MINUTES

WATER AND WASTEWATER FACILITY
OPERATORS CERTIFICATION BOARD

Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South, Sabin Room

April 24, 2012 Meeting

Call to Order:

Allen Coyne called the meeting to order at 9:00 a.m.

Board members present:

Allen Coyne, Rich Hayes, Bill Hogrewe, Gary Parham, Garth Rygh, Tom Schaffer, Tom Settle, Steve Walker and Bill Wright.

Board members absent:

Scott Leslie.

Staff present:

Paul Frohardt, Administrator; Jackie Whelan, Division Liaison; Annette Quill, Assistant Attorney General and Nancy Horan, Program Assistant.

Approval of Agenda:

The agenda was approved as published.

Administrator's Items:

1. Steve Walker moved for approval of the February 14, 2012 meeting minutes. Bill Wright seconded the motion. The motion carried unanimously.

2. Gary Parham provided a summary of discussions at the February 2012 Contractor Coordination Subcommittee meeting.

3. Steve Walker moved for final approval of the revisions to Regulation #100 considered in the February 2012 rulemaking hearing, along with the accompanying Statement of Basis, Specific Statutory Authority and Purpose, as set forth in the draft final action documents included in the packets. Tom Settle seconded the motion. The motion carried unanimously.

4. Paul Frohardt provided a summary of the Executive Order 5 process, regarding communications with local governments concerning rulemaking.

5. The Board reviewed the draft agenda for the June 2012 Board meeting.

Public Comment:

No public comment was offered at the meeting.

Contractors' Report:

1 The Board discussed the recommendations regarding reciprocity requests provided by CECTI in a memo dated April 12, 2012. Tom Settle moved that the Board accept the recommendations from CECTI regarding the reciprocity requests from Michael Elsberry, James Heitzman, Kenneth Fischer, John Tyler, John Wachter, and Douglas Dugger. Garth Rygh seconded the motion. The motion carried unanimously.

2. The Board discussed the recommendations regarding reciprocity requests provided by the Certification Council in memos dated February 28, 2012 and March 29, 2012. Steve Walker moved that the Board accept the recommendations from the Certification Council regarding the reciprocity requests from Douglas W. Dugger and John P. Wachter. Rich Hayes seconded the motion. The motion carried unanimously.

3. Ray Olson and Bobby Oligo presented the 2011 Contractors' Report. The Board discussed several aspects of the report.

4. Ray Olson and Bobby Oligo presented a revised Application for Certification Based on Reciprocity. Following discussion, Tom Settle moved that the Board approve this new Application. Gary Parham seconded the motion. The motion carried unanimously.

Walt Weers Award:

Rich Hayes moved that the Board approve a Walt Weers Award for 2012 to Sid Copeland. Tom Settle seconded the motion. The motion carried unanimously. The Board Office will work with Tom to address the description of the award and presentation of the award.

Division Liaison's Report:

1. Jackie Whelan noted a typographical error in the Regulation No. 100 revisions approved by the Board. Following discussion, Gary Parham moved to amend the Board's Regulation No. 100 revisions approved today to correct the cross-reference in section 100.21.1 to refer to section 100.18.1. Steve Walker seconded the motion. The motion carried unanimously.

2. Jackie reported that there are no new disciplinary actions to bring to the Board at this time. It is anticipated that several disciplinary action recommendations will be presented at the June Board meeting.

3. Jackie noted that the Division plans to add a routine briefing at Board meetings regarding facility enforcement activities. Lori Gerzina briefed the Board regarding the Division's enforcement practices and activities related to non-compliant facilities.

4. Jackie provided a status report and briefed the Board regarding the next steps of the sunset review process. She noted that in conjunction with this review the Division is doing an internal

audit, which the Division plans to use as the basis for an Operator Certification Program annual report.

5. Jackie discussed the draft Annual Report to EPA and the Board offered initial comments. It was agreed that any additional comments from Board members will be submitted to Jackie by May 8, 2012. The final report will be presented for Board approval at the June 2012 meeting.

6. It was agreed that a discussion of the Division's recommendations regarding timing and scope of future Regulation No. 100 rulemaking hearings will be rescheduled for the June Board meeting.

Attorney General's Report:

There was no separate report from the Assistant Attorney General this month.

The meeting adjourned at 11:00 a.m., April 24, 2012.