

Texas Commission on Environmental Quality

WATER UTILITY OPERATOR LICENSING ADVISORY COMMITTEE

May 13, 2015

9:30 a.m.

TCEQ

12100 Park 35 Circle, Bldg. F, Room 2210A

Austin, Texas

MINUTES

Members Attending:

Timothy Crosswhite
Leonard Leinfelder
Kenneth Hutchins
Russell Hamilton
Gary Sober
Larry Bell
Robb Starr
Tony Bonaventure
Ginger Laird
Roy Staggs

Members Absent:

Mark Rich
Ray Gooden

TCEQ Staff:

Jaya Zyman
Russ Gardner
Anthony Maldonado
Linda Saladino
Paul Munguia
David Williams
Marlo Berg
Tamira Konkin Garcia

Guests Attending:

James Fisher

The meeting was called to order by Paul Munguia. A quorum was confirmed.

Approval of Minutes:

The committee voted to approve the meeting minutes from January 21, 2015.

Drinking Water Advisory Working Group (DWAAG), Education Sub-Committee Report:

Leonard opted to combine this discussion with the Desal agenda topic.

Occupational Licensing Legislative Update

Michael Parrish gave an overview of proposed legislation that, if passed by the legislature, would have an impact on Occupational Licensing. These proposed bills would have an administrative impact on licensing, but not on the qualifications of obtaining a license.

Bill Impact Statement (BIS) finalized for HB 1146 concerning PWS volunteer operators.

James Beauchamp could not attend this meeting, and this topic was not discussed in detail.

Desalination Operator Training Course Outline (Input on topics to be included in training for operator of reverse osmosis or nanofiltration systems and the length of the training.)

WUOLAC members along with TCEQ Water Supply staff, David Williams, Marlo Berg, Tamira Konkina Garcia, discussed the topics and length of the training needed for operators of RO/NF water treatment systems. David provided information on the number and variety of systems using this technology and how the proposed rule changes will alter their process of prescribing specific training to meet the system's needs. If the system is requesting pathogen removal credit for the RO/NF system then it will still go through the full TCEQ review process.

Based on the draft list of topics, several WUOLAC members felt it would take 20 hours to adequately cover all the topics and more time if all the specifics of a particular water source were also included whether removal of primary or secondary constituents. David asked if manufacturer training given initially when a system is installed should be counted to meet the requirement. A member discussed his experience with manufacturer training for operation of a new system and it was not adequate and did not meet the intended goals of the training. Also, Linda Saladino reiterated a review of all the proprietary training would have to be performed and it would most likely not meet training approval standards. Only reported approved training will appear on the operator's training record to allow field investigators to check for compliance.

WUOLAC discussed the goal of the training and suggested 8 hour segments including topics on the list be allowed to meet the proposed rule requirement. The water system could select topics to meet their needs and there is current training available in this format. The members asked how many operators at a system would need this type of training and how much time would TCEQ allow the systems to come into compliance with the training requirement. Marlo suggested at least one operator would require the training and if there was turnover, the new operator would have the same time to obtain the training as is currently allowed to obtain the required license. The rule, if adopted, would be effective in July 2015.

Discussions regarding how a membrane operator license could be structured when membranes are used for surface water versus groundwater treatment. The understanding is any new occupational license would come at the behest of the legislature with a need to protect public health and the environment. There was support for additional membrane training and testing be added onto the current licensing structure.

Status of Design Criteria Update/Changes

The contents of the TCEQ Water Quality presentation at the Trade Fair were shared with WUOLAC, including the timeline for rule adoption and public comment. The draft rule package was scheduled for agenda the same day as the WUOLAC meeting.

BPAT Exam Implementation (Update WUOLAC with the latest guidance for proctoring the practical exam and TCEQ's administration of the written exam.)

The licensing exam for backflow prevention assembly testers (BPATs) includes both a written and practical skills/performance exam. Linda Saladino provided members a copy of the draft guidance for the proctoring procedures for the Backflow Prevention Assembly Tester practical exam. The goal is to have consistent application of testing standards across the state. Administration and proctoring of this part of the exam process will remain with the training provider. The BPAT exam proctors will need to meet qualifications and apply to the TCEQ for review of those qualifications. The qualifications include completion of a recognized proctor training course to provide instruction on how to conduct the practical skills test while evaluating and documenting applicants' troubleshooting & testing competency. It was clarified that the BPAT proctor will not be a TCEQ license or certification, although the American Backflow Prevention Association (ABPA) does offer a proctor certification.

There are many groups involved with cross-connection control and it has been a collaborative group effort to bring this project to fruition. The BPAT critical task list was also updated as part of this process to provide a matrix and validation for the exam. This summer, the final work on the written BPAT exam to be administered by the TCEQ should be completed and ready to implement. Members asked if it would be available via the computer-based testing (CBT) system in addition to paper-based exams. The written exam will be made available via CBT and TCEQ is still working out the implementation of the written exam.

Other Business

Paul Munguia discussed possible dates for the next WUOLAC meeting. It was decided that then next meeting would be July 22, 2015. Tentatively the following meeting would be on October 22, 2015 in the afternoon; however, that is the same day as the TCEQ Commissioner's Agenda.

Russell Hamilton inquired about the status of individuals being able to submit their fingerprints for their criminal history. Russ Gardner explained that he is waiting for DPS to respond to his request, but he would again contact DPS to inquire about the status.

Russell Hamilton also asked whether or not CEUs needed to be completed by an individual's expiration date. Russ Gardner explained that the rule states the CEUs must be completed by the expiration date, but that our legal department has advised us that if the CEUs are not completed by the expiration date then the applicant must be informed that they are deficient in this requirement to renew their license and once issued a deficiency must also carry the opportunity to be rectified. Therefore, we provide the applicant 30 days after notice to clear any deficiency.

Members asked about the status of the revisions to the Experience Supplemental Worksheet from the previous WUOLAC meeting. Paul Munguia explained that the revised draft will be distributed to the group for their review.

Adjourn

Action Items:

- **Paul Munguia:**
 - o Share the Design Criteria Powerpoint that was presented at the TCEQ Trade Fair.
 - o Provide the TCEQ proposed Desal rule link
 - o Share Direct Supervision Guidance documents
 - o Provide a draft of the revised Experience Supplemental Worksheet
- **Russell Gardner**
 - o Contact DPS to check on the status of getting an ORI number to accept fingerprints for criminal history background checks.