

Texas Commission on Environmental Quality
WATER UTILITY OPERATOR LICENSING ADVISORY
COMMITTEE

August 2, 2012

10:00 A.M.

TCEQ

12100 Park 35 Circle, Bldg. C, Room 131

Austin, Texas

MINUTES

Members Attending

Allen Schreiber
Roy Staggs
Michael Vollmar
Ginger Laird
Ghulam Sumdani
James Fisher
Larry West

Members Absent

Matthew Boober
Sharon Clark
Russell Hamilton
Adrian Montemayor
William Quinn
Bobby Russell

TCEQ Staff Attending

Lynne Haase
Russell Gardner
Terry Thompson
Ivan Messer
Joe Hildenbrand
Meagan Warncke
Barbara Mendieta
Paul Munguia

The meeting was called to order by acting WUOLAC President, Allen Schreiber at 10 A.M. A quorum was confirmed. All attendees were introduced. The minutes from the May 3, 2012 were approved.

Update to TCEQ Procedures/WUOLAC Nomination Process

Paul Munguia informed the group that all applications to fill the seven terms that are set to expire on August 31, 2012 have been sent to the commissioners for their decision, which will take place on August 22, 2012. Paul and Joe Hildenbrand both recognized those members who have served TCEQ for the past four years and whose term is set to expire.

Licensing Reports

Joe presented statistical figures regarding the pass/fail rates of various exams administered by the TCEQ. The WUOLAC engaged in a discussion regarding whether the weight of the types of questions was evenly distributed throughout the exam. As an example, a test taker could fail all of the mathematical questions in an exam and still pass the overall exam. Although not an action item, one suggestion was made to make it a requirement to pass at least one mathematical question in order to pass the exam.

New Application Team Update

Meagan Warncke led a discussion regarding the changes to the evaluation of experience for new licenses as a result of a memo released by the Public Drinking Water Section (PDW) regarding duties of distribution operators and the definition of direct supervision. WUOLAC's concerns were how the TCEQ can deny a license based on guidance rather than based on rule. Roy Staggs led a discussion regarding the definition of "direct supervision". The group generally voiced their opinion that the definition of direct supervision is inadequate to ensure quality control over operations in the field and that the guidance document may be challenged in the future. Although Russell Hamilton was unable to attend this meeting, he did offer comments regarding this item via email prior to the meeting. After listening to all comments, Meagan suggested that members write down their concerns and suggested improvements and those comments be directed to James Beauchamp of PDW.

Criminal History Background Check Process

Russell Gardner led a presentation regarding the process of how all new and renewal licensing applications will undergo a criminal history background check. In the event an applicant has some criminal history, this will not automatically result in a denial of the application. Each instance will be handled on a case-by-case basis. Michael Vollmar questioned whether this background check would impose an additional fee for the applicant – no additional fee will be charged to the applicant.

Discussion on Pending Rule Implementation

Terry Thompson led a discussion regarding military operators in training and self certification of CEU credit for water and wastewater A & B operators. Michael Vollmar offered his comments that his experience with military personnel has been very positive.

- HB 965 – Rule package adopted
- Military Operator-in-Training – Proposed Rule package published and public comments received. Anticipated adoption date for rule is December 5, 2012.

Discussion on WUOLAC recommendations for rule changes

Joe led a discussion regarding the status of the WUOLAC's past recommendations.

Recommendation 1

- A & B Water License Experience Requirements
 - Require 50% of experience be from water treatment duties to obtain the A Water license and the B Surface Water and B Ground Water licenses.

Requirements

- A rule change would be required to 30 TAC §30.390 to add language to require treatment experience for the A Water license and the B Surface Water and B Ground Water licenses.

Status

- At this time the Occupational Licensing Section is not pursuing a rule change to implement this recommendation. Examples from the industry of how the current rules have adversely affected the Water Operator industry would assist in determining if this recommendation needs further consideration. This issue will be presented to PDW to gather information as well.

Recommendation 2

- Definition of Water Treatment Experience
 - Applicants should not be allowed to count operations in lab, mechanical, SCADA, or water sampling as experience to qualify for the A and B level licenses.

Requirements

- The type of experience used to qualify applicants for the A and B level Water licenses is determined by the activities defined as process control duties in the PDW Rule 30 TAC §290.38 (63). Currently, this definition includes lab, mechanical, SCADA, and water sampling duties. To prevent these duties from obtaining Water Treatment experience, a rule change will be required to change the definition of process control in the PDW rules (Chapter 290).

Status

- The Occupational Licensing Section will forward this recommendation to PDW for their consideration due to the technical nature and location of the source rules.

Recommendation 3

- Define Secondary Treatment for Wastewater Experience
 - Applicants for A and B level Wastewater licenses should not be allowed to obtain the license if their experience is only with Imhoff tanks and Ponds. Additionally, experience with Fixed Film, Activated Sludge, Rotating Biological Contactor (RBC), Sequencing Batch Reactors (SBR), Membranes, or another treatment processes recognized as Secondary Treatment should be required to obtain an A or B Wastewater license.

Requirements

- A rule change will be required to specifically define what activities count as experience to qualify for Wastewater operators.

Status

- The Occupational Licensing Section will forward this recommendation to the Wastewater Permitting Section for their consideration due to the technical nature of the request.

Recommendation 4

- Using Basic Water and Wastewater Courses for Renewal
 - Water and Wastewater licensees should not be allowed to use the Basic Water or Basic Wastewater course for continuing education at any license level.

Requirements

- A rule change would be required to 30 TAC §30.392(b) and 30 TAC §30.342(b) to indicate that the C and D licensees shall not use Basic Water or Basic Wastewater course to renew.

Status

- At this time the Occupational Licensing Section is not pursuing a rule change to implement this recommendation. The Basic Water or Basic Wastewater courses contain useful information that serves as a refresher to the daily job duties of Class C and D operators.

Other Business

Paul reminded the group that the look of the TCEQ Occupational Licensing webpage has changed, but all the information was still there.

The meeting adjourned at 12:45.

New Action Items:

No.	Action Item Description	Assigned To	Date Assigned	Department	Due Date
1	WUOLAC requested figures of how many times, on average, do test takers take an exam before they pass. This would be for each type of exam.	Joe	08/02/12	Occupational Licensing	11/01/12
2	WUOLAC requested the statistical numbers regarding the pass/fail rate for computer based tested compared to traditional paper exams.	Joe	08/02/12	Occupational Licensing	11/01/12
3	WUOLAC requested the pass rate by category.	Joe	08/02/12	Occupational Licensing	11/01/12
4	Forward WUOLAC Recommendation 2 to PDW.	Joe	08/02/12	Occupational Licensing	12/07/12
5	Forward WUOLAC Recommendation 3 to the Wastewater Permitting Section.	Joe	08/02/12	Occupational Licensing	12/07/12