARD LIAISONS AND GUESTS

Tara Jones (MCET, WWOA) – Offered no updates.

Sue Houghton (MRWA) – Advised that Scott Delude was hired as the new Circuit Rider. She also noted the May Conference has been cancelled due to concerns about the pandemic and a reluctance to hold a virtual conference. The Conference may be rescheduled for Fall 2021.

Scott Harmon (CWEA, MRWA) – Advised that CWEA will be provide training scholarships and hopes the State of Maryland will provide financial assistance to small systems due to a lack of federal funds. Dee Settler advised MDE may have available funding through the State Revolving Loan Fund and referred him to Alex McNamee of MDE’s Engineering and Technical Assistance Division for additional information. The MRWA had more than 40 participants in the recent water sampling class and all other training has been well attended. Scott noted many classes, excluding water sample certification, are offered free of charge. He wished everyone Happy Holidays and New Year from warm Texas.

Clark Howells (CWEA) – Offered no updates.

Bruce Darner (WWOA) – Advised that WWOA met yesterday and is still working on dates for training. He is hopeful that scholarships will be funded.

Jay Price (CSAWWA) – Advised the Spring Meeting will be a virtual conference and that the website was up and running and provided scholarship information. He also noted that WSSC is offering several virtual courses and plans to offer more exam preparation courses.

Ben Thompson (Board Appointee) – Advised that he believed CWEA will offer at least 10-12 scholarships. Clark Howells concurred that estimate to be correct.

Eric Dutrow (Guest, MRWA) – Expressed his gratitude for being able to participate in the Board’s meetings and advised that he will actively work to find examination locations.

10. Board Vote to Move into Closed Session

Pursuant to General Provisions Article (“GP”) § 3-305(b), on a motion made by Jay Price and seconded by Joe Johnson, the following Board members voted in favor to move into closed session on February 18, 2021 at 12:37 PM via Google Hangouts video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Joe Johnson, Dominic Deludos, Bruce Darner, Jay Price, Hiram Tanner, and Partha Tallapragada; Chairman Bill Shreve abstained. The motion carried.

11. ADJOURNMENT

Jay price moved to adjourn the virtual conference meeting at 12:35 PM. The next meeting will be held on **March 18, 2021 Video Conference Meeting held via Virtual Google Hangouts.**

Call To Order and Purpose of Closed Meeting

With a quorum present, Chairman Bill Shreve called the meeting of the closed session to order at 12:54 PM to perform administrative functions, pursuant to the following provisions of GP § 3-305(b):

GP § 3-305(b)(2) - To protect the privacy or reputation of certain individuals concerning a matter not related to public business

GP § 3-305(b)(7) - To consult with Board Counsel to obtain legal advice

During the closed meeting, the following Board members were present: Chairman William Shreve, Vice-Chairman Joseph Johnson, Jay Price, Hiram Tanner, Bruce Darner and Partha Tallapragada. The following MDE staff were also present during the closed meeting: Jenn Bowman, Dee Settar (self-recused Board Member), Martin Fuhr, Pam Franks, and Victoria Arbaugh. The following Board Members were not present: Dominic Deludos.

Topics Discussed During Closed Meeting

Board Members reviewed minutes from the Board's December 17, 2020 Closed Meeting and discussed the recent Memo from MDE Secretary Ben Grumbles regarding Board oversight and protection against federal anti-trust liability.