

Texas Commission on Environmental Quality
WATER UTILITY OPERATOR LICENSING ADVISORY COMMITTEE
February 13, 2013
9:30 a.m.

TCEQ
12100 Park 35 Circle, Bldg. C, Room 131
Austin, Texas

MINUTES

Members Attending:

Allen Schreiber
Mark Rich
Leonard Leinfelder
Ginger Laird
Larry West
Bobby Russell
Russell Hamilton
Robb Starr
Roy Staggs

Members Absent:

Ray Gooden
Adrian Montemayor
Gary Sober
Michael Urrutia

TCEQ Staff Attending:

Lynne Haase
Russ Gardner
Ivan Messer
Paul Munguia
Linda Saladino
Barbara Mendieta

Guest Attending:

Curtis L. Smalley
Julie Nahrgang
James Fisher
John Bennett
John J. Carlton

The meeting was called to order by WUOLAC President, Allen Schreiber at 9:30 A.M. A quorum was confirmed. All attendees were introduced. The minutes from November 1, 2012 were approved.

Legislative Update – Outline bills that may have an impact on Occupational Licensing

Paul Munguia informed the group that there are a number of bills that the Occupational Licensing section is following and watching; however, it is too soon in the legislative process to give any specifics details.

Review numbers for Water and Wastewater Operators since 2010 that were sanctioned for activates related to falsifying state documents relating to CEUs or misrepresentation of information on a license application.

Paul presented a report indicating that since 2010, the TCEQ has received nine complaints which have been investigated regarding the falsification and/or misrepresentation of information provided on a license application. Primarily, these were cases where an individual falsified their work history. In all cases where the applicant was found to have falsified their history, TCEQ requested the person surrender their license; all cases complied.

A discussion developed regarding how the TCEQ verifies the applicant's work history and experiences. TCEQ verifies the work history and experience of A license applications. Roy Staggs suggested that employers ask about their own employee's work history. He also asked how to obtain from TCEQ a copy of applicant's work experience they put on their license application. Russ Gardner, Manager of the Occupational Licensing section, explained that the application is public information and could be provided if someone submitted a Public Information Request. Lynne Haase, Director of the Permitting and Registration Division, noted that the application had language making the person signing the application legally liable for the information submitted. She suggested that the instructors and associations could stress to their students/customers that TCEQ had the right to take legal action against anyone falsifying information listed on their license application.

Russell Hamilton asked if TCEQ currently requires proof of a High School diploma or GED. TCEQ currently does not require physical proof of a diploma or GED; however, they do require the applicant to indicate their level of education and sign an affidavit affirming the information provided is truthful.

Roy suggested that new licensees' sign a code of ethics. He and James Fischer also suggested that TCEQ conduct random checks regarding an applicant's work history and experience on B, C, & D applications, similar to the checks currently done with A applicants.

BPAT exam development project update.

Barbara Mendieta provided some background and an explanation of the exam development process as well as described the outcomes of the first BPAT Exam Development Workgroup meeting to include updates made to the 2004 BPAT Job Task Analysis which will be used as the basis for the exam's composition. Further progress updates will be presented on this topic for discussion at future WUOLAC meetings.

RG-373 Webinar Checklist – review and update on comments/concerns. Discuss verification of identity for all modes of training.

Linda Saladino summarized the TCEQ rule requirements regarding all modes of training. Listed below are five items applied consistently for all modes of training, but with flexibility to accommodate the unique characteristics specific to each training format. Training credit can only be issued when:

1. Training content is applicable to the occupational license's critical tasks;
2. Training is developed and delivered by qualified subject matter experts;
3. Student identity and participation can be verified;
4. Comprehension can be monitored; and
5. Successful completion can be monitored.

The development of guidance regarding the approval of webinars is the result of HB-965 where A & B operators are allowed to "certify" they meet the TCEQ's renewal requirements regarding completing the required hours of approved continuing education to include webinar-type training.

Linda Saladino provided handouts regarding the Texas Water Code, TCEQ 30 TAC 30, and the draft Webinar checklist to be added to RG-373: *Approval of Training for Occupational Licensing* which she summarized and took questions/suggestions. Key points:

- Webinars are intended to be interactive and the provider must provide the opportunity for interaction; this is different from a webcast, which is broadcasted information and no interaction or monitoring;
- Webinar training is for license renewals, not core training to get an initial license;
- Webinars have a maximum length of two hours, and not less than 30 minutes;
- Restricted to entities currently providing conferences;
- Comprehension monitoring, one of WUOLAC's concerns, with provider feedback may be accomplished by several means and not restricted to a performance assessment or test;
- Verifying identity, another of WUOLAC's main concerns, is currently accomplished by the use of passwords, affidavits, proctors, voice recognition, etc.

Regarding the evaluation of the effectiveness of the training via a webinar, Linda indicated that the training is viewed as enrichment training and there needs to be a system to ensure learning, but would prefer to not use the word "test". Julie Nahrang, with WEAT, requested not having a five question test per hour of training.

Some members questioned the means of ensuring the attendee(s) would be attentive during the webinar. Three sub discussions ensued:

- First, Julie described the software they use, called Go To Webinar, which can detect if the user's computer screen has been minimized, detect mouse movements, and whether the computer switches to energy saving mode (sleep mode);
- Second, in situations where multiple attendees are viewing the webinar training from one computer, it was suggested to have a proctor in the room who would sign an affidavit attesting the attendees were present and attentive; the proctor was necessary since the one-on-one computer monitoring/response is not available; and
- Third, it was suggested that prior to the start of the webinar, a warning message to the attendees would be presented informing them that their participation in the webinar would be monitored.

Linda made edits to the document during the meeting in response to the discussions and she will be sending the revised version back to WUOLAC and any guests present for their review and comments.

Update Need-to-Know criteria for current water/wastewater exams. Discuss water/wastewater exam revisions (as applicable).

Linda provided a handout regarding this topic which she summarized. She encouraged the group to take the handout with them for review and provide comments.

Linda suggested the Need-to-Know categories should reflect the current exam categories with perhaps additional detail. The Need-to-Know documents were designed to have the same categories for all levels of licenses in a program, but the questions grow more difficult in line with Bloom's taxonomy where the questions progress from basic comprehension to analysis, troubleshooting, and evaluation.

Input on updating RG-002 (Process Control Tests for Domestic Wastewater Treatment Facilities)

Linda provided a handout regarding this topic which she summarized. She encouraged the group to take the handout with them for review and provide comments. She let WUOLAC know the TCEQ Water Quality Permitting and Field staff would also offer comments to update the document which is primarily used for educational purposes for operators of activated sludge plants. It was suggested that new technology and any additional permits limits be considered as additions.

Other Business

1. Linda asked for clarification of previous WUOLAC input regarding the qualifications of instructors of safety training, particularly the core course, Water Utility Safety. Final consensus was to require an operator's license. Additional discussion points follow:
 - a. Ginger Laird made a comment that someone's operator license did not always ensure the person could adequately teach the materials. She gave a personal example of an individual who was an excellent safety instructor, even though this person did not have an occupational license (evidently the individual has operational experience since he now has a B-level operator license).
 - b. Leonard Leinfelder had a concern that the some of the instructors teaching core courses may be teaching the curriculum as it relates to a specific plant the individual will be working at, rather than general education of the course.
2. Russ Gardner informed the group that a member of the legislature had a concern regarding communication and overlap between WUOLAC and DWAG (Drinking Water Advisory Group). Russ laid out three options moving forward, and encouraged the group to provide additional options to consider. These options were:
 - One, have the DWAAG absorb the WUOLAC, forming one group;
 - Two, make the WUOLAC a subcommittee under the DWAAG; and
 - Three, leave the two groups separate, however form an Education Subcommittee within the existing DWAAG, which would include required representation from the existing WUOLAC.

Russ explained that a plan to move forward would be decided in the next couple of weeks and encouraged feedback. Out of the three options, Russell Hamilton and Mark Rich both backed the third option.
3. Mark Rich felt the TCEQ should reinstate training to the training instructors regarding the rules and regulations, mainly compliance with 30 TAC 30 for training and licensing compliance. He requested this be a topic at the next WUOLAC meeting.
4. Linda invited those who could attend a work session to meet after a lunch break for review of some of the final changes to the collection operator exams.

Meeting was adjourned at 12:35 p.m.