

RESPONSE TO PUBLIC COMMENTS

Received for the draft

Rules and Regulations for Wastewater Treatment Facility

Operators (250-RICR-150-10-5)

Public Comment Period: July 16, 2021 to August 15, 2021 (midnight)

Comments Received Summary:

1. Email from Kathy Perez, Superintendent of the South Kingstown Regional WWTF

Comments and Board responses follow in individual sections.

1. Letter from Kathy Perez, Superintendent of the South Kingstown Regional WWTF.

From: Kathy Perez <kperez@southkingstownri.com>

Sent: Wednesday, July 21, 2021 2:43 PM

To: Patenaude, Bill (DEM) <bill.patenaude@dem.ri.gov>

Subject: [EXTERNAL] : RE: [EXTERNAL] Proposed Amendment re: Rules and Regulations for Wastewater Treatment Facility Operators (250-RICR-150-10-5)

Hi Bill,

I am just looking over the proposed changes.

I see :

Section 5.6(D)(1) (4): Based on input from the wastewater sector, proposed changes would allow certain personnel in maintenance and laboratory positions to sit for the Grade 3 exam. Currently, maintenance and laboratory personnel are allowed to be certified up to Grade 3 only. Note that for many years, the wastewater sector has been lobbying the Board for the allowance of maintenance technicians to sit for the Grade 3. Based on public/industry comments of the previous draft regulations, the Board also included laboratory technicians into the language proposed for maintenance technicians. The proposed change will benefit individual licensees and municipal operations.

I was not aware of this. I was in on the discussion about Maintenance, nothing about the laboratory positions.

I feel like this was put in rather late and did not hear any discussion on the matter. I am of the mind that most lab technicians do not get out into the field in large plants. In smaller plants the lab tech., typically is an operator for the majority of their day and they do lab work also.

In larger facilities, it would be unusual for a lab tech to know about the plant itself. When I worked at Bucklin Point, we gave a tour to people that had been in the lab for years and they had never even seen the flow of things.

When I was at the Cranston Lab, the lab techs were not familiar with the plant. Both labs are very good at their jobs and produce accurate information to use for process changes.

I guess there could be that rear person that is not just getting the numbers. I know how important the lab is, it is like the eyes of the plant because the numbers tell us about the process and how it is going.

The lab techs may be very good at testing so they could pass the Grade 3 test. How will they be in the field??

Just thought I would put in my two cents.

Thank you,

Kathy Perez

Wastewater Superintendent

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Board Response:

During the previous public comment period of the subject regulation revisions (Public Comment Period: April 23, 2021 to midnight May 23, 2021), the Board received public comments for the addition of laboratory personnel in the proposed language for maintenance technicians.

Deliberation on these comments occurred at a publicly noticed Board meeting on June 2, 2021. At this meeting, the Board heard from individuals who provided the comments supporting the inclusion of certain laboratory in a process parallel to that of the proposed maintenance profession for the allowance to sit for the Grade 3 exam under certain circumstances, without attaining the Grade 3 license until all Grade 3 qualifications are met.

The Board followed protocol of revising the draft regulations and re-presenting them at the June 22, 2021 publicly noticed Board meeting. At that meeting, the Board voted to move the draft regulations to the public comment process, in accord with state norms.

As discussed at the meetings noted above, the Board's consensus is that sufficient checks-and-balances exist in the current and proposed processes, both within the Board and within the profession itself, to allow the proposed modification to the regulations. Indeed, it is the Board's belief that this change will assist growth opportunities in the wastewater profession in a manner that can simultaneously protect the profession and thus the operations and maintenance of the state's wastewater infrastructure.

As such, the Board does not share the concerns noted in this comment and will move forward with the proposed regulations as drafted.