

MINUTES

WATER AND WASTEWATER FACILITY OPERATORS CERTIFICATION BOARD

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

August 28, 2012 Meeting

Call to Order:

Allen Coyne called the meeting to order at 9:05 a.m.

Board members present:

Allen Coyne, Rich Hayes, Bill Hogrewe, Scott Leslie, Garth Rygh, Tom Settle, Steve Walker.

Board members absent:

Gary Parham and Tom Schaffer.

Staff present:

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

Approval of Agenda:

The agenda was approved as published.

Administrator's Items:

1. Scott Leslie moved for approval of the June 26, 2012 meeting minutes. Garth Rygh seconded the motion. The motion carried unanimously. Tom Settle abstained. Bill Hogrewe was not present for this vote.
2. The election of Board officers and review of the composition of Board subcommittees will be postponed to the next regular Board meeting.
3. The Board reviewed the draft agenda for the September 25, 2012 Board meeting. It was agreed that the next regular meeting will be moved from September 25 to October 30, 2012. If necessary to consider any certification exam appeals, the Board will hold a special meeting by conference call in September, tentatively on September 18, 2012 at 9:00 a.m. It was also agreed that a work session will be added to the October meeting agenda regarding current Board roles and responsibilities.

Public Comment:

No public comment was offered at the meeting.

Adjudicatory Hearing:

The Board conducted an adjudicatory hearing to consider a Colorado Energy Nations Company, LLLP request for facility reclassification. Steve Walker disclosed that he knows the company and some of the individuals involved but believes that he can participate objectively in the hearing. Testimony was received from representatives of Colorado Energy Nations Company and the Water Quality Control Division. Following the close of the hearing and deliberations, Scott Leslie moved that the request for reclassification be approved. Tom Settle seconded the motion. The motion carried unanimously.

Contractors' Report:

1. The Board discussed the recommendations regarding reciprocity requests provided by CECTI in a memo dated August 10, 2012. Tom Settle moved that the Board accept the recommendations from CECTI regarding the reciprocity requests from Chris Sandoval, Christopher Giestling, Dennis Hudson, Paul Tzareff, Brian Baladad, Christopher Klein, Jeffrey Duda and Kendall Crowe. Steve Walker seconded the motion. The motion carried unanimously.
2. The Board discussed the recommendations regarding reciprocity requests provided by the Certification Council in memos dated July 3, 2012 and August 2, 2102. Bill Hogrewe moved that the Board accept the recommendations from the Certification Council regarding the reciprocity requests from Chris Sandoval and Dennis Hudson. Garth Rygh seconded the motion. The motion carried unanimously.
3. Ray Olson provided an update regarding the status of the integration effort between CECTI and the Certification Council.
4. Ray Olson advised the Board that proposed revisions to the Training Unit Matrix, including a general explanation of the need for case by case judgment in certain situations, will be rescheduled for discussion at the October Board meeting.

Division Liaison's Report:

1. Jackie Whelan reported that since the last Board meeting the Division completed one disciplinary action investigation and concluded that no formal action is necessary.
2. Jackie reported on one enforcement order issued by the Division since the last Board meeting, for Lawrence L. Lowery, dba Wagon Wheel Conoco Café.
4. Jackie presented the Division's recommendations regarding timing and scope of future Regulation No. 100 rulemaking hearings. Following discussion, the Board agreed to proceed with plans for future rulemaking hearings as recommended by the Division. The first of two proposed rulemaking hearings will be scheduled for November 2013. At the February 2013 meeting, the Division will provide an update regarding their efforts toward preparing proposals for these rulemaking hearings.
5. Jackie provided a status report regarding the next steps of the sunset review process. The final sunset review report will be published by October 15, 2012.

6. Jackie presented a draft Operator Certification Program annual report for the calendar year 2011 for Board review and comment. Following discussion, it was agreed that Board members will provide any comments to Jackie by September 14, 2012, and a final version of the report will be presented to the Board at its October meeting.

Attorney General's Report:

1. Trisha Oeth briefed the Board regarding Annette Quill's analysis of the Uniformed Services Employment and Reemployment Rights Act. There was a consensus that a new Board policy should be drafted to assure compliance with this legislation, including addressing the contractors' implementation of these requirements. This item will be scheduled for discussion at a future Board meeting.

Recognition:

On behalf of the Board, Allen Coyne thanked Scott Leslie and Tom Schaffer for their contributions as members of the Water and Wastewater Facility Operators Certification Board.

The meeting adjourned at 10:30 a.m., August 28, 2012.