

ARKANSAS DRINKING WATER ADVISORY AND OPERATOR LICENSING COMMITTEE

October 12, 2023, Meeting Minutes

A quarterly meeting of the Arkansas Drinking Water Advisory and Operator Licensing Committee (Committee) was held on October 12, 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:

Lance McAvoy, Chair, Fort Smith Water Utilities	Brad Hammond, P.E., Olsson Engineering
Sharon Sweeney, Central Arkansas Water	Larry Lloyd, P.E., University of Arkansas
Jeff Ford, Kimzey Regional Water District	Bryan Smith, Grand Prairie Regional Water
	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	Robin Lynch, Administrative Specialist III, ADH
Jeremy Rowe, Water Training Provider, AETA	Raymon Lancaster, West Stone County Water Association
Jim Philipp, Water Training Provider, ARWA	Bruce Hipp, Supervisor, West Stone County Water Association
	Ricardo Fletcher, Rison Water

MEETING CALLED TO ORDER – McAvoy

Meeting called to Order by McAvoy, Committee Chair.

INTRODUCTION OF COMMITTEE, STAFF, AND GUESTS – McAvoy

McAvoy asked everyone present to introduce themselves and it was carried out by the Committee members, staff, and guests in person and virtually. (See above attendance notations.)

REVIEW AND APPROVAL OF MINUTES – McAvoy

McAvoy directed attention to the meeting minutes provided digitally prior to the meeting. He requested any corrections to the July 19, 2023 meeting minutes. The Committee had no corrections, McAvoy received a motion from Ford to approve minutes as presented, with Hammond providing the second and the motion was passed by the Committee. It was noted that McAvoy will pass the Chair responsibilities to Ford (Chair-Elect) at his time of departure with other outside responsibilities that coincide with the Licensing Committee meeting.

HIGH SCHOOL WAIVER REQUEST – McAvoy

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

Raymon Lancaster answered questions about his pertaining to the process, expectations, and waiver request and applying for a Distribution Grade IV license and his supervisor Bruce Hipp was in attendance. Ford received a motion to approve the waiver, with Smith providing the second and the motion was passed by the Committee to grant the high school waiver.

CRIMINAL HISTORY WAIVER REQUEST – McAvoy

McAvoy noted that five (5) criminal history waivers were listed on the agenda, with Parker-Foster confirming that only two (2) were present to have their criminal history waiver applications reviewed by the Committee. All waiver requests were reviewed by the ADH Legal team.

Raymon Lancaster answered questions pertaining to the application that was submitted to the Licensing Committee. Lloyd received a motion to approve the waiver, with Hammond providing the second and the motion was passed by the Committee to grant the criminal history waiver.

Ricardo Fletcher answered questions pertaining to process, expectations, and waiver request. Sweeney received a motion to approve the waiver, with Lloyd providing the second and the motion was passed by the Committee to grant the criminal history waiver.

OLD BUSINESS – McAvoy

Parker-Foster provided the EPA approved FY22 SDWA Operator Certification OPCERT Guideline report. EPA Region 6 is satisfied with the ADH's implementation of the State's Operator Certification Program and approved in writing on September 13, 2023. The letter serves as a formal approval of the State Fiscal Year (SFY) 2023 annual report. The next report will be due August 1, 2024 for the regulatory deadline of September 30, 2024.

NEW BUSINESS – McAvoy

Rules Pertaining to Water Operator Licensing Revision - Jones

All state agencies submitted changes to their rule to provide uniformity in language and definitions and will submit through the Public Notice process to solicit comments by the first of the year.

Water Operator Training and Exam Schedules in Progress – Parker-Foster

The Licensing Program is working with the two (2) training providers to submit mandatory training and exam schedules for publication for 2024. Confirmation and review of training and exam schedules currently in progress.

COMMITTEE REPORTS – Ford

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 National Resources Division is working on the applications for the FY23 allotment Infrastructure monies.

ADH will be working on the FY24 and primacy extension request for the Pb/Cu rule revision. States have two (2) years to apply for the extension and hoping for monies prior to the rule becoming promulgated.

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.

The Section is still experiencing staff turnover (15-20%) with some technical positions having been filled with recent hires. Workloads have increased to meet compliance requirements and the electronic submission of plans has been slow but has increased faster correspondence than waiting on the mail service.

Training & Certification Officer's Report –Parker-Foster

Parker-Foster provided an exam report showing the Operator Licensing program administered 188 license exams between July 1, 2023, and September 30, 2023, with an overall 35 percent passage rate.

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

The number of licensing renewals since the June 30, 2023 deadline was at 79 percent as of September 30, 2023. The Licensing Program has completed 2,640 licensing renewals out of 3,360 renewal invoices.

Arkansas Environmental Training Academy (AETA) Report – Ford

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 the 2nd quarter of 2023.

Arkansas Rural Water Association (ARWA) Report – Ford

Philipp provided a written report for the Committee, stating that ARWA in January – June 2023, provided 100 hours of water classes, with 352 training hours with 319 students, which includes 2,200 student class days taught to water operators.

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OTHER BUSINESS – Ford

No other business was brought forward.

CONFIRM NEXT MEETING DATE – Ford

Ford requested a motion to set the date for the next Committee meeting. The Committee discussed alternative dates. Ford concluded the discussion, scheduling the next meeting date for January 18, 2024, at Freeway Medical Tower in Little Rock, AR. Ford appreciated his time and thanked everyone for the opportunity to serve on the Committee.

ADJOURN – Ford

Ford requested a motion to adjourn the Committee meeting. Smith motioned to adjourn and Lloyd providing the second motion.

End