

ARKANSAS DRINKING WATER ADVISORY AND OPERATOR LICENSING COMMITTEE

April 13, 2023, Meeting Minutes

A quarterly meeting of the Arkansas Drinking Water Advisory and Operator Licensing Committee (Committee) was held on April 13, 2023. The quarterly meeting was held at 10:00 am, at the Freeway Medical Tower, Little Rock, Arkansas with all members and guests attending in-person or utilizing virtual meeting software.

Members present:

Scott Boggs, Chair, Searcy Water Utilities
Sharon Sweeney, Central Arkansas Water
Jeff Ford, Kimzey Regional Water District

Brad Hammond, P.E., Olsson Engineering
Larry Lloyd, P.E., University of Arkansas
Lance Jones, P.E., Executive Secretary; ADH

Department of Health (ADH) Staff & Guests present:

Reginald Rogers, Attorney, ADH

Heather Parker-Foster Training and Certification Officer,
ADH

Brian Nichols, Attorney, ADH

Carissa Ansel, Training Coordinator, ADH

Laura Shue, General Counsel, ADH

Craig Smith, Attorney, ADH

Charles Thompson, Attorney, ADH

Tressa Williams, Legal Service Specialist, ADH

Dennis Sternberg, CEO, ARWA

Jim Philipp, Water Training Provider, ARWA

Jeremy Rowe, Water Program Coordinator, AETA

MEETING CALLED TO ORDER – BOGGS

Meeting called to Order by Boggs, Committee Chair.

INTRODUCTION OF COMMITTEE, STAFF, AND GUESTS – BOGGS

Boggs asked everyone present to introduce themselves and it was carried out by the Committee members, staff, and guest. (See above attendance notations.)

REVIEW AND APPROVAL OF MINUTES – BOGGS

Boggs directed attention to the meeting minutes provided digitally prior to the meeting. He requested any corrections to the January 19, 2023, meeting minutes. The Committee had no corrections, Boggs received a motion from Ford to approve minutes as presented, with Sweeney providing the second and the motion was passed by the Committee.

HIGH SCHOOL WAIVER REQUEST – BOGGS

Boggs noted one high school waiver was listed in the agenda, with Parker-Foster confirming one (1) school waiver application was ready to be reviewed by the Committee.

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Jeanie L. Wood and guest William Wood answered questions about Pyatt Waterworks pertaining to the process, expectations and waiver request. Boggs received a motion from Ford to approve the waiver, with Hammond providing the second and the motion was passed by the Committee to grant the high school waiver.

CRIMINAL HISTORY WAIVER REQUEST – BOGGS

Boggs noted three (3) criminal history waivers were listed on the agenda, with Parker-Foster confirming the criminal history waiver applications were ready to be reviewed by the Committee.

Brea Timberlake and guest Thomas Sanford (supervisor) of Independence-Jackson Regional Water answered questions about the criminal history packet pertaining to the process, questions from the Committee members and waiver request eligibility.

Lloyd ask Rogers to review the process and state she in compliance with the state statue and is eligible for a waiver for a Distribution I exam and pursue further licensure in the future. Boggs received a motion from Lloyd to approve the waiver, with Ford providing the second and the motion was passed by the Committee to grant the criminal history waiver.

Maison Gipson and guest Jacob Debes (Alma Public Works Operations supervisor) answered questions about the criminal history packet pertaining to the process, questions from the Committee members and waiver request eligibility. Rogers reviewed the criminal history process and submitted information and states the Committee has the authority to grant a waiver for Mr. Gipson to sit for a Distribution II examination. Boggs received a motion from Hammond to approve the waiver, with Sweeney providing the second and the motion was passed by the Committee to grant the criminal history waiver for the Distribution II exam and to pursue further licensure in the future.

Corey Sanders and guest Mayor Toni Perry (City of Wilmar) were present for the criminal history waiver process. Rogers reviewed the criminal history process, charges against Mr. Sanders and submitted information to the Committee. The Committee has the authority to grant a waiver for Mr. Sanders to sit for a Distribution I examination. Boggs received a motion from Lloyd to approve the waiver, with Hammond providing the second and the motion was passed by the Committee to grant the criminal history waiver for a Distribution I exam and to pursue further licensure in the future.

The Committee discussed the criminal history process with Rogers and Thompson pertaining to the 5-year criteria. ADH's legal team assists with determining if the criminal history information meets the criteria to come before the Committee and provides due diligence for out of state charges with other jurisdictions and legal details.

Lloyd suggested to the Committee and the Licensing Program to determine if those granted waivers have a higher success rate for those that get a high school waiver. In the future, it is possible to track the progress to determine if waivers are a success with applicants that come through the Committee.

OLD BUSINESS – BOGGS

Personal Reading Device Update – Parker-Foster

The person reading device with electronic capabilities was used for a Treatment IV test at the Arkansas Department of Health for an employee of Beaver Water District was discussed as a first-time experience with a reasonable accommodation of time. Lloyd motioned to approve the personal reading device more than once if the individual chose to re-test for the Treatment IV exam and Ford second the motion. The Committee approved the individual to use the device for additional test taking since this was the first examination of the applicant at a higher-level exam.

NEW BUSINESS – BOGGS

Solicitation of New Committee Member – Jones

Jones updated the Committee on this year's member appointment and solicitation and nomination packets were submitted to Southern Arkansas University Tech- SAU-AETA, Arkansas Water Works and Water Environment Association (AWW&WEA), Arkansas Water and Wastewater Managers Association (AWWMA) and Arkansas Rural Water Association (ARWA).

Southern Arkansas University Tech nominated Tad Bohannon, Chief Executive Officer, Central Arkansas Water, Little Rock, AR.

Arkansas Water Works and Water Environment Association nominated James Whisenhunt, Chief Operator, Texarkana Water Utilities, Texarkana, AR.

Arkansas Water and Wastewater Managers Association and Arkansas Rural Water Association nominated Bryan Smith, General Manager, Grand Prairie Regional Water, Stuttgart, AR.

These three (3) nominees meet the requirements for appointment, their resumes and correspondence will be presented to the Board of Health on April 27, 2023. The selected nominee from the Board of Health will begin their 6-year term starting July 2023.

COMMITTEE REPORTS – BOGGS

Executive Secretary / Section Director's Report – Jones

Jones briefly updated the Committee of the varied new PWS funding available from the federal government to include SRF, Emerging Containment and Lead Service line. The Section is currently working to get a 1st year contract for providers to get their service lines inventories for smaller systems that are due Oct 24, 2024.

The Section has been busy with the regulation and implementation from EPA for several rules such as the Lead and Copper Rule (LCRR) and Lead and Copper Rule Improvements (LCRI), MDBP rule sweep for revisions by July 2024, and new rule revision for CCR, new proposed rule for 29 compounds of PFAS (2025), combined MCL/hazard index for PFOA/PFAS and cybersecurity.

Training & Certification Officer's Report –Parker-Foster

Parker-Foster provided an exam report showing the Operator Licensing program administered 159 license exams between October 1, 2022, and December 30, 2022, with an overall 44 percent passage improved passage rate. In the fourth quarter of 2022, a total of 35 license certificates were issued which included licenses issued based on experience met or reciprocity. In the first quarter of 2023, 182 exams were administered with a 33 percent passage rate and 59 licenses certificates were issued.

Licensing administrative tasks, such as processing licensing exam results, licensing fees and license applications are proceeding ahead with above normal numbers. The upcoming license renewal period is from July 1, 2022, to June 30, 2023 with renewal invoices will be sent out after the first week in May 2023.

The enforcement report was not provided by the Licensing Officer at this meeting.

Arkansas Environmental Training Academy (AETA) Report – Boggs

Rowe provided a written report for the Committee, stating that the AETA was fully staffed but looking for OSHA instructor. Act 605 Retail Water Provider Board Member Training through traditional in-person, Zoom Video Conferencing, and self-paced online training classes. Training numbers were provided to the Committee for 1st quarter of 2023 with 1165 students and 489 being water students.

Arkansas Rural Water Association (ARWA) Report – Boggs

Philipp provided a written report for the Committee, stating that ARWA in January – March 2023, they provided 136 hours of water classes, with 434 training hours with 1,129 student class days taught to water operators.

OTHER BUSINESS – BOGGS

No other business was brought forward.

CONFIRM NEXT MEETING DATE – BOGGS

Boggs requested a motion to set the date for the next Committee meeting. The Committee discussed alternative dates. Boggs concluded the discussion, scheduling the next meeting date for July 19, 2023, at Freeway Medical Tower in Little Rock, AR. Boggs appreciated his time and thanked everyone for the opportunity to serve on the Committee.

ADJOURN – BOGGS

Boggs adjourned the meeting.

End