

**MEETING MINUTES**  
**BOARD OF CERTIFICATION OF OPERATING**  
**PERSONNEL IN WASTEWATER TREATMENT FACILITIES**

Date: Thursday, March 12, 2009

Place: Videoconference sites:

Oahu - 919 Ala Moana Blvd., 5<sup>th</sup> floor Conference Room;

Kona, Hawaii - Kona Health Center, left side of Kamehameha Avenue across Environmental Offices;

Wailuku, Maui – Millyard Plaza, 210 Imi Kala St., Ste #204; and

Lihue, Kauai - Kauai District Health Office, 3040 Umi Street, Reading Room

Time: 8:30 a.m.

PRESENT: Charles Dawrs, Kenneth Knapp, Marshall Lum, Eassie Miller, Victor Moreland, Myron Nomura, Dana Riddle and Bert Uyeno.

I. Charles called the meeting to order at 8:51 a.m.

II. Board members approved the February 3, 2009 meeting minutes, as amended.

III. UNFINISHED BUSINESS

- a. Agreed to accept all renewal applications having CEUs in excess of the two CEUs needed for renewal. Additional CEUs in excess of the two CEUs needed would not be evaluated because determination of the additional CEUs is not necessary for renewal purposes. Board records will note that the minimum two CEUs were met and the application approved.
- b. Deferred discussion of Target Safety online course because Ken's e-mail to members containing his list did not go through. Ken will provide Board members with a listing of approvable Target Safety online courses by the next meeting.
- c. Marshall verified with Robert Pagliai that his exam application was for the August 2009 exam instead of the February 2009 exam. Board agreed to include the application with the August 2009 exam applications when they are received.
- d. The budget was accepted as presented.

IV. NEW BUSINESS:

- a. "*Open Line*", February 2009, Hawaii's Office of Information Practices newsletter was distributed electronically to members.
- b. "*The Certifier*" ABC newsletters are now available online at the ABC website. However, a new issue was not available.
- c. "*The High Road*" 2009 Hawaii State Ethics Commission newsletter was distributed to members by e-mail. In the future, the newsletter will be available online.
- d. Classified the following wastewater treatment plants:

Synagro Plant	Grade 3 (64 points)
Sand Island WWTP	Grade 3 (68-73 points) exact number of points is pending determination of functionality of DAF
Waimanalo WWTP	Grade 4 (80 points)
- e. During the February 3, 2009 meeting, the Board approved Carl Saxer's renewal application in error. A letter was then issued to Carl notifying him that his

application would be on hold pending receipt of certifying documents for an additional 1.25 CEUs needed for renewal because the Board had no record of the courses taken. Subsequent to the letter, the Board erroneously issued Carl a pocket-sized renewal certification card. Carl was then informed by another letter of the error and that his application was still pending. Carl addressed the Board at the Kona site of the March 12, 2009 meeting. Carl indicated that records of a conference and workshop that he attended during 2006-2008 were not in the State Training Center files. He called the Training Center and found out that he only had 0.75 CEUs on file. He chose to take a CSUS (Ken Kerri) course to obtain CEUs and submitted the certificate within the 90-day grace period for late applications and paid the \$5 late fee. However, the course was completed after the renewal deadline. He located some documents for the 2006-2008 period but they were not what the Board needed and requested additional time to search for certifying documents because when he received the pocket sized renewal card he stopped searching. Otherwise, he might have been able to supply the Board with the missing documentation in time for the meeting. He requested the Board's consideration of the CSUS CEUs taken during the 90-day grace period. Charles Dawrs stated that CEUs taken after October 15, 2008 are not allowed because chapter 11-61 prohibits using CEUs for renewal taken after the deadline, unless an extension for good cause has been granted by the Board, and Board members agreed to allow him additional time to search for the 2006-2008 conference and workshop documentation.

- f. Discussed operator requests to reschedule assigned exam times from one session to another. Motion was approved to allow a deadline of 7 calendar days prior to exam date for operator requests to reschedule exam times, and on case by case basis for emergency situations.
- g. Agreed to a deadline for submittal of final exam fee payment of 45 days prior to the exam date.
- h. Established the August certification exam date as August 20, 2009.
- i. In response to the Board's question at its last meeting, the AG needs to conduct research on whether the Board has powers to subpoena individuals to appear before the Board for an investigation of a complaint. Alternatively, the Board can ask individuals to appear for questioning on the H<sub>2</sub>S complaint at Sand Island. If the Board were anticipating taking action against an operator, the Board would issue a letter to the operator of the proposed action allow the operator an opportunity for a hearing. At that time, the Board could subpoena individuals. Board agreed to delay any action on the H<sub>2</sub>S complaint until a HIOSH report and/or an internal report from the City is received and reviewed. A letter of request was sent to the City on 2/17/09. No response to date. A follow-up letter will be sent to the City. In addition, a letter will be sent to HIOSH for a copy of their final report on the matter.
- j. Garrett Hiraoka's educational documents concerning his request for CEU evaluation was not received.
- k. The AG accepted the following revision to the language in the Grade 1 exam application concerning one year experience. Section C: Work Experience will now state, One-year of full time employment in the actual operation of a wastewater treatment plant shall be attained over a period of no less than 12 months and be at least 1,632 hours (no more than one year of work experience may be accumulated within a 12 consecutive month period).

- l. Reviewed certificates from County of Hawaii operators completing the Brown Environmental certification exam review course. Copies will be placed in the operator's files. Records for Ryan Correira will reflect a pro-rated 0.75 CEUs for his attendance at three of the four day course sessions.
- m. Regarding the Honokohau Harbor WWTP complaint, the DOH sent a letter to the former operations company of the Honokohau harbor comfort station wastewater treatment plant requesting the name of the DRC. However, no response from the company was received. A letter will be sent to the previous operations company requesting a copy of the log book for the previous year and a letter to DNLR to confirm who the DRC operator was and if there was a lag in designation of DRC due to change of companies.
- n. Accepted DRC notification for Hind Drive Properties from Napua Springer.
- o. Discussed reciprocity terminology request for County of Hawaii. The County wants to hire out-of-state operators on the condition the operator obtain Hawaii certification within a grace period.
- p. Board members were notified of the ABC 5 day turn-around time requirement on returning exams to ABC for scoring.
- q. At 1:28 pm, Augustine Sandoval, accompanied by his union representative, conducted his presentation to the Board on his request for review and reconsideration of his previously denied operator certificate renewal. He informed the Board that he works for Hawaii American Water as a lab person and operator, has previous military background, and does public service work. Augustine provided a time line of the events regarding his renewal application. He claimed to have submitted his certification renewal application on July 19, 2006 for the 2006 renewal year. However, the Board had no record of having received his renewal application or his check for the renewal fee. Augustine stated that he was not made aware of this fact until after the renewal deadline had passed and only upon his inquiry. He also claimed that Charles Dawrs and Marshall Lum both told him on separate occasions that his application was "in order." Charles Dawrs requested to go on record as not having made any statement, by phone or in person, to either Mr. Sandoval or any of his representatives, that his application "was in order". Charles Dawrs also directly questioned Marshall Lum if he recalled making any similar statements to Mr. Sandoval and Marshall Lum's reply was "No, I do not recall having that conversation" and denied having specifically said his application was in order. Marshall clarified his response again in response to the union agent by saying that he had not ever said that Mr. Sandoval's application "was in order." Also at issue, was payment for a training class Augustine took in September 2006 to meet his 2 CEU requirement which payment by his company was not made until November 2006 so his course certificate was delayed. The Board had denied Augustine's renewal application at its May 18, 2007 meeting because the Board had no evidence of a cancelled check for payment of the renewal fee, or a renewal application on file. Augustine felt the Board should have notified him in a timely manner and implemented the 90 day grace period rule for renewals at that time. Following Augustine's presentation, members discussed the case. Based on the information presented, the Board voted to stand by their decision of May 18, 2007 to not renew Augustine Sandoval's license.
- r. Approved adding the following new agenda items:
  1. Review HWEA conference letter concerning CEUs awarded;

2. Review Ryan Bell's Temporary Certification Application;
3. Review Kevin Nakamura letter requesting CEU evaluation of his Marine confined space course;
4. Review Albert Wah Keung Kung's job experience and courses for CEU evaluation; and
5. Review Charlie's travel report on the ABC conference.

Approved HWEA's methodology to award CEUs to operators in attendance at the February 3-5, 2009 HWEA conference.

Deferred agenda item Nos. 2, 3, and 5 due to limited discussion time remaining.

Agreed to request additional information (syllabus) from Albert Wah Keung Kung on his course certificates.

- s. Reviewed exam results and operator comments. Operator comments had no impact on the exam results. Exam results were accepted as posted.

V. Adjournment 3:40 p.m.

Next Meeting: May 14-15, 2009

Location: Statewide Wastewater Operator Training Center, Oahu.

Time: 8:30 a.m.