

Texas Commission on Environmental Quality

WATER UTILITY OPERATOR LICENSING ADVISORY COMMITTEE

October 21, 2011

9:30 a.m.

TCEQ

**12100 Park 35 Circle, Bldg. D, 2nd Flr., Rm. 200-33
Austin, Texas**

MINUTES

Members Attending

Matthew Boober
Allen Schreiber
Roy Staggs
Ghulam Sumdani
James Fischer
Larry West
Ginger Laird
Sharon Clark
Adrian Montemayor

Members Absent

Russell Hamilton
William Quinn
Bobby Russell
Michael Vollmar

TCEQ Staff Attending

Joseph Hildenbrand, PRS
Russell Gardner, PRS
Sarita Nazareth, PRS
Linda Saladino, PRS
Paul Munguía, PRS
Al Fuentes, PWS

Others

David Moore, TWUA
Andrew Wenzel, TEEX

Call to Order

The meeting was called to order at 9:30 a.m. by Matthew Boober, Chairman of the WUOLAC committee. A quorum was confirmed. The members, guests and TCEQ staff were introduced. The minutes of the May 23, 2011 meeting were approved.

WUOLAC Nomination Process

Seven current members' terms will expire on August 31, 2012. TCEQ has solicited nominations for new members to this committee. Paul Munguía initiated a discussion regarding the number and geographical location of the nominees we have received. To date the TCEQ has received only seven nominations, which include two current members seeking a second term. Due to the need for a more diverse selection pool it was determined that an additional month was needed to solicit additional nominees. The deadline to received additional nominees will be November 21, 2011. Members were encouraged to recommend additional nominees before the new deadline.

Public Drinking Water Update on New Rain Water Harvesting Rules and Policies

Al Fuentes gave an update on House Bill 3391 & 3372 and Senate Bill 1703 that passed during the 82nd legislative session regarding those people that will harvest rainwater for potable purposes and are also connected to a public water system. HB 3372 and SB 1073 are identical.

What the bills require:

1. The structure must have appropriate cross-connection safeguards.
2. Collected rainwater must meet Safe and Sanitary drinking water standards.
3. The rainwater must not come in contact with the potable drinking water at a location off the property in which the rainwater was collected.
4. Only a licensed plumber holding a WSPS endorsement may install Rainwater Harvesting systems.
5. The person collecting rainwater for potable purposes must notify the local PWS and receive consent before connecting to a potable water distribution system.
6. The local PWS is not liable for adverse health effects of drinking rainwater as long as the PWS is in compliance with applicable rules.

Questions currently being addressed:

1. How will a person harvesting rainwater achieve safe and sanitary drinking water standards? Treat rainwater?
2. What will a person depending solely on harvested rainwater do if there is not enough supply (either for potable or non-potable use)?
3. What is the liability if a person has adverse health effects from drinking rainwater?
4. What are the requirements for a person designing a RWH system?
5. Can an irrigator install a RWH system used for irrigation only?

A draft of the rules must be made by February and the final rule proposal to the commissioners will be in July. Mr. Fuentes informed the group of upcoming stakeholder meetings will be held:

- October 25, 2011 9:00 a.m. – 12:00 p.m., Bldg E Room 2015
- December 6, 2011 – TBD
- January 24, 2011 – TBD

All meetings will be held in Austin, Texas. WUOLAC members were encouraged to either attend these meetings or submit questions and or concerns they have to Mr. Fuentes.

Some initial questions from the WUOLAC include:

1. Who is going to inspect the systems?
2. What about systems that have already been installed and were not installed by a licensed plumber?
3. Who is going to be inspecting the rain water harvesting systems?
4. Who is going to be responsible for the design on new systems?

Vendor Training

Joe Hildenbrand led a discussion on whether manufacturers of equipment should be allowed to conduct their training on their specific products or services for CEU credit. It has been a policy of the TCEQ not to allow such training unless multiple products of different brands are presented or any mention of the products brand name is removed and not referred to during the training itself. Mr. Hildenbrand gave four options on how to proceed.

#	Option	Issues
1	Allow vendors of specific products to present information that pertains to those specific products for CEU credit.	There is no oversight to ensure that the vendor does not promote and endorse their product. There is the motive for vendors to grant CEU hours in exchange for possible business relationships.
2	Allow vendors of specific products to present information that pertains to those specific products for CEU credit only if they are being monitored by an approved CEU provider. The approved CEU provider will have the responsibility to ensure that the vendor does not promote and endorse their product. If the vendor does endorse their product the training provider may lose their approval status.	<p>The approved CEU provider may not be present to monitor at every vendor presentation. The approved training provider may allow the endorsement of products if they know they are not being monitored. The vendor may promote and endorse their product regardless of the instruction given by the approved training provider.</p> <p>A policy would need to be created outlining what type of violation would result in the training provider losing their approval</p>

		status.
3	Allow vendors of specific products to present information for CEU credit only if the information is brand neutral or multiple brands are represented and only if they are being monitored by an approved CEU provider.	Although PowerPoint presentations are screened for product specific endorsements the vendor will often verbally endorse their product during the presentation.
4	No vendors of specific products will be allowed to present information relating to those products for CEU credit.	As technology becomes more complex licensees need to have knowledge about specific devices in order to successfully complete critical job tasks. Often vendors are the most knowledgeable on how to operate the devices they sell.

Discussion on these options centered on how effective the training would be if trainers were able to have their product(s) mentioned or demonstrated during the training session. Specific concern was whether the training would turn into a sales pitch by the vendor and whether this would be worthy of receiving CEU credits.

Mr. Hildenbrand quoted the corresponding rule from TAC 30.28 (l)(3), "Training used to meet the requirements for obtaining or renewing a license must not promote or endorse the products, product lines, or services of a manufacturer, distributor, or service provider or used as an opportunity for advertisement." He then opened the matter to discussion.

It was stated that the complexity of some of the equipment used today requires training on specific products. In some cases water systems are hiring trainers to come in to the water plants and train staff on the operation of specific equipment. It was stated that in such cases that there should be no expectation that the training receive CEUs.

It was stated that the licensing exams used to qualify individuals for obtaining licenses will never cover anything as specific as the operation of brand specific equipment. Because of this, training on specific products will not help prepare individuals for exams.

It was stated that in the past there has been several cases of vendors going against regulations and promoting and endorsing their specific product lines. A question was asked as to what should be done in a case where a training provider informed the vendor of the regulations and the vendor chose to promote their product anyway. It was stated that in these cases the vendor should not be invited back to do CEU training.

There was a general consensus that allowing vendors to train on their specific products inherently has a conflict of interest and it would not be possible for the

TCEQ or training providers to properly monitor the vendors to prevent the endorsement of product lines.

A motion was made by Larry West to keep the current process in place and take no action on this agenda item. Motion passed; eight approved, one disagreed.

Instructor Qualifications for Safety Courses

Discussion led by Linda Saladino regarding the necessary qualifications for instructors teaching safety courses. Three criteria are currently used to evaluate the qualifications of an instructor for approved classroom training. The criteria are in RG-373, the TCEQ regulatory guidance for the approval of occupational training:

The TCEQ may only modify these requirements for instructor experience if the prospective instructor has exceptional education and demonstrated experience specifically related to the request for training approval. Preference is for instructors to have the following:

1. three years of applicable hands-on experience.
2. the valid appropriate occupational license related to the subject being taught; and
3. 60 hours of instructional experience or successful completion of both instructional courses before training

It was stated that the content of safety training needs to directly apply to the license type getting credit for the course. It was stated that three years of experience is enough time for individuals to get a working knowledge of the different aspects of a water or wastewater plant, but the 3 years is a minimum only and water/wastewater instructors usually have more. It was mentioned that safety courses are self policing. If a safety trainer is not knowledgeable about the specific hazards that face water/wastewater operators then the training will not be useful and they will not be asked back for future training.

It was mentioned finding individuals with the safety accreditation, water/wastewater experience, and a current water/wastewater license can be difficult. Linda Saladino stated that TCEQ is currently allowing safety instructors to pair with a knowledgeable licensed operator to offer safety courses for renewal credit only; also TCEQ will consider experience outside the water industry, but it must be hands-on in an industry where similar safety hazards can occur. It was stated that the training required to be an OSHA trainer is less stringent than the TCEQ instructor criteria, but that a certified safety professional in a water or wastewater system is different. There was a general consensus that the criterion currently being used is sufficient.

Still to discuss: If not paired with a licensed operator, should the safety trainer be required to obtain at least a class D license in water/wastewater to provide safety training? Would this be sufficient to meet the “commensurate license” for this

type of training? The basic training class may give the trainer some industry context.

Review of Job Analysis of Ground Water Treatment and Distribution Operators in Texas

Linda Saladino along with John Fenoglio, principal investigator associated with Texas State University in San Marcos, presented a PowerPoint presentation regarding the job task analysis process, results of the data analysis, and recommendations.

#	Recommendation	Possible Implementation Options
1	Change staffing requirements	Larger-more complex groundwater (GW) or distribution systems would require a class B licensed operator for chief operator.
2	Require Management Training for B Groundwater & B Distribution Operators	<ul style="list-style-type: none"> • Changes to staffing requirements must occur for this change to be relevant. • Chapter 30 rule change to require Water Utility Management to obtain license.
3	Limit Class D water operator license to 2 years versus the current 3 year term.	<ul style="list-style-type: none"> • Treat license as an entry level. • Operators will need to upgrade. • Operators will receive additional core technical training.
4	Create a Very Small System (VSS) Operator License	<ul style="list-style-type: none"> • Basic Waterworks Operations (BW) course with an estimated 10 hours of management training, or • BW + 20-hour Water Utility Management training
5	Class C GW & distribution training	<ul style="list-style-type: none"> • Add distribution training topics to Groundwater Production course, or • Rule change to require the present 20-hour Distribution course for the class C GW license.
6	Safety training	<ul style="list-style-type: none"> • Rule change to require Water Utility Safety at the class C or D level, or • Ensure core courses include safety topics related to critical tasks presented in course.

Implementation of the recommendations was discussed. A rule change is not necessary to implement changes to curriculum guidance documents or licensing exams. The TCEQ can work with TEEX, for example, to amend the content of training manuals to match some of the recommendations of the job task analysis such as distribution training required for groundwater operators. However,

requiring management training for class B level operators would not make sense without corresponding changes to the public water system staffing rules in 30 TAC chapter 290. A training matrix showing the recommendations is attached.

Additionally, Linda asked the group to review the task list for Class C wastewater operators from the 2002 job analysis. This list was sent earlier to all members to allow additional tasks to be added to update the information for use with the current wastewater operator exam revisions.

Licensing Reports

Joe Hildenbrand passed out several reports that had been requested during the last WUOLAC meeting.

- Water and Wastewater Exam Pass Rates
- Water Exam Pass Rates by Category
- Path Taken to Receive Water A License

This information will benefit trainers by showing them which areas need emphasis in order to improve pass rates. It will also be useful to identify changes in pass rates by category after training and/or exam updates. The WUOLAC group requested a Wastewater Exam Pass Rates by Category report and a new report showing the number of people who skipped the Class B level license when obtaining a Class A water or wastewater license.

Other Business

Mathew Boober announced that he will be leaving his current employer and moving out of the state during the middle of February. He plans to continue being an active member of WUOLAC; however, will be stepping down as Chair. The Vice Chairman, Larry West, will take over at that time.

Discussed whether the day of week and time was convenient to hold WUOLAC meetings. One member requested meeting at 10AM, due to flights in and out of Austin. One member also stated flying was better Tuesday thru Thursday.

Adjourn

Meeting adjourned at 12:15

Proposed Training Requirements

Training Course Name	Class								
	D	C D	C G	C SW	B D	B G	B SW	A	VSS
Basic Waterworks Operation	R	R	R	R				N/R	
Very Small Systems Operation		E	E						R
Water Distribution		R	E*		R	R	R	R	
Groundwater Production			R			R		R	
Surface Water Production I				R			R	R	
Surface Water Production II				R			R	R	
Water Laboratory		E	E		E	R	R	R	
Water Utility Safety*	*	E*	E*		R	R	R	R	
Water Utility Calculations		E	E		E	E			
Water Utility Management					R	R	R	R	
Pump & Motor Maintenance		E	E		R	E			
Valve & Hydrant Maintenance		E	E		R	E			
Chlorinator Maintenance		E	E		E	E			

* Recommendation to require R = Recommended Changes