

FINAL

**MWWCA Executive Board Meeting
Friday, December 16, 2011
Maine Municipal Association
Augusta, ME**

MINUTES

Attendance: Paul Rodriguez, André Brousseau, Chuck Applebee, June Mooney, Aubrey Strause, Mac Richardson, Jeff McBurnie, Travis Peaslee, Darold Wooley, Brian Kavanah, David Anderson, Mary Waring, Dan Welch, Joan Kiszely.

Absent: Tom Wiley, Al Jellison, John Leslie, Steve Lane, Doug Howard, Chris Higgins, Ryan Wadsworth.

Guest: Sean Hetherington

Brief Introductions

Call to Order: President Paul Rodriguez called the meeting to order at 9:25 a.m.

Correspondence Folder: President Paul Rodriguez distributed the correspondence folder.

Approval of Minutes: Motion made by Mac Richardson, seconded by Travis Peaslee, all approved the minutes of November 18, 2011.

Treasurer's Report: Paul Rodriguez reported on the October financial report. Paul Rodriguez spoke with Al Jellison before Al's vacation. Al indicated that everything is in order for the financial reports. Motion made by David Anderson, seconded by André Brousseau, all approved the October financial report with noting that the Legislative Breakfast line item is still pending review.

DEP Representative: Brian Kavanah distributed the following written COMMITTEE REPORT:

DEP Update for MWWCA Meeting 12/16/11

Toxics Rulemaking Update

The public comment period for rulemaking on Chapters 530 and 584 closed December 1, 2011. The rulemaking is being done in response to LD 515 that made revisions to the inorganic arsenic criteria and other issues related to the toxics program. The Department received comments in favor of the proposed rule and also received comments in opposition to the rule. Most notably, EPA commented that the rule is not approvable as drafted because it believes that sensitive subpopulations would be exposed to an inorganic arsenic cancer risk greater than on in 10,000. The Department is currently reviewing all of the comments received and will be having discussions with EPA on any revisions to the proposed rule that may be necessary to ensure the rule is ultimately approvable by EPA. It is expected that these changes may require a second comment period. A revised rulemaking schedule has not yet been established.

Department Reorganization

Commissioner Aho announced the following regarding a reorganization of the department on December

DEP Representative: Brian Kavanah distributed the following written COMMITTEE REPORT:

7, 2011.

Maine Department of Environmental Protection Announces Functional Reorganization

12/07/2011 01:55 PM EST

- * The department's existing three bureaus will be restructured in 2012 to manage resource protection, environmental assessment, and resource administration*

AUGUSTA - A restructuring underway within the Maine Department of Environmental Protection will enhance the agency's effectiveness in providing protections for the state's air, land and water while enacting efficiencies to improve service and operations.

DEP Commissioner Pattie Aho announced today in a keynote address at the Maine State Chamber's Environmental Issues Symposium in South Portland a plan to reorganize the agency around its functions starting in early 2012.

The DEP plans to retain three bureaus - currently Air Quality, Land & Water Quality and Remediation and Waste Management - but instead of being structured around environmental media, they'll be organized via the functions of resource protection, environmental assessment and resource administration.

No immediate layoffs are expected as a result of the restructuring, which proactively positions the agency for zero-based budgeting.

Already under Aho's leadership, DEP staff within the existing bureaus who have done policy development or outreach and education have been centralized within the Unit of Policy Development & Implementation and the Unit of Communications & Education.

The restructuring of the 400-person DEP with its annual budget of \$60 million - of which just 10 percent comes from the general fund - will improve both internal and external communication and promote a coordinated, cross-media approach to the agency's work.

Some examples of where consistencies will be created by a functional structure include inspection frequency, permitting processes, billing and collections, initiation of enforcement and compliance correspondence. Procedures for those services are currently specific to each bureau but under the new structure would apply across the agency, creating predictability for the regulated community.

"In many respects, we've been functioning as three agencies with three separate lines of services," Aho explained. "The new structure takes a practical approach that is both more efficient for the regulated community and for our own internal operations by having one full-service team to handle each function, whether it be permitting, inspections, enforcement, monitoring or billing. Now instead of three different departments, there will be one unified Maine DEP."

Maine's environment will be the immediate beneficiary of the proposed changes, Commissioner Aho stressed in her announcement Wednesday. For example, environmental data that has been historically monitored by different bureaus would be received and reviewed by one section of staff

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DEP Representative: Brian Kavanah distributed the following written COMMITTEE REPORT:

who will be able to better protect Maine's air, land and water with their more comprehensive analysis.

The regulated community can also expect more inclusive service. Currently, a Mainer can call one bureau's media-specific licensing unit to seek a license to open or expand a facility and may never be notified that they need additional environmental licenses from other divisions within the same department. That's just one example of why staff who do the same work - like licensing - should be grouped together no matter their media, Aho explained.

The restructuring will also allow the agency to be more agile as it deploys its resources to core programs and priorities, including improving predictability and timeliness of permit processing; consistent, decisive enforcement; the closure of long-term remediation sites so they are ready for redevelopment; reasonable, science-based rulemaking; and the establishment of department-wide assistance protocols that strengthen a culture of cooperation.

"Our commitment to providing environmental protections is stronger than ever," added Aho. "But with diminishing financial resources and expanding expectations, it is time for our department to be modernized to most effectively and efficiently meet our mission after 40 years of largely serving in silos. It's an important job we do here at DEP, and this structure will best support our work and the talented team of DEP employees who carry it out with great commitment each day."

For more information about the Maine Department of Environmental Protection, visit <http://www.maine.gov/dep>.

NEWEA State Director: Chuck Applebee distributed the following written COMMITTEE REPORT:

12/16/2011

We have Sean Hetherington from the Town of Manchester Wastewater Plant in Connecticut with us here today. Sean visited the Sanford, Gardiner and Augusta plants.

John Golino from the Lisbon Maine Wastewater Plant visited Connecticut last week. John had a great time visiting many plants and got to see many technologies new to him. John will be submitting a report for the Wastewater News in the near future. Connecticut was a great host. John thanks MWWCA and the Connecticut Association for the great experience in the Operator Exchange Program.

Remember the date for the 2012 Fly-in which has been scheduled for Mar. 6th -8th with the NEWEA Breakfast on the morning of March 8th.

NEWEA will again participate in the cost of the Legislative Breakfast at \$1,000 match with State and anticipates a three way split again with Maine. NEWEA continues to tout Maine as a model when organizing the Legislative Breakfasts. JETCC is looking to participate in the breakfast similar at the same level as last year.

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NEWEA State Director: Chuck Applebee distributed the following written COMMITTEE REPORT:

NEWEA's Annual Conference and exhibitions scheduled for January 22-25, 2012. This year's conference will feature a record 34 technical sessions covering a wide range of topics, practical applications, project experience and lessons learned in all areas of the wastewater industry. Rooms and registration are now available.

As time progresses over the next year, I will keep MWWCA Executive Committee up to speed on NEWEA issues and opportunities including the increased efforts on Storm Water, changing State Directors roles, assistance for Government Affairs events and new arising efforts.

I appreciate the opportunity to serve as the Maine Director for NEWEA and MWWCA.

Charles M Applebee

Social Media: Aubrey Strause noted she will have an update at the next meeting and apologized for not having an update at today's meeting.

Old Business: None

New Business:

Government Affairs Committee Representative: David Anderson distributed the following written COMMITTEE REPORT:

**MWWCA Government Affairs Committee
Report for December 16, 2011 Exec. Meeting**

I submitted the following additional testimony when we heard that the EPA was having concerns about the fish consumption value in the arsenic water quality limit calculation.

November 30, 2011

Mr. Robert D. Stratton
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04330-0017

**RE: Supplementary Written Testimony on Rules Changes to CMR 584 (Arsenic Water Quality Criteria)
Comment Deadline December 1, 2011**

Dear Mr. Stratton,

The MWWCA wishes to supplement its testimony submitted on November 4, 2011 regarding the change to the arsenic water quality criteria in Chapter 584. We understand that the EPA is having a problem

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Government Affairs Committee Representative: David Anderson distributed the following written COMMITTEE REPORT:

with the amount of the fish consumption rate being used with the proposed 1 in 10,000 risk value. We hope that EPA's concerns can be resolved with at most a minor change in the consumption rate.

However, if this is not the case, we urge a fuller examination of all the factors involved in calculating the water quality criteria. These include the cancer slope factor, bioconcentration factor, and the organic/inorganic arsenic ratio. The EPA has recently approved water quality criteria for arsenic in Oregon which used a cancer slope factor of 1.5 and a bioconcentration factor of 26. Values of 1.75 and 44, respectively, are now used in the Maine calculations. I have seen a research paper showing bioconcentration values of less than 10. This means that much less arsenic is being concentrated in fish tissue than previously thought.

The purpose of this additional testimony is not to present the details of the latest research on arsenic. Rather, it is to state that factors other than the cancer risk factor and fish consumption rate are involved in the determination of the water quality criteria. If you find that you cannot approve the change to Section 584 as proposed, the Association asks that you reopen the comment period to include an examination of all relevant factors related to arsenic water quality criteria.

Submitted by,
David Anderson, MWWCA Government Affairs Chair
Telephone 797-5755
danders1@maine.rr.com

Flushables Update: Aubrey Strause reported that they had another conference call with INDA. She gave a brief update in regard to the conference call. She indicated that INDA wants to do more study – perhaps a follow up at another, smaller pump station before going forward with a pilot public education campaign. To the MWWCA representatives, it looks also like stalling. Mac Richardson thinks MWWCA needs to decide what the next steps are if INDA doesn't comply.

Budget Review for 2012: Jeff McBurnie reviewed the 2012 draft budget.

Laboratory: June Mooney indicated that she received an e-mail from Ken Jones, and he is still willing to serve on the Laboratory Committee despite his recent retirement.

Membership: Chris Higgins was absent.

Pretreatment: Tom Wiley was absent.

Personnel Advancement Committee: Aubrey Strause reported that there is a committee meeting after the Board meeting to discuss the April Spring Convention agenda. She indicated that their Keynote Speaker is Marion Long, P.E. from Gradient Planning. She welcomes any suggestions for topics let her know.

Convention Committee: André Brousseau reported that Joan Kiszely and he went on a site visit last Friday to the Black Bear Inn, Orono. He noted that the facility was nice and the food was good. After they negotiated, he signed a contract with the Black Bear Inn for them to host the 2012 Spring

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Conference. He indicated that the conference is scheduled for April 27th. He reported that Ski Day is March 14th and reminded everyone that the MWUA Joint Conference is February 7, 2012. Joan Kiszely and André Brousseau are moving forward to look at potential facilities for 2013.

Public Relations Committee: Ryan Wadsworth was absent.

Safety Committee: Al Jellison was absent.

Communications Committee: Mac Richardson reported they have seven pages on the newsletter. He indicated that they need more people on their committee that can assist with writing articles or even getting basic information so that articles can be written from that information. Mac Richardson and Aubrey Strause gave an update of the articles they currently have. They reported that the newsletter will be coming out after Christmas.

Collection Systems: Doug Howard was absent.

Residuals: John Leslie was absent.

Operations Challenge: Alex Buechner noted he had no report and thanked MWWCA for the Christmas gift.

Industrial Representative: Dan Welch had no report.

Awards Committee: Mary Waring had no report.

JETCC Report: Darold Wooley summarized the report that Leeann Hanson provided MWWCA.

JETCC Committee Representative: distributed the following written COMMITTEE REPORT:



JETCC Report for December 15, 2011

Fall Training Schedule concluded on December 15, 2011

The fall training schedule concluded yesterday with a joint DW & WW training program entitled “The Impacts of Water Treatment Practices on WW Plant Operations” with 70 participants; it was a popular topic. Too soon to know the feedback (although Aubrey was a speaker if she is available to comment). If there is enough interest another class will be offered in Portland in early 2012.

Spring 2012 Training Schedule should be finished by Christmas!!!

Leeann will email something by middle of next week. There are still too many last unconfirmed details to circulate yet! Keep checking www.jetcc.org for updates.

In early 2012, JETCC will also circulate a list of lunches and sessions available for sponsorship. JETCC appreciates all of the vendors, facilities and trainers who have offered to sponsor portions of the classes in the past year. Those too will soon be updated on the JETCC web site.

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JETCC Committee Representative: distributed the following written COMMITTEE REPORT:

Exam Dates

The Fall exam took place on Wednesday, November 16 with 63 tests taken. Exam results arrived early this week. If anyone is anxious and has not received results by Monday, call JETCC at 253-8020. We hope to receive the results in time for Christmas! **May 16, 2012 is the date for the Spring Exam.** Applications for May exam are due by **March 30.**

Please contact Leeann directly if you have any ideas, training needs or would like to assist with hosting or teaching a class.

**JETCC
PO Box 487
Scarborough, ME 04070
253-8020
www.jetcc.org**

WEB Developer: Steve Lane was absent.

MMA Rep: Joan Kiszely thanked MWWCA for the Christmas gift and goodies for her team.

2012 MMA Administrative Services Agreement: Motion made by Mac Richardson, seconded by Jeff McBurnie, all approved the 2012 MMA Administrative services with a 1.5% increase in cost to MWWCA.

1st Vice President Report: Jeff McBurnie had no report.

2nd Vice President Report: Travis Peaslee had no report.

Immediate Past President Report: André Brousseau had no report.

Other New Business:

Flushables Update – Please see report above. Young Professionals Update Committee Representative: Travis Peaslee distributed the following written COMMITTEE REPORT:

1. Changes to be made to the Administrative Guide:

Section II: Committee Chairpersons Information.

Young Professionals

Paula Drouin, Chair

LAWPCA

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Flushables Update – Please see report above. Young Professionals Update Committee Representative: Travis Peaslee distributed the following written COMMITTEE REPORT:

Section III: Position Descriptions. Add Committee Information:

YOUNG PROFESSIONALS COMMITTEE

FUNCTION

The function of the committee is to empower young professionals (less than 5 years in the environmental field) in the Association by creating an active environment of learning, networking, and leadership.

DUTIES

1. Plan and facilitate networking.
2. Organize mentoring at the Fall convention.
3. Identify and provide other high value opportunities for young professionals (e.g. tours, training events, meetings)
4. Coordinate outreach efforts with other committees to spread awareness about job opportunities in the environmental field and about the Association (e.g. job fairs).
5. Work with the Membership Committee to establish and maintain a database of young professionals and mentors.
6. Provide input to the Association about the needs of young professionals.

- Term of office of the chairperson shall be three (3) years.
- The chairperson shall represent the Committee at the MWWCA Executive Committee functions and attempt to make 75% of meetings.
- The Committee shall present a monthly report of activities to the Executive Committee.
- The Committee shall submit information for publication in the newsletter or on the website

Section IV: By-laws

IV-5 Section 1, Add: “N. Young Professionals Committee”

IV-6 Change Section 15 to Section 16. Create a new Section 15: “The Young Professionals Committee shall exist to attract and engage young professionals in the Association by creating an active environment of learning, networking, and leadership”.

Section X: Membership Recruiting

X-5 (Application for new members), Add “Young Professionals” to the box where applicants check off if they are interested in serving on a committee.

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Flushables Update – Please see report above. Young Professionals Update Committee Representative: Travis Peaslee distributed the following written COMMITTEE REPORT:

2. Budget Request

A budget request of \$1,000 for 2012 has been submitted through the Personnel Advancement Committee budget and would be allocated as follows:

- Fall Convention YP meeting: Thursday night gathering after the ‘Meet and Greet’ to network with other young professionals and mentors. Estimated cost: \$200.
- Literature and Mailings: E.g., Informational flyers to hand out at the Spring and Fall Conventions, mailings targeted to superintendents and general managers that will explain the benefits of allowing young professionals in their organization to attend conventions and participate in the Association. Estimated cost: \$300.
- Display booth for use at conventions as well as job fairs and other attended events. Estimated Cost: \$500.

Travis Peaslee would like everyone to review his report and let him know of any changes/updates. He will make changes, if he gets any, and bring the report back to the Executive Board in January.

Adjournment: Motion made by Jeff McBurnie, seconded by Mac Richardson, all approved to adjourn the meeting at 11:50 a.m.