



# Nevada Certified Drinking Water Operators Forum

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Hosted by: Nevada Division of Environmental Protection, Bureau of Safe Drinking Water  
901 South Stewart Street, Suite 4001, Carson City, NV 89701

## Meeting Agenda

**June 20, 2008, 10:00 am**

Location: Bryan Building, 2<sup>nd</sup> Floor Hearing Room  
901 South Stewart Street, Carson City, NV

Teleconferenced to: NDEP Las Vegas Office, Red Rock Conference Room  
2030 E. Flamingo Rd., Suite 230, Las Vegas, NV

Phone conference to: 1-888-363-4734, access code 1515199

### Agenda

1. Call To Order and roll call (Chairman Cameron McKay)
2. Approval of the Advisory Board Meeting Minutes from March 11, 2008
3. Replace vacancies of the Membership:
  - a. Marie Pollack – “At Large” Representative and
  - b. Darrin Price – “Medium-Size” PWS Representative
4. Report on March 2007 Exam Analysis – (AWWA representative)
5. Review & Discussion – Nevada Certified Drinking Water Operators Forum Founding Documents (see attached)
6. Public Comments
7. Schedule next meeting(s)

Agenda items may be taken out of the order presented at the discretion of the chairman.

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## **Advisory Board to the State Environmental Commission (SEC) On Certification for Operators of Public Water Systems**

### **Summary minutes of the meeting of March 11, 2008**

The meeting began at 1:00 pm at the Nevada Rural Water Association Conference, Harvey's Hotel and Casino, South Lake Tahoe, Nevada.

#### **1. Call to Order and Roll Call (Chairman Cameron McKay)**

Members Present: Cameron McKay, Chairman; Chet Auckly; Lynn Forsberg; Harvey Johnson. Absent: Marcellus Jones; Marie Pollock.

Counsel to the Board: Janet Hess, Nevada Deputy Attorney General.

Representing the SEC: John Walker, Executive Secretary. Robert Pearson of the SEC staff served as recording secretary. Representing the Nevada Division of Environmental Protection (NDEP): Jennifer Carr, Chief, Bureau of Safe Drinking Water; Steve Brockway, Bureau of Safe Drinking Water.

#### **2. Approval of minutes – September 14, 2007 Meeting**

**Motion:** Mr. Auckly moved to approve the minutes as presented, the motion was seconded by Mr. Forsberg and the vote was unanimous in favor.

#### **3. Recognition of Service Award to Darrin Price**

Chairman McKay spoke about the long service of Mr. Price on the Board and how his expertise in the water business has benefitted the Board. Due to the demands of his new job as General Manager of the Sun Valley Water District Mr. Price recently stepped down from the Board. Mr. Price was presented with a gift in recognition of his contribution and service.

#### **4. Replacement of Vacancies on the Board**

Counsel advised that by statute the board would normally make recommendations to the SEC for replacements, but since the next SEC meeting on March 18 contains an agenda item regarding dissolving the Advisory Board and replacing it with a Forum, she recommended that no action be taken on this item at this time, that if the Forum came into being that would be the time to consider the membership. By unanimous consent the Board agreed.

#### **5. Report on December 2007 Exam Analysis**

A memo regarding the results of the December exam was distributed. Mr. McKay asked about consistency with California—were the same topics being missed? He

noted that Water Quality seems to continue being the subject with the most problems.

## **6. Update on Coordination with the Board of Certification for Wastewater Treatment Plant Operators**

Mr. Johnson said there had been a meeting in January and the contract with NWEA and NDEP was pretty much finalized. NWEA is handling certification for wastewater operators through the contract with NDEP. He spoke of the plans for online certification and testing by the beginning of 2009 (at the latest), through the use of H&R Block offices in Reno and Las Vegas. These offices have secure computers for use in testing. He noted that the cost of the examination will not increase. Sign up is still through NWEA.

The quarterly written testing will still be available, this is a supplemental option. There is instant feedback on pass/fail, and if the test is failed there will be a 30-day wait for a retest.

## **7. Discussion - White Paper "Nevada Certified Drinking Water Operators Forum" (see attached)**

Ms. Carr presented the "White Paper" that had been prepared by her with the assistance of Mr. Auckly, who had a few preliminary comments, saying that he believed it was the direction that the Board should go and that he "liked it a lot."

Ms. Carr gave some background, saying that NDEP had put the proposal on the table in September 2007 as a proactive step in case the SEC did not reappoint the Board at the March 2008 meeting. The White Paper (attached to the agenda available to the Board and audience) gives some background and history on the Advisory board and the NDEP's appreciation of the assistance the board has given to the Division. With the changing circumstances over time the Forum concept would continue that assistance and exchange of information without the various legal formalities and restrictions caused through board status.

Mr. McKay asked about the number of members proposed in the White Paper—Ms. Carr had put it at eight, but the clarification was that the charter members of the Forum might be the current Advisory Board members, but the Forum would not have the legal requirements so there would be more flexibility in terms of membership.

Mr. Walker noted that the only time legal requirements would come into effect is if the SEC decided in the future that it needed to reauthorize and reappoint the Advisory Board; Chairman McKay added that he thought that topic should be brought up at the SEC meeting, that the Board could come back into being if desired by the SEC. Mr. Walker said that it was a good idea that the noted representatives in the statute might be appointed to the Forum to make any transition back easy.

Chairman McKay noted the savings to the state with the Forum. Mr. Forsberg asked if the members of the Forum would be appointed by name, or region, or other?

Chairman McKay said that appointing members who fulfilled the statute was the way to go in view of what Mr. Walker had said. Ms. Carr agreed.

Mr. Walker added that NDEP staff would continue to support the Forum through hosting and updating the web site.

Mr. Auckly reiterated his support for the Forum proposal. Chairman McKay thanked Mr. Auckly for his work with Ms. Carr on the proposal. Ms. Carr noted that NDEP would be listening to the Forum on any future changes needed or desired in operator certification and testing, so there is continuity and a continued voice in that area. Mr. Johnson thought the document was very well thought out. Chairman McKay wondered whether the Forum could continue to use the videoconferencing equipment, and Ms. Carr said that yes, it could use the NDEP conference rooms to connect to other facilities.

When there was no further discussion Chairman McKay moved down the agenda to:

**8. Advisory Board Recommendation to the State Environmental Commission (i.e., conversion of the advisory Board to an independent forum as detailed in the above referenced "White Paper")**

Given that the discussion had been completed under the previous item, Chairman McKay asked for a motion on a recommendation to the SEC.

**Motion:** Mr. Auckly moved to approve a conversion of the Advisory Board to a Forum as detailed in the White Paper previously discussed; Mr. Johnson seconded, and the vote was unanimous in favor.

**9. Public Comments**

Chairman McKay said he had a comment to NDEP; that when receiving renewal of certification he would request a written receipt to be able to reimburse operators. Mr. Brockway said that changes in accounting procedure had resulted in a receipt needing to be formally requested. So they will be so requested in the future when needed.

**10. Schedule next meeting**

The meeting of the proposed Forum (pending SEC action on March 18) was scheduled for June 20, 2008 at 10:00 am. at the NDEP offices in Carson City and by teleconference. NDEP will publish an agenda and notify participants.

**Adjournment:** Mr. Auckly moved to adjourn, seconded by Mr. Johnson, and the vote was unanimous in favor. Meeting adjourned.

# NEVADA CERTIFIED DRINKING WATER OPERATORS FORUM

## Mission and Organizational Structure ~ 2008 ~

### Background

The Nevada Water Operator Certification Advisory Board (Advisory Board) has been in existence for many years; originally as an Advisory Board to the Nevada State Board of Health, and subsequently to the Nevada State Environmental Commission (SEC). Through action by Senate Bill 395, during the 2005 Legislative Session, the Safe Drinking Water programs were moved from the Nevada State Health Division to the Nevada Division of Environmental Protection (NDEP).

Authority to implement Nevada Revised Statute 445A.870, for appointment of an advisory board in matters relating to the certification of operators of community and non-community water systems, was given to the Commission through that action. At the March 8, 2006 hearing of the SEC, the existing Advisory Board members were appointed for a two-year term, thus expiring in March 2008.

With the transfer of the safe drinking water programs to the NDEP, an evaluation was initiated for the operator certification programs for both public water systems and wastewater systems. Differences between the two programs include issues such as fees and requirements for qualifying education, testing and continuing education. The Advisory Board was charged by the SEC to assist in the evaluation and comparison of these two certification programs; resulting in potential recommendations for improvements or consolidation.

During the two years preceding transfer of the program to the NDEP, the Advisory Board worked on revising the regulations governing the certification of operators of public water systems. These revised regulations were adopted by the SEC at the October 4, 2005 hearing, and codified into NAC 445A.617 through 445A.652. The adopted regulations require increased skills and knowledge to operate public water systems for individuals certified by the Division as safe drinking water operators.

In addition to these efforts, existence of the Advisory Board has provided a valuable mechanism by which NDEP can routinely communicate with the regulated community of water system operators and other associated interested parties. The Advisory Board had historically held formal quarterly meetings which the SEC has continued, with active participation by the NDEP.

In order to plan for the expiration of Board Member terms in March 2008 and attempt to better define the future, a proposal was presented at the September 14, 2007 Advisory Board Meeting by the NDEP for the possible future conversion of the Advisory Board to a Forum format. Primary reasons cited for the proposal included:

- The NDEP recognizes and values what the Board has historically provided in creating an avenue for communication between the regulated community of certified operators, the American Water Works Association and the NDEP;
- Legal formalities often seem to quash open discussion of operator concerns, or prevent board motions and actions, particularly if they stray from formally agendaized topics;

- It is uncommon for there to be an Advisory Board to the SEC, and in practice, the NDEP would typically be the entity to process, workshop and forward any future regulation changes to the SEC and the Nevada Legislative Committee. It would be most efficient for the NDEP to work directly with operator's concerns and initiate actions to be recommended to the SEC; and
- An affirmative action to re-appointment the Advisory Board by the SEC at the March 2008 meeting is not guaranteed.

Discussion among the NDEP and Board Members at the September 2007 meeting provided clarity to those present as to the prior need for the Board's existence as an avenue for communication between government and the regulated community; but, that the program that now resides with the NDEP has matured and is operating under the recently updated and adopted regulations. The desire was clear to have an ongoing resource for the certified operators, operator trainers and the NDEP for open communications; and its continued existence was discussed as being necessary and beneficial.

# Mission of the Nevada Certified Drinking Water Operators Forum & Operational Structure

## Mission

The mission of the Nevada Certified Drinking Water Operators Forum (the Forum) is to support the protection of human health and the environment through certification of qualified water system operators. Participants in the Forum will: openly identify and constructively discuss issues regarding the education, training and testing of water system operators in Nevada; coordinate project efforts and disseminate information; and enhance public input by providing an open access collaborative forum for the exchange of information.

## Operational Structure ~ 2008 and Beyond

The goal of initiating the Forum is to continue the work built on the foundation created by the Nevada Water Operator Certification Advisory Board. The following items frame the operational intentions of the charter Forum members, the Chair and the participants.

- ✓ The eight sitting Advisory Board members will become the charter members of the Forum;
- ✓ Future membership will reflect the intent of NRS 445A.870 – Specifically, official members will include: a representative of the American Water Works Association; the Nevada Rural Water Association; and a member of the general public. Official membership will also include a representative of the NDEP Bureau of Safe Drinking Water and a total of five water system representatives from both rural and urban areas of Nevada.
- ✓ The current Advisory Board Chair will become the Forum Chair, to be rotated among Forum members on a two-year basis;
- ✓ The Forum will establish an organizational structure, to be memorialized and documented in a Forum Operations Guide, including, but not limited to:
  - The address of the Forum will be that of the NDEP Bureau of Safe Drinking Water at 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701;
  - A definition of the term of membership and a method for re-confirming or replacing listed members with new volunteers from a list of regular Forum participants;
  - The NDEP will maintain a website for historical record and to announce meetings and agendas;
  - The NDEP will maintain mailing lists (preferably electronic) for notices and agenda announcements; and
  - Notices and meeting agenda will be sent to participants at least ten (10) days prior to the meetings and each agenda will include an opportunity for general public input and discussion.
- ✓ The Forum will continue to meet quarterly unless and until changed by a consensus of the membership and the regular participants;
- ✓ The Forum will remain the body for valuable two-way exchange of information on testing, training needs, issues with implementation of the established regulations, and other items and concerns between the Certified Operators and the Division; and
- ✓ The NDEP will remain committed to participation and involvement with the Forum.