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**MWWCA Executive Meeting  
Friday, June 18, 2010  
Maine Municipal Association  
Augusta, ME**

**MINUTES**

**Attendance:** André Brousseau, Dan Welch, Travis Peaslee, Mac Richardson, Brian Kavanah, Aubrey Strause, Darold Wooley, Paul Rodriguez, Chris Higgins, Al Jellison, June Mooney, Alex Buechner, Greg Kidd, Melissa Carver, Joan Kiszely.

**Absent:** Jeff McBurnie, Mary Waring, John Leslie, David Anderson, Tom Wiley, Chuck Applebee, Ryan Wadsworth, Steve Lane, Mike Grove, Doug Howard.

**Guest:** Brad Moore.

**Call to Order:** President André Brousseau called the meeting to order at 9:35 a.m.

**Correspondence Folder:** President André Brousseau passed the correspondence folder. He reviewed some of the letters and correspondence in the folder.

André Brousseau reported on the Clean Water Week Poster/Calendar. Ryan Wadsworth has ordered 250 calendars.

**Approval of Minutes:** Motion made by Mac Richardson, to accept the minutes of May 21, 2010, seconded by Aubrey Strause. All approved.

**Treasurer's Report:** Al Jellison reported on the March and April financials. He noted the financials are in order. Al Jellison reported that the financial report does not reflect the actual of what has been received for monies. Al Jellison noted he keeps a breakdown in the event someone wants/needs a breakdown. The financial report is correct, but not what the Board is used to reviewing. Motion made by Paul Rodriguez, seconded by Mac Richardson, all approved the March and April financial reports.

**DEP Update for MWWCA Meeting on 6/18/10**

**Submitted by:** Brian Kavanah, Director, Division of Water Quality Management, [brian.w.kavanah@maine.gov](mailto:brian.w.kavanah@maine.gov), or 287-7700.

**Bonds**

Thanks to MWWCA for the outreach efforts to the voters on the importance of the (Question 5) bond on June 8, 2010.

**Rulemaking**

Chapter 583: Use Attainment Evaluation using Nutrient Criteria for Surface Waters (Phosphorus Rule): Due to significant comments from EPA regarding Box 2 of the Proposed Rule, DEP is closing this current rulemaking process without adopting the proposed rule at this time.

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Revisions to the rule will be reevaluated and a new rulemaking process will be initiated, most likely in the fall. Additional information is available on the DEP web site at [http://www.maine.gov/dep/blwq/rules/Other/nutrients\\_freshwater/index.htm](http://www.maine.gov/dep/blwq/rules/Other/nutrients_freshwater/index.htm).

### **Operator Certification**

We are requesting that the MWWCA Executive Committee reestablish the *Ad hoc* Operator Certification Committee. In 1995, an *Ad hoc* Certification Committee was established under the MWWCA Executive Committee. The *Ad hoc* Operator Certification Committee helped the department develop an updated “need-to-know” matrix for the four levels of Wastewater Operator Certification Exam now given; review questions in the Maine DEP and Association of Boards of Certification (ABC) question banks and place those questions properly within the “need-to-know” matrix; and develop new questions to ensure that there are adequate questions in the question bank to develop new exams for every exam cycle. That effort is now 15 years old and should be redone.

We propose a two-phase process involving as many as ten, grade 5 operators. The first phase would be the review and rewriting of the “need-to-know” matrix. This could be done by a smaller group including operators and DEP staff. The work would involve the operators reviewing the existing “need-to-know” matrix for each exam, reviewing “need-to-know” matrices from other states and ABC, and if necessary, revising the matrices for Maine’s four exam levels.

Once the new “need-to-know” matrices are completed, a larger group of operators would meet with DEP staff to:

- ✓ review questions now in the ABC question bank;
- ✓ throw out any questions not applicable to Maine’s current wastewater industry; and,
- ✓ categorize the remaining questions by subject area and difficulty.

If, after the remaining questions are fit into the “need-to-now” matrices, there are too few questions in any subject area/difficulty category, the operators will be asked to provide questions that will go through the same review process before they are added to the question bank.

We envision 4-5 operators being involved in the review of the “need-to-know” matrices and 9-10 operators being involved in reviewing and, potentially, writing questions. There will be one or two half-day meetings of the smaller group, and one or two long-day meetings of the larger group. The members of the smaller group will be expected to do some review of the matrices before the first meeting. All operators involved must be grade 5 operators who would not be taking certification exams that would use the questions they review. All materials must be kept confidential and no written exam questions could leave the meetings.

Since this process should probably be completed more often than once every 15 years, we ask that the MWWCA consider making the *Ad hoc* Operator Certification Committee, a permanent committee that would do some work every other year. Questions regarding this process should be directed to Dick Darling at 287-7806 or [dick.darling@maine.gov](mailto:dick.darling@maine.gov).

### **SRF 2010 Principal Forgiveness Loans**

The 2010 Federal Congressional Appropriation of the Clean Water State Revolving Fund (CWSRF) included some major changes to the regular SRF program. They are similar to the

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provisions of the ARRA funding dealing with additional subsidization (principal forgiveness loans) and Green Project Reserve. One provision stated that at least 20% of the capitalization grant must fund “green” projects, with guidance from EPA as to what will qualify as green. The Green Project Reserve is to be used for energy efficiency, water efficiency and non-point source projects. Both EPA and DEP are encouraging energy efficiency. Two recent seminars in Maine generated much interest in energy audits for water and wastewater facilities. Another provision states that at least 15% and up to 50% of the 2010 capitalization grant is to be provided as principal forgiveness. With the passage of the June Bond, the 2010 Capitalization Grant would provide a maximum of \$7,874,316 for principal forgiveness. The Department plans on providing the full 50% for principal forgiveness.

An EPA memorandum, dated April 21, 2010, regarding subsidy included language from the Congressional Conference Report that encouraged providing subsidization for projects in communities that could not otherwise afford such projects. In addition, the report encouraged asset management. After considering this guidance and feedback from the regulated community over the past several years on how subsidization funds should be managed, the Department is proposing the following approach to distribute subsidization funds.

In 2010, the Department will provide incentives to encourage energy audits, implementation of asset management plans, the establishment of repair and replacement reserve accounts, and provide subsidization for economic hardship.

### **Ranking**

All proposed projects will be ranked according to the Department’s existing Environmental Priority Point System modified similarly as used in the ARRA process. The primary objective for distributing funds is to focus on projects that will realize the most environmental benefit. However, additional points will be given for green components in projects, legal requirements necessitating a project, the degree of expected environmental success, compatibility with previously identified needs, availability of co-funding with other funding agencies, and benefits that can be derived from regionalization of water quality improvement efforts.

### **Economic Hardship**

Fifty percent of the principal forgiveness funds or \$3,937,158 would be used for communities that cannot afford to borrow. These funds will be available for those applicants in the top 50% of the ranking that have economic hardship. The maximum of hardship principal forgiveness per borrower will be \$1,000,000. The amount of a hardship principal forgiveness offer for each project will be variable depending on the community’s economic circumstances as defined by its existing average sewer user rate as a percentage of the median household income under the Department’s long standing criteria for a community’s ability to pay.

After all proposed projects are ranked, the top 50% will be considered. The Department will start with those applicants that have a user charge of 2% or more of their MHI and allocate principal forgiveness using the established formula. If, after allocating funds to those projects there is still hardship principal forgiveness remaining, the Department will drop down to those with a user charge of 1.95% of MHI. We will continue dropping in 0.05% increments until all the hardship principal forgiveness is allocated within the top 50% of ranked projects. Those projects are ranked within the lower 50% of all projects will not be eligible for hardship principal forgiveness. The purpose of this is to attempt to strike a balance between environmentally

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important projects and the need to provide assistance to those applicants with the most economic stress. Those applicants that receive hardship principal forgiveness will be required to implement an asset management program in accordance with guidance provided by the Department, and establish a repair and replacement reserve fund equal to at least 2% of its annual O&M budget. An exception to the 2% reserve fund will be for those with a current user charge of 2% or more of their MHI. In those cases, the percentage of the O&M budget will be negotiated with the Department on a case-by-case basis.

### **Energy Audits**

Of the remaining 50%, (\$3,937,158), a maximum of \$20,000 per borrower would be provided to be used only for comprehensive energy audits. These audits may be less for small communities and more for large communities, but a maximum of \$20,000 would be the limit. For example, if a maximum of 30 entities borrowed, that would be \$600,000. That would leave \$3,337,158 in principal forgiveness funds for distribution as noted below.

### **Asset Management, Reserve Accounts and Subsidization**

With about \$67 million in total loan funds currently available, the remaining principal forgiveness could be provided to remaining borrowers that did not get hardship principal forgiveness funds if they agreed to implement an asset management program *and* agree to set aside 2% of their total yearly O&M budget in a reserve account each year for five years. They would have to provide yearly budget reports showing funds in the reserve account for each year of the five years. The principal forgiveness would amount to about 5% of the total principal borrowed. This would not be a requirement, but an incentive. If the borrower did not want to do asset management and establish the reserve account, they could still borrow but not receive the 5% principal forgiveness. Those that received hardship principal forgiveness would have to implement asset management and establish the 2% reserve account for five years. The ranking system will be used to determine distribution of total funds if the borrowing need exceeds available funds.

### **Schedule**

Applications for potential SRF loans will be distributed to the regulated community by the end of June. All projects will be ranked by the DEP by the end of July with the results being posted on the DEP web site. The draft SRF Intended Use Plan will be distributed for public comment in early August and submitted to EPA by the end of August along with the SRF grant application.

Greg Kidd stated that he thinks it would be best for MWWCA just to look over the exam questions in order to weed out those that no longer apply or are outdated (such questions regarding using chlorine gas for disinfection). There are some issues to be careful about relating to reciprocity and knowledge about the wording of actual test questions.

- Consensus from the Board to work with Dick Darling on the questions and answers on the exam for ABC.

### **NEWEA**

**NEWEA – Utilities & Energy:** Brad Moore reported on the following:

- ✚ Beginning stage of putting together a Utilities and Energy Group. The council would be made up of utility representatives to provide communications, networking, and support

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structure for member utilities. The Council, if formed, would initially be associated with the Government Affairs Committee of NEWEA.

### **Benefits:**

- ✓ Council would provide much needed utility perspective.
- ✓ Council would strengthen current regional and state legislative and regulatory efforts.
- ✓ Council would provide utility managers the opportunity for networking with their peers in the six New England states.
- ✓ The Council would discuss other issues that are non-regulatory such as labor, purchasing, technology, energy consumption, as well as others.
- ✓ Increase utility membership in NEWEA.
- ✓ Broaden NEWEA membership to include commissioners, utility board members.
- ✓ Development of utility based political voice.

Brad Moore noted he is here to answer questions. NEWEA wants to hear from all New England states how they feel about this effort—if this is worth pursuing. NEWEA is asking for a small group from Maine to participate, and then will look at a small group from New England. NEWEA wants Maine to be involved, because they look at Maine to be the example. It was suggested that we use technology (webinar) for some of the meetings because of distance and time constraints for some. André Brousseau noted he would send out an email to the membership to see if he can put a small meeting together on this. Brad Moore noted that this is meant to enhance the organization. NEWEA believes one of the biggest impacts will be to help guide legislation.

Brad Moore showed a slide on the value and benefits of membership from Southeast Florida Utility Council which is a Utility council similar to the one that NEWEA would like to get set up.

If anyone has any suggestions, please notify him or communicate with Howard Carter.

### **Old Business:**

Strategic Planning Session: Motion made Mac Richardson, seconded by Al Jellison, all approved the 2010 Strategic Plan.

### **Committee Reports:**

**Government Affairs Committee:** David Anderson absent. André Brousseau noted that we need to draft a bill dealing with the flushables issue for Melissa Innes, Representative from Falmouth no later than September.

**Membership:** Chris Higgins reported on the following:

- ✚ Survey: Only received seven. It appears the members are not interested in surveys. Brief discussion on how we reach the membership. Travis Peaslee will send out one more time to try and get feedback. One possible idea is to do a drawing at the Fall Convention for those that return the survey.

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**Laboratory:** June Mooney reported on the following:

- ✚ Tracked down the 2004 Laboratory QA/AC manual. This needs to be updated and reviewed.
- ✚ Surveying new methods at this time to include in the manual.
- ✚ SOP's – will work through emails to get usable SOP's.

**Pretreatment:** Tom Wiley absent.

**Personnel Advancement:** Aubrey Strauss distributed her report. She reported the following:

**Personnel Advancement Committee Report  
MWWCA Executive Committee Meeting: June 18, 2010**

*(Submitted by Aubrey Strause)*

The PAC will meet at noon on June 18, 2010 at MMA to review the Draft layout of technical sessions for the 2010 Fall Convention at the Point Lookout Resort in Northport, Maine. While very few session topics or ideas were received directly from MWWCA Committees, the PAC has been able to include a number of sessions suggested directly to PAC members. Other session ideas were listed via the 2010 Spring Conference evaluation forms, and yet others were submitted to the “Session Ideas” boxes at the 2010 Spring Conference. The PAC will assist the Conference Committee in organizing the Conference; confirming speakers and coordinating materials. At the June 18, 2010 meeting, PAC members will also review the two applications for Operator Scholarships received this quarter, both from Lincoln Sanitary District. The applications will be reviewed for consistency with the Operator Scholarship Program rules. The next submittal date for applications will be September 13, 2010; applicants will be reviewed on September 17, 2010.

Several people have expressed interest in becoming involved in the PAC: Rebecca Reynolds (RCAP); Paul Birkel (Wright-Pierce); Jeannette Murch (Falmouth WWTF); and Kyle Coolidge (Woodard & Curran). Some of these members will attend the June 18, 2010 meeting.

	<b>ROOM A</b>	<b>ROOM B</b>	<b>ROOM C</b>
<b>7:45 to 8:45</b>	<i>Registration and Breakfast</i>		
<b>8:45 to 9:15</b>	<b>KEYNOTE: "USDA Rural Development Funding Programs"</b> Ronald Lambert, USDA Rural Development		

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	ROOM A	ROOM B	ROOM C
9:30 to 10:30	<p><b>"Government Affairs"</b>  <u>Speakers:</u> David Anderson (Portland Water District), Paul Rodriguez (Woodard &amp; Curran), and Chuck Applebee (City of Gardiner)  <u>Moderator:</u> Tom Wiley</p>	<p><b>"Emerging Technologies to Prevent Pump Clogging"</b>  <u>Speakers:</u> Tim LeVasseur (Kennebec Sanitary Treatment District), Mary Ellen Bowers (Water Quality and Compliance Services), Discussion Panel (multiple participants)  <u>Moderator:</u> Aubrey Strause</p>	-----
10:30 to 11:00	<i>BREAK</i>		
11:00 to 12:00	<p><b>"Public Relations"</b>  <u>Speakers:</u> Barton &amp; Gingold; Portland, ME  <u>Moderator:</u> RyanWadsworth</p>	<p><b>"Safety and Work Zone Traffic Control"</b>  <u>Speaker:</u> Peter Coughlin (ME DOT)  <u>Moderator:</u> Al Jellison</p>	<p><b>"Alternative Energy Sources, Energy Audits and Rebates"</b>  <u>Speakers:</u> Andrew McPartland (Woodard &amp; Curran) and Tim LeVasseur (Kennebec Sanitary Treatment District)  <u>Moderator:</u> Dan Bisson</p>
12:00 to 1:00	<i>LUNCH</i>		
1:00 to 2:00	<p><b>"Fats, Oils and Grease"</b>  <u>Speaker:</u> Dean Smith (Orono Spectral Systems)  <u>Moderator:</u> Tom Wiley</p>	<p><b>"Benefits of a Collaborative Approach to Flow Monitoring"</b>  <u>Speakers:</u> Steve Freedman (Brown &amp; Caldwell); Peter Goodwin (Weston &amp; Sampson); and George Harrington and John Sokol (Flow Assessment)  <u>Moderator:</u> Paul Rodriguez</p>	<p><b>"What the Northeast Climate Impacts Assessment Means to Maine Wastewater Utilities"</b>  <u>Speakers:</u> Ray Sirois and Ryan Wingard (Wright- Pierce)  <u>Moderator:</u> Mac Richardson</p>
2:00 to 2:15	<i>BREAK</i>		
2:25 to 3:15	<p><b>"DEP Update"</b>  <u>Speakers:</u> Brian Kavanah, Steve McLaughlin, and John True (ME DEP)  <u>Moderator:</u> Al Jellison</p>	<p><b>"Identification of Filaments"</b>  <u>Speakers:</u> Peter Sherwood (Kennebec Sanitary Treatment District)  <u>Moderator:</u> Paula Drouin</p>	<p><b>"Alternative Land Application Systems"</b>  <u>Speaker:</u> Melissa Hamkins (Wright- Pierce)  <u>Moderator:</u> Isaiah Lary</p>

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### PARTICIPANTS

Ronald Lambert, USDA Rural Development	Peter Coughlin (ME DOT)
Paul Rodriguez (Woodard & Curran)	Andrew McPartland (Woodard & Curran)
David Anderson (Portland Water District)	Dean Smith (Orono Spectral Systems)
Chuck Applebee (City of Gardiner)	Steve Freedman (Brown & Caldwell)
Tim Levasseur (Kennebec Sanitary Treatment District)	Peter Goodwin (Weston & Sampson)
Mary Ellen Bowers (Water Quality Compliance)	George Harrington (Flow Assessment)
Panel: Jim Russell (Smith & Loveless)	John Sokol (Flow Assessment)
Panel: Rich Russell (Cooper Screens)	Ray Sirois (Wright-Pierce)
Panel: Ken Grauer (Vaughan Pumps)	Ryan Wingard (Wright-Pierce)
Panel: Matt Linkowski (Vaughan Pumps)	Brian Kavanah (ME DEP)
Panel: Al Hummer (Atlantic Pump)	Steve McLaughlin (ME DEP)
Panel: Ron Orsini (ITT Pumps)	John True (ME DEP)
Panel: Bob Domkowski (ITT Pumps)	Peter Sherwood (Kennebec Sanitary Treatment District)
Panel: Mike Lonconski (JWC)	Melissa Hamkins (Wright-Pierce)
Elizabeth Swain (Barton & Gingold)	

**Convention:** Travis Peaslee reported on the following:

- ✚ Joan Kiszely, Melissa Carver, Aubrey Strause, Bob Poirer and Travis met at Point Lookout on this past Tuesday. The group took a tour of the facility and brainstormed on the layout of where to place the exhibitors and tech sessions. We anticipate the vendor mailing to go out the beginning of July. Brief discussion on the agenda and awards presentation.

**Public Relations:** Ryan Wadsworth absent. André Brousseau reported that Andre and Ryan presented the calendar to the Governor on June 16, 2010 along with the three winning posters (first, second, and third place). There were many comments from the Board that the calendars look great and also have the advantage of making more kids from a wider cross section of the State winners.

**Safety:** Al Jellison reported:

- ✚ Changes to laws regarding the right of way to roads.
- ✚ No response for committee members to date.

**Communications:** Mac Richardson reported on the following:

- ✚ Called Elizabeth Cutone to see if NEWEA would be interested in having all the executive committee members receive the MWWCA newsletter via mail / email.
- ✚ He is in the collecting mode to get articles for the next newsletter. Need to be in the first of August.

**Collection Systems:** Doug Howard absent.

**Residuals:** John Leslie absent. Mac Richardson reported that John tried to organize a committee meeting. They are not aware of any issues except the issue surrounding DEP efforts to promulgate odor standards. He noted that New England Organics has a manganese issue.

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**Operations Challenge:** Alex Buechner reported the following:

- ✚ Force Maine competed at the regionals (held at the NEWEA spring meeting) and took second place. They will be going to New Orleans!
- ✚ They took first place in the collection system event.
- ✚ They had a new member two weeks prior to the completion – Scott Lozier.

**Industrial Representative:** Dan Welch reported on the criteria of the Industrial Award:

- ✚ The Industrial Discharger Award is given by MWWCA to recognize a Maine Industrial Discharger who has made exemplary efforts towards discharge volume and pollutant reduction in their effluent. This award also considers the extra effort and originality that has been involved in system goals. The following are the general qualities that determine the recipients of this award:
  - Exemplary operation and maintenance of the facility.
  - Demonstrates a commitment from the business to reduce the volume and/or pollutants in wastewater discharges from the facility through continuous improvement projects.
  - Demonstrates a professional and open relationship with regulatory agencies and permit authorities at all times.
  - Applies company sustainability and environmental stewardship policies or goals to wastewater treatment activities.
  - Identifies treatment system influent sources and develops continuous improvement projects to reduce the volume or pollutants at the source.
  - Provides service to the profession through participation, assistance to others with problems, etc.
  - Creativity in operations and problem solving.
  - Compliance with various permits.

He would like everyone to review the criteria and if anyone has any other ideas or suggestions, please contact him. He will work on an application form for the award after criteria selection is completed.

**Awards:** Mary Waring absent. Mac Richardson reported for Mary on the following:

- ✚ Looking for nominations for the Goodenow Award. This is for a facility doing a good job (see description in the Admin guide). These nominations need to be in soon due to the need for the committee to tour and evaluate nominated facilities.
- ✚ She has one nomination for the Gagne Award, given for long term service to MWWCA, but other nominations are still welcome.

**JETCC Rep:** Darold Wooley reported on the following:

- ✚ Bond issue passing – there is money for the Management School.
- ✚ MWUA is donating another \$1,000 for the Management School.
- ✚ JETCC Report – Leeann can submit her report for the Fall Convention.
- ✚ They will encourage candidate school participants to register for the Fall Convention. If the participants do not register, JETCC will pay for the luncheon for them.

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**MMA Rep:** Joan Kiszely – no report.

**1<sup>st</sup> Vice President Report:** Paul Rodriguez reported on the following:

- ✚ Margaret Noel gave feedback and questions to Joan Kiszely from the outcome of the last meeting in regard to Industrial Membership. Paul wanted to confirm the following:

Membership: They confirmed that this is a one-time thing. We would honor membership for one year starting in January for 2011.

Membership cards: Motion made by Al Jellison, seconded by Greg Kidd, all approved to email the members once a month (those that have email) confirming that their membership has been received and to thank them. For members that do not have email, MMA can send out membership cards.

Policies: He has some minor changes and will draft his changes and email the changes to the Executive Committee for feedback. Then the Committee can vote on the policies at the next meeting. Paul briefly reviewed the changes with the Committee. Paul also questioned the sales policy—is it needed any longer? We no longer purchase hats, t-shirts, etc to sell at conferences. Consensus was to keep the policy if for no other reason than to serve as a starting point for discussion if a policy is needed at a later date.

**2<sup>nd</sup> Vice President Report:** Jeff McBurnie absent.

**Immediate Past President Report:** Tom Wiley absent.

**Other New Business:** André Brousseau reported the next meeting will be at Point Lookout on July 23<sup>rd</sup>.

André Brousseau reported they had Open House at Sanford last week and had about 25 people (rate payers) attend. There were some good questions, and they thanked all who made the effort to see the facility. Consensus of the Executive Committee that tours such as this should be encouraged for all treatment plants.

**New Business:** None.

**Adjournment:** Motion made by Al Jellison, seconded by Greg Kidd, all approved to adjourn the meeting at noon.