

ARKANSAS WASTEWATER LICENSING COMMITTEE
WEDNESDAY, NOVEMBER 9, 2011
ADEQ MEETING ROOMS 5C05/06

MEMBERS

Mark Johnson, Rogers Water Utilities, Chair
Tommy Tooke, Tyson Foods, Inc.
Jimmy Smith, Searcy Water & Sewer
Steven Upton, Heber Springs Wastewater Department
Kelly Bryant, Evergreen Packaging, Inc.
Dennis Brunson, Hot Springs Wastewater
Mo Shafii, Interim Executive Secretary, ADEQ
Craig Uyeda, Enforcement Branch Manager, ADEQ

MINUTES

The meeting of the Wastewater Licensing Committee was called to order at 10:00 a.m., on Wednesday, November 9, 2011, by Chairman Johnson. Members and attendees present were Johnson, Tooke, Upton, Smith, Bryant, Brunson, Shafii; Uyeda; Susan Poe, AR Rural Water Association; Jonathan Richardson and Randy Harper, AR Environmental Training Academy; Martin Nutt, AR Dept. of Health; Kevin Suel, ADEQ Testing Administrator and Sandy Luttrell, ADEQ Licensing Coordinator.

The August 10th Committee meeting minutes were reviewed by the members. Bryant expressed a miswording of a section mentioned in the minutes, where there was not a unanimous agreement with the Board pertaining to the early Class IV testing of Mr. Timothy Tinsley. Luttrell will make necessary correction of this in the August minutes. Smith made a motion to approve the minutes with this correction, which was seconded by Bryant. The motion was accepted.

Luttrell presented the financial report and apologized for not having an itemized breakdown of expenditures. Although renewals have dwindled to a halt, the ones still not paid have until June 30, 2012 to renew before licenses become inactive.

Luttrell gave the licensing report. Shafii noted a discrepancy in the total number of operators holding combined licenses, which appears to be only 78. Luttrell will review previous reports run and follow-up with the Committee on her findings.

Discussion then turned to the low pass rate for Class IV testing with ABC. Shafii commented on complaints from operators attempting to take and pass this test. He has requested copies of the Class IV test from ABC, to review and compare to the ADEQ test bank. Richardson informed the Committee that AETA will have their Class IV Review booklet completed and ready to present to ADEQ by January, 2012.

Under public comments on the agenda, Harper with AETA announced that the academy has finalized their 2012 course schedule, which is located on their website. Richardson added he is looking forward to working with ADEQ on the Class IV exam review.

Poe with ARWA presented the Committee with a report of training. She then spoke of focusing on Class IV operators and stepping-up ARWA's specialized training programs. This will help prevent operators from going out of state to pass their Class IV test, then turning around to reciprocity their license from that state back into Arkansas. She has heard from several operators that this has been happening and would like to keep operators within Arkansas, going through the appropriate training we provide them with to help pass the Class IV exam.

There were no additional comments made by those in attendance, when the floor was open to the public.

Under old business, Luttrell explained that paperwork for in-house and the APC&E Commission's approval on Upton's second term (9/30/2011) and Tooke's first term (8/31/2011), was not presented for their review in time. It will be brought up before the next Commission meeting on December 2nd and will be retroactive to the beginning of these terms. Copies of the approvals will be presented to the Committee at the next meeting in February.

Under new business, Johnson welcomed our newest Committee member, Tommy Tooke to the board. We look forward to working together with you and appreciate your commitment and service to the state of Arkansas.

Johnson then introduced ADEQ's new Enforcement Branch Manager, Craig Uyeda. After a 34-year career with the Department of Game & Fish, he is looking forward to working along-side the Committee in their efforts to assist operators in the state.

Finally under new business, Johnson announced his and Brunson's second terms of serving on the Committee are quickly coming to an end, February 28, 2012. Brunson commented that all nomination recommendations should be forwarded to Luttrell or Suel. Shafii stated that the APC&E Commission has to appoint members to the Committee. Brunson intervened to remark that we have always made recommendations to present to the Commission for their approval. Shafii discussed Regulation 3 requirements with the Committee members, as it currently states.

Discussion ensued over the Licensing Committee section in Chapter 2, as well as the Administration section in Chapter 6. Under Reg.3.601(A)(2) in the Administration section, Shafii stated that ADEQ could not legally charge operators for the \$36.00 ABC processing fees. As it appears, several on the Committee felt the wording was confusing. A suggestion was made that the

Regulation 3 work group previously assembled, should consider meeting again, to discuss necessary changes in the so-called gray areas of the current Regulation 3. It was decided that Thursday, December 8, the group would meet at 10:00am here at ADEQ, to review and discuss necessary changes. This group would include: Johnson, Bryant, Upton, Shafii, Suel, Duyen Tran, Stanley Suel, Randy Harper & Jonathan Richardson (AETA), Dennis Sternberg & Susan Poe (ARWA).

Johnson asked if anyone had any further topics to be discussed. He then mentioned his concern over the extensive amount of money built-up in the wastewater licensing account. This has been an ongoing concern of the board's, as mentioned at previous meetings. Shafii responded that an automobile may be issued for statewide travel by the licensing staff. He also mentioned working with a training facility for specialized training of state operators for the Class IV test, as another possibility.

Johnson asked for a motion to adjourn the meeting, which Smith made and was seconded by Upton. The meeting adjourned at 11:04 a.m.