



STATE OF MARYLAND
BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS
MINUTES OF THE MEETING HELD ON:
Thursday, January 18, 2024 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

Doug Abbott	Water Supervision; Board Chair
Bill Shreve	Public at Large; Board Vice-Chair
Ed Hogan	Industrial Superintendents
Bruce Darner	Agriculture; WWOA Liaison
Connie Luffman	Wastewater Supervision
Davina Yutzzy	County Government
Ben Thompson	Sanitary Commission
Eric Dutrow	Public-At-Large
Joe Wright	Maryland Environmental Service
Anthony Nwagwe	Maryland Department of Environment / Water Supply Division

LIAISONS, GUESTS & MDE STAFF PRESENT

Jennifer Bowman	Board Counsel
Martin Fuhr	Board Secretary
Pamela Franks	Board Staff
Victoria Arbaugh	Board Staff
Dee Settar	Deputy Director Water Supply Program
Taj Goodlow	Division Chief Certification Boards
Alex Rubin	Administrative Staff Certification Boards
Melissa Coker	Director MCET
Donna Dunlap	Maryland Rural Water Liaison
Clark Howells	CWEA Liaison
Sophia Oberton	WWSO Board Member Applicant / Town of Delmar

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01. CALL TO ORDER

Board Chair Doug Abbott called the meeting to order at 10:00 AM. Roll Call was conducted by Victoria Arbaugh at 10:01 AM. The Board meeting was conducted online using Google Meet.

02. BOARD CHAIR’S COMMENT & GUEST INTRODUCTIONS

Doug Abbott opened the meeting by thanking all in attendance. He welcomed everyone and had guests introduce themselves. Board Applicant Sophia Oberton from the Town of Delmar introduced herself explaining that she had run the town’s system for over a decade. Eric Dutrow congratulated her for winning AWWA Operator of the Year and her pending appointment to the WWSO Board.

03. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA

Board Members reviewed the January 18, 2024 Draft Agenda. Ben Thompson moved to adopt the amended agenda and Joe Wright seconded the motion. The motion carried with the Board Chair abstaining.

04. REVIEW & ADOPTION OF DRAFT DECEMBER 21, 2023 OPEN MEETING MINUTES

Martin Fuhr presented the proposed minutes for review. Bill Shreve made a motion to approve the amended minutes and was seconded by Bruce Darner. The motion passed with the Board Chair abstaining.

05. BOARD STAFF’S REPORTS:

A. Revenue & Expenditures Update

Board Secretary Martin Fuhr advised that current revenue and expenditures are still being processed by the Water Supply Accountant. He explained that MDE Fiscal is also working on a finalization of the WWSO Board Appropriations and are correcting all reported numbers as of Fiscal Year 2024. He explained that the Fiscal Year started July 1, 2023 and ends June 30, 2024. Martin advised that he would ask the Water Supply Accountant when appropriations will be assigned for the WWSO Board. Martin invited inquiry but the Board did not have any questions regarding the matter. He presented the following figures:

FY24 Appropriations through June 30, 2024	TBD
Cumulative Revenue as of November 30, 2023	\$70,575.00
Cumulative Expenses as of November 30, 2023	\$314,393.87
Reconciled Cumulative Revenue as of October 31, 2023	\$58,300.00
Reconciled Cumulative Expenses as of October 31, 2023	\$194,793.87

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90 **B. TRE SUBCOMMITTEE REPORT & RECCOMENDATIONS**

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92 Board Chair Martin Fuhr briefed the members on the work of the TRE Subcommittee. Bill Shreve asked
93 if it is appropriate for a third party to use MCET’s teaching material absent any evident agreement from
94 the organization. Martin advised that he should contact MCET and report the information directly to them
95 for a response. Bill Shreve responded that he will be reaching out to MCET to make them aware of the
96 situation. Sophia Oberton expressed interest in the working of the TRE Subcommittee. Bill Shreve
97 provided a summary of the process and Martin advised that he would send an email invitation to Sophia
98 to come and observe the next TRE Subcommittee. After a brief conversation about the Subcommittee,
99 Bruce Darner suggested the Board adopt the recommendations of the Subcommittee. Board Chair Doug
100 Abbott requested that the Exam Subcommittee compile a full list of all approved questions prior to the
101 next Board Meeting. There was a lively discussion with Ben Thompson, Doug Abbott and Bill Shreve
102 emphasizing that not all of the questions which are frequently missed are superfluous or unnecessary. All
103 agreed that a few of the most missed questions are essential to job function and should be known to
104 working operators. Bill Shreve confirmed that that he will volunteer to assist in rewriting a proposed
105 prescription to be subject matter specific and provide more detail. Bill Shreve made a motion to have the
106 full Board approve the exams as amended by the subcommittee at the next meeting. The motion was
107 seconded by Joe Wright. The motion passed with the Board Chair abstaining.

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109 **C. EXAMINATION STATISTICS**

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111 Martin Fuhr presented the most recent examination statistics to the Board. This generated a lively
112 discussion of the Pass / Fail Rate. Doug Abbott recommended holding off on giving any more Wastewater
113 5A Examinations until the updated examination can be used for examinations. Bill Shreve agreed that
114 would be a great idea. Martin Fuhr and Victoria Arbaugh expressed concerns that this would delay those
115 Operators in Training attempting to renew. It was determined that a pause on providing the current
116 Wastewater 5A Exam would not be appropriate at this time.

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118 Bill Shreve provided a summary of the Exam Subcommittee’s interactions with WPI / ABC and advised
119 that Maryland’s passage rate was in line with national averages. Doug Abbott expressed his concern that
120 we need to improve the exams and the passage rates. He emphasized that the most effective way to do that
121 would be to provide exam prescriptions that assist in study preparation. He is looking forward to WWOA
122 partnering with the Board to publish an effective study guide. Sophia explained the regulatory scheme in
123 Delaware and that it is easier to navigate for operators. Doug Abbott agreed that it was a more cohesive
124 regulatory schematic, but it would require an intensely time consuming, regulatory change for the Board
125 to implement. Bill Shreve concurred and added that he believed the Board needed to implement a
126 regulatory change to require a mandatory remedial course for all operators who fail the examinations 3
127 times or more. Doug Abbott concurred but emphasized that at this time the Board needs to focus on
128 effective study guides and other study resources addressing the many questions on the exam that are both
129 relevant and essential to job performance. Martin Fuhr advised the Board that he would investigate
130 whether he could track the number of exam attempts by operator and report back to the Board.

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06. BOARD INITIATIVES & INQUIRIES

Martin Fuhr presented the proposed minutes for review. Bill Shreve made a motion to approve the amended minutes and was seconded by Bruce Darner. The motion passed with the Board Chair abstaining.

A. ABC / WPI

Bill Shreve briefed the members on the work of the Exam Review Subcommittee. He explained that they had removed all duplicate questions from the Wastewater 5A Examination. A discussion ensued and Ben Thompson, Doug Abbott and Bill Shreve all emphasized their strong belief that not all of the questions which are frequently missed are superfluous or unnecessary. They all stated that many of the most missed questions are essential to job function and should be known to all working operators. Doug Abbott advised that he is working on creating more specific question categories as well as assisting in developing the new study guide. He believes that any proposed prescription must be subject matter specific and provide more detail.

Eric wanted to ensure that the full Board would be voting on all questions. Bill Shreve advised that the committee had determined that the full Board would vote on approving the updated exams as amended by the subcommittee at the next meeting. Martin will email that information to all Board Members for review. Doug Abbott thanked all of the committee members for their hard work. The sentiments were echoed by Ed Hogan who ended the discussion by emphasizing that not all of the questions which are frequently answered incorrectly were superfluous or irrelevant. Ed agreed with prior Board Member comments that many of the most frequently missed questions are essential to job function and must not be removed from the examination.

After Martin reiterated that he would email all Board Members prior to the next meeting, Jenn Bowman recommended the vote occur during a meeting and not via email. Bill Shreve filed a motion that pending any changes to questions, all Board Members would submit their comments by noon on 1/22/2024. The motion was seconded by Bruce Darner. The motion passed with the Board Chair and Ben Thompson abstaining. Board Chair Doug Abbott advised that the next step for the Exam Subcommittee was to look at the individual Wastewater 5 and “A” Exams. Bill Shreve concurred and requested that Martin Fuhr provide the questions on both exams to the Subcommittee in the next few weeks. Ed Hogan recommended that a 6-month review be performed after the new Wastewater 5A Exam has been administered for that period of time. Everyone agreed and Bill Shreve advised that he would put that on the list of to-dos for the Exam Subcommittee.

B. Application Process / Communications Subcommittee

176 Joe Wright confirmed that he had received responses to the inquiries sent out to the WWSO Board Staff.
177 The responses will be reviewed and considered by the Communications Subcommittee who will make
178 appropriate. recommendations.
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181 **C. WWSO Board Vacancies**

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184 Sophia Oberton's appointment to the WWSO Board is pending approval. Everyone commented on how
185 much they appreciated her participation and looked forward to her joining the ranks of the Board. Dee
186 Settar noted that the Legislative Session has started, and she would provide Martin Fuhr with a calendar
187 link to determine when Sophia would be officially appointed.
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190 **6. REVIEW OF APPLICATIONS RECEIVED**

191 **A. Thomas Jeffrey Buchanan**

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194 Mr. Buchanan is seeking reciprocity from the state of Alabama for an Industrial 6 Certification. The
195 Board decided to table the decision until a copy of the discharge permit is obtained. In addition, Board
196 Counsel Jen Bowman will investigate whether there are any legal requirements now mandated by the
197 Office of the Secretary in regard to the delay / denial of a reciprocity application.

198 **07. COMMENTS BY BOARD MEMBERS & LIASONS**

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202 Board Chair, Doug Abbott invited members to comment and bring up any concerns during this time.

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204 1.) Bill Shreve asked if Board Counsel Jen Bowman could provide an update on the Sunset Review.
205 Jen responded that the Sunset Review was governed by statute. She advised that the Department
206 of Legislative Services performs the review, and they can either give a preliminary finding or
207 perform a full sunset review. There was a preliminary review of the WWSO Board performed in
208 2019 but the last full sunset review occurred in 2009. Jen elaborated that she would provide copies
209 of that finding to all Board Members. She explained that the Board's statutory authority does not
210 expire until 2031 and we may not have another review performed until much closer to that date.
211 In addition, removal from review would require a statute change.
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213 2.) The Board Chair Doug Abbott noted that nobody opposes the increase in fees that MDE desires.
214 However, the timing is not good, and he believes that waiting until the implementation of the
215 online portal is the way to go. Dee Settar agreed that sounded like a great strategy.
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- 3.) Anthony Nwagwe advised that the website needed to be regularly updated to reflect all receipts of recent applications every two weeks. Martin responded that the webpage would be updated bi-weekly as requested.

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223 **09. REVIEW / STATUS OF ACTIONS ITEMS**
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225 Anthony Nwagwe presented the current and recurring items for action / follow up and resolution:
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- 227 1.) Martin Fuhr will email the Board Meeting Information at least two (2) days prior to the meeting.
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229 2.) Martin Fuhr will update the webpage with application entries and update the incomplete
230 application list on a bi-weekly basis.
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232 3.) Ben Thompson will start updating the WWSO Board Matrix on a monthly basis.
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234 4.) Martin Fuhr will email the Board the proposed updated Wastewater 5A Exam.
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236 5.) Martin Fuhr will consider all changes to the agenda that are forwarded him by the Tuesday prior
237 to the meeting.
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239 6.) Board Member comments on the updated Wastewater 5A Exam are due by 1/22/224.
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241 7.) Martin Fuhr will invite Sophia Oberton to the next TRE Subcommittee Meeting.
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243 8.) Martin Fuhr will attempt to track the number of exam attempts per operator.
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246 **10. DISCUSSION WITH BOARD LIAISONS AND GUESTS**
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249 **Bruce Darner (WWOA)** – Bruce advised that there was a Main Body Meeting yesterday at MCET. Eight
250 people attended in person and seven attended online. They have budgeted ten thousand dollars for need-
251 to-know manuals and look forward to assistance from MCET. In addition, WWOA refunded this year’s
252 \$25 membership fees as a result of great money management. December. WWOA will be having their
253 next meeting on 1/7/2024 at MCET. They will be holding a training session on 2/27/2024 in Salisbury
254 and the cost is \$20 for members and \$45 for non-members.
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257 **Melissa Coker (MCET)** – No comments.
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260 **Donna Dunlap (MD-RWA)** – Registration is open for the annual conference which will be held at the
261 Ocean City Convention this year for May 6 through May 9th. Please sign up!
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264 **Ben Thompson (CSAWWA)** – Great news that Rachel Ellis’ contract has been renewed for another 5
265 years. Registration for Bio-Energy Center tours in Jessup, Maryland are due by February 1, 2024.
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11. BOARD VOTE TO MOVE INTO CLOSED SESSION

Pursuant to General Provisions Article (“GP”) § 3-305(b), on a motion made by Bill Shreve and by Ben Thompson, the following Board members voted in favor to move into closed session on January 18, 2024 at 11:53 AM via Google Meet video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Bill Shreve, Ed Hogan, Bruce Darner, Connie Luffman, Ben Thompson, Eric Dutrow, Anthony Nwagwe, Joe Wright and Davina Yutzy. Board Chair Doug Abbott abstained. The motion carried.

12. CALL TO ORDER AND PURPOSE OF CLOSED MEETING.

With a quorum present, Board Chairman Doug Abbott called the meeting of the closed session to order at 12:05 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 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 Doug Abbott, Vice-Chairman Bill Shreve, Ed Hogan, Bruce Darner, Connie Luffman, Ben Thompson, Eric Dutrow, Anthony Nwagwe, Joe Wright and Davina Yutzy. The following MDE staff were also present during the closed meeting: Dee Settar, Jenn Bowman, Martin Fuhr, Pam Franks and Victoria Arbaugh.

13. ADJOURNMENT

Bruce Darner moved to adjourn the open and closed meetings at 1:18 PM and the motion was second by Bill Shreve. The next open meeting will be held on **February 15, 2024, as a Video Conference Meeting held via Google Meet.**

14. TOPICS DISCUSSED DURING CLOSED MEETING

Board Members discussed the following items: WPI / ABC Contract.