

**Office of Operator Certification (OOC)-  
Drinking Water Operator Certification Program Advisory Committee (DWOCPC)**  
*Advisory Committee Meeting Minutes October 21, 2020*

*Present:* Advisory Committee Members: Michael Maestas, Larry Lyford, Catrie Levenson, Ramzi Mahmood, Robert Cheng, Gregory Williams, Tai Tseng, John Hamner,

Waterboard Staff: Mark Bartson, Annette Caraway, Michael Rohner, Jon Strutzel, Alice Webber, Julie Osborn, Jon Strutzel, Darrell Jennings, Bryan Elder, Jamie Johnson, Nicole Morgan.

Bruce Macler (USEPA), Adam (USEPA, Region IX))

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**Item 1 - Introductions:**

- Annette Caraway, Manager II acted as moderator for this meeting. Due to COVID-19 restrictions this meeting was held by conference call.

**Item 2 - Agenda Review:**

- The agenda was reviewed, no changes were requested.

**Item 3 - Public Comments:**

No public comments were presented.

**Item – 4 Enforcement Update: Bryan Elder, Chief, Special Investigation Unit (SIU)**

- Working from home (WFM) has allowed time for SIU to dig into legacy cases.
- Currently, there are 31 open DW cases (about 1/3 of total cases). 79 open cases total. 4 new cases opened since October; 8 cases opened in the last fiscal year.
- There has been an upward trend in Drinking Water (DW) cases. Sample size is limited but issues range from Chief Plant Operator (CPO)/general operator misconduct and a handful of exam misconduct cases. There are also lab/fraud cases related to falsification of experience hours and operational duties.
- Complaints typically come from fellow/former operators which makes investigations difficult. SIU usually relies heavily on the chief operator when gathering information
- Historically half of DW cases are operator misconduct and is trending away from this.
- 26 cases were closed in the current fiscal year. Many closures were due to insufficient evidence. In any enforcement case, information is key and many cases lack information to be able to proceed.

- Due to WFH situation, SIU has realigned priority cases. Conducting operator/agency interviews over the phone. Working to triage cases for immediate inspection/field visits once stay at home orders are lifted.
- Currently actively engaged on the WW site to facilitate discussion between OOC and agencies to prepare for potential reduced staffing levels. Want to work with agencies to facilitate compliance.
- Comment from Mark Bartson – wanted to share link of notification of enforcement action against a Southern CA lab. Link was emailed during the meeting.
- Q (Robert Cheng) – Have there been any issues with staffing as a result of the pandemic?
- A (Bryan) - Reported Covid-19 case in San Jose where over a dozen operators needed to quarantine at home. Facility is back to full staffing but incident has prompted the State Board to look towards other agencies to see what contingencies are in place. Aware of other agencies at reduced staffing but is intentional to protect shift workers to limit interactions
- Jim Fisher, investigator for SIU retired in June. German Myers is filling the position.

#### **Item 5 - Program/Exam Update:**

##### **Alice Webber, Manager Drinking Water Operator Certification Program (DWOCP)**

- Alice reiterated that all fees and regulations remain in effect during the COVID pandemic.
- DWOCP is currently administering exams for compliance and employment related situations only. If space is available we have tried to accommodate regular exams.
- To date DWOCP has administered 144 Distribution and 82 Treatment exams with pass rates of 71% and 82% respectively.
- Question: What is the emergency exam process?  
Answer: The operator's supervisor should contact DWOCP by email detailing the emergency and the operator's information.
- Computer Based Testing (CBT), was discussed at length. Darrell Jennings clarified this is computer based, not on-line testing. The difference is operators will go to a designated vendor/proctor location and take an exam at a computer.
- A specific startup date has not been determined but we are anticipating launch of CBT in the 1st Quarter of 2021.
- The exams will be administered by the proctors Monday – Friday during normal business hours.
- Darrell Jennings noted that DWOCP has sufficient surplus funds to cover costs for at least 2 years. During that time DWOCP will determine staffing requirements and costs that may be affected by workload reduction/redirection.
- Question: How will CBT work?

Answer: A general framework is in place however the application process has not been finalized. We anticipate that operators will submit an exam application, receive approval from DWOCP then contact the vendor to schedule their exam.

- Question: When CBT is operational will all in-person exams cease?  
Answer: Yes, for all exams except the Water Treatment Grade 5 oral exam.
- Question: How many locations does the vendor have?  
Answer: Approximately 40 statewide and 100 nationally.
- Question: Is there a priority list for operators that have had the opportunity to exam in the past year?  
Answer: Details are being worked out and we will release them when complete.
- Question: There was question regarding the program's reserve fund.  
Answer: The reserve fund is sufficient and we do not anticipate any fee increases until the fund is at or below \$1.5 million. Senior management will study costs and gather data for at least 1 year before any decision regarding fee increases are made.
- Question: What is the timeline for CBT exam results?  
Answer: An immediate pass/fail score should be available at the exam site.

#### **Item 6 - Water Distribution Exam Validation: Jon Strutzel**

- Southern California job analysis is complete, but the process was halted in Northern California due to COVID-19 restrictions.
- The analysis has been converted to survey form that will be placed on Survey Monkey and contact hours will be offered. Jon noted that in order to validate the survey a certain percentage of responses must be received.
- Jon also noted the 60/60 rule when developing exam questions. 60% of the operators must perform specific duties 60% of the time.

#### **Item 7 – Enforcement Update – Bryan Elder**

- Jim Fischer has retired from State Service.
- SIU is clearing out a backlog of cases. Currently there 79 open cases, 30 drinking water related.
- Most investigations are terminated due lack of evidence/cooperation.
- 26 cases have been closed, of those 50% were for operator misconduct.
- 2 additional cases have been opened since July 2020.
- 1 case was closed with action – a letter of warning was issued.

#### **Item 8 – Recycled/Advance Water Treatment – Steve Garner**

- **No report given at this meeting.**

**Item 9 - Regulatory updates for Division of Drinking Water (DDW)–  
Mark Bartson, Chief, Technical Operations Section.**

- Mark gave a presentation to the Board in March 2020.
- The Maximum Contaminant Level (MCL) for Hexavalent/Chromium will be updated in the 1<sup>st</sup> half of 2021.
- The Revised Total Coliform Rule (RTCR) has been given to Administrative Legal, expect adoption in 2021.
- The Cross-connection handbook is under review.

**Item 10 – Schedule next meeting.**

- The Committee agreed to hold the next meeting on April 28, 2021 from 1:00 – 3:00 PM.
- The Governor has extended 25% workforce through 6/30/21, thus the next meeting will be scheduled via ZOOM or some other platform that allows us to “see” all participants.