



1 **STATE OF MARYLAND**
 2 **BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS**

3 **Thursday February 15, 2024 - 10:00 am**
 4 **Location: Video Conference via Google Meet**
 5 **Phone: (US) 1 401-702-0743**
 6 **MISSION OF THE MARYLAND BOARD OF WATERWORKS & WASTE SYSTEMS OPERATORS**
 7 **The Treatment Systems that provide drinking water for our citizens and handle the waste generated by**
 8 **Our daily activities play an important role in protecting Public Health and the Environment of Maryland.**
 9 **Through the Certification Program established by State Law, the “Board of Waterworks and Waste**
 10 **Systems Operators” sets the education, experience and examination standards for Operators and**
 11 **Superintendents who work in these vital systems.**

12 *Meeting attendance via videoconference. Access link and phone number available to the public via the*
 13 *Board’s webpage.*

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 15 **Board Members**

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 17 Doug Abbott Water Supervision; Board Chair
 18 Bill Shreve Public at Large: Board Vice-Chair
 19 Ed Hogan Industrial Superintendents
 20 Bruce Darner Agriculture; WWOA Liaison
 21 Connie Luffman Wastewater Supervision
 22 Davina Yutzy County Government
 23 Ben Thompson Sanitary Commission
 24 Eric Dutrow Public-At-Large
 25 Joe Wright Maryland Environmental Service
 26 Sophia Oberton Municipal Government
 27 Jennifer Bowman Board Counsel
 28 Anthony Nwagwe Maryland Department of the Environment

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 31 **MDE Staff**

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 33 Martin Fuhr Board Secretary
 34 Pamela Franks Board Staff
 35 Victoria Arbaugh Board Staff
 36 Alex Rubin MDE Staff

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 39 **Guests**

40 Donna Dunlap (MRWA)
 41 Clark Howells (WSSC Water)
 42 Melissa Coker (MCET)



43 Greg Howell (Westminster)

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45 **AGENDA:**

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47 Doug proposed we rearrange the agenda to move Reciprocity for Greg below Item C (Review
48 and adoption of proposed meeting Agenda).

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50 A Motion was made by Joseph Wright, second by Bruce Darner, to update the agenda.
51 Approved.

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53 ***Reciprocity for Robert Greg Howell.*** Martin's recommendation is to grant him the T4.

54 Bill Shreve made a motion. Motion passed.

55 Greg opened to questions. Bill Shreve made a motion to approve Mr. Howell. Joseph Wright
56 seconded. Approved Greg for license.

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58 **Review adoption of draft for the open meeting minutes**

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60 Ben made a motion to approve the meeting minute adjustments. Bill Seconded. Motion
61 Approved.

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64 **Review of Board Staff Assigning Plant Classifications**

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66 Board Counsel, Jen Bowman, provided a response to the Board's general inquiry about when the
67 Board may close a meeting to discuss a certain topic. Counsel directed the Board to Section 3-
68 305(b) of the General Provisions Article which enumerates the only topics a Board may discuss
69 in closed session. Counsel reminded the Board that even if one of those enumerated topics
70 applies, it is still within the Board's discretion to discuss the matter in open session, with the
71 exception of advice from counsel. Counsel reminded the Board that if it makes a legal inquiry of
72 counsel, that response must be discussed in closed session to preserve attorney/client privilege.
73 Counsel suggested that to the extent there are topics that are otherwise appropriate to discuss in
74 open session, those matters can be discussed in open session up until the point where Board
75 counsel has to deliver legal advice. At which point the Board could convene in closed session,
76 provided one is scheduled.

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78 Additionally, Counsel gave a general reminder that communications between the Board
79 and Counsel are confidential and privileged under the law. In other words, communications
80 discussing legal advice cannot be subpoenaed nor could the Board or Counsel be compelled to
81 testify about them so long as the privilege is maintained. Counsel directed the Board to not
82 discuss legal advice with anyone outside of Board members so as not to break that privilege.
83 Doug Abbott encouraged us to schedule a closed session always from here forward.

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86 **Revenue and Expenditures report:**

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88 Accounting is behind. They do not have the numbers for today.



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Board initiatives and inquiries:

- a) The board's job is to regulate licenses, not make determination of the plant classifications. Title 12 is where it states MDE is meant to make those decisions. We will let this one go to compliance. They will be the resolution for this matter.
- b) WPI/ABC Exam subcommittee report: Nothing to report. WPI declined the request to finish the 5A but did let us know the process. (Action Items: Doug Abbott will work on a draft prescription for an exam subcommittee to review by board).
- c) Application process communication subcommittee: Wrapping up recommendations for subcommittee for review.
- d) Applications: Mr. Wilt– Applied for reciprocity from Virginia. He has a Wastewater, and a Water 2 certification in VA. Martin recommended to award him the 5A and T2 based upon his experience in Virginia. Bill Shreve made a motion to accept the recommendation that Martin made. Bruce Darner Seconded. Motion approved.

Comments by board members

Anthony: Board website– Anthony dropped out of the meeting 11am. Anthony came back 11:02. Bringing up training for the Superintendent. What is on the website is outdated. Can we get the quick links put back on? Anthony and Martin will brainstorm and work on updates for the website

Ed Hogan: Wanted to bring to the board's attention House Bill 12:41, proposed to ban all PVC installations in the state of MD come Jan 1st 2025 in all drinking water systems. If it passes it will have a significant impact on our industry.

Bruce: What is the website for the classifications for wastewater?

Review of action Items

Anthony: Three items on our tracker. Several items removed for being completed.

Joe to send communication for review.

On every agenda going forward we will have a closed session.
Anthony to do a thorough review of the website and meet with Martin.
Martin will also request appropriations and figures.

Discussion with Board Liaison and Guests:

Ben: Gearing up for registration for Utility Management Conference April 1-3 at Maryland Live Casino. 350~ max



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136 CWEA- Clark Howells- CWEA is having a student hiring event. Organizing a tour of DC's main
137 pump station. On Feb 23rd. Webinar on February 29th regarding utility management.
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139 Melissa Coker- MCET courses update went in yesterday.
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141 MRWA- Donna- Annual conference May 6-8th.
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143 Bruce- WWOA- No update.
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145 **Adjournment**

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147 Bill Shreve made a motion to conclude the Session at 11:21 pm. The motion was seconded by
148 Bruce Darner. Motion approved, session adjourned.