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**MWWCA Executive Board Meeting
Friday, October 15, 2010
Maine Municipal Association
Augusta, ME**

MINUTES

Attendance: André Brousseau, Travis Peaslee, Brian Kavanah, Darold Wooley, Paul Rodriguez, Al Jellison, Jeff McBurnie, Mary Waring, Ryan Wadsworth, Mac Richardson, John Leslie, Chuck Applebee, June Mooney, Aubrey Strause, Chris Higgins, Alex Buechner, David Anderson, Joan Kiszely.

Absent: Dan Welch, Steve Lane, Greg Kidd, Doug Howard, Tom Wiley.

Call to Order: President André Brousseau called the meeting to order at 9:08 a.m.

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

Approval of Minutes: Motion made by Jeff McBurnie, seconded by Al Jellison, all approved the minutes of July 23, 2010 with minor revisions.

Treasurer's Report: Al Jellison reported on the July & August financial reports. He reviewed changes that he had updated. Motion made by Mac Richardson, seconded by Jeff McBurnie, all approved the July & August financial reports.

DEP Update for MWWCA Meeting 10/15/10

Submitted by: Brian Kavanah-Director, Division of Water Quality Management

E-mail: brian.w.kavanah@maine.gov

Phone: 287-7700

David Breau Promoted to DEP's Combined Sewer Overflow Coordinator

Congratulations to Dave Breau on his promotion (effective 10/4/10) to Senior Environmental Engineer in the DEP's Division of Water Quality Management (John True's former position)! This Senior Environmental Engineer position is responsible for managing the Department's Combined Sewer Overflow (CSO) program. As the CSO Coordinator, Dave will be coordinating Department policy on CSOs, reviewing and approving CSO Master Plans, negotiating schedules and levels of CSO control, coordinating CSO issues with DWQM licensing and enforcement staff, reviewing annual CSO reports, and drafting CSO regulations.

In addition, this position supervises two Environmental Engineers that manage wastewater infrastructure projects under the Clean Water State Revolving Loan Fund, State Wastewater Grants, and EPA Special Appropriation Grants.

Dave's 33 years of State service in the Drinking Water Program and at DEP, along with his organizational and managerial skills, make him a natural fit into his new role as CSO Coordinator. If you have any questions or issues involving CSOs, please contact Dave Breau at 287-7766 or david.p.breau@maine.gov.

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Phosphorus Rulemaking Update

Initial rulemaking was withdrawn earlier this year due to EPA comments on approach. EPA is concerned with Box 2 – (above ambient threshold, environmental indicators OK). Discussions with EPA are ongoing regarding an alternate approach to Box 2. DEP expects to initiate new rulemaking this winter. Further details will be provided as the schedule is refined.

Nitrogen Standards

The legislative deadline for DEP to develop draft criteria is July 2012. Contractor reports are being developed. DEP expects stakeholder discussions to be initiated this winter. The technical review of contractor reports and development of standards will be lead by Angie Dubois, DEP's new Marine Biologist.

Potential Upgrade of Lower Androscoggin River

Two, three-day, low flow monitoring studies were conducted this summer. This data is being used to construct a model to predict potential impacts to dischargers from a potential upgrade from Class C to Class B. The findings of this modeling will be presented to DEP in the next few months and to the legislature this session. Initial review of the data indicates that phosphorus limits may be necessary for some dischargers. Dischargers on the lower Androscoggin River that may potentially be affected have been notified.

Water Quality Improvement Fee Bills Sent for 2010

Marine dischargers that have outfall pipes near shellfish closure areas, and marine dischargers with CSO's have recently received a bill for the 2010 Water Quality Improvement Fund surcharge. This fee was instituted by the legislature in 2009 to help fund three positions at DMR in the shellfish program. As required by this legislation, the DEP and DMR will be submitting a joint report to the legislature this session that evaluates all potential sources of impact (point sources and non-point sources) to shellfish areas.

EPA Proposes Methods Update Rule: Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures

EPA has proposed a methods update rule that includes new and revised wastewater methods, new alternate test procedures, clarifications and corrections to previously approved methods, revisions to preservation and holding times, revisions to method modification provisions. Comments are due to EPA by November 22, 2010. The proposed rule can be found at <http://edocket.access.gpo.gov/2010/pdf/2010-20018.pdf>

NEWEA – Chuck Applebee reported the following:

- ❖ Operator Exchange: Kirby Pinkham from the Greater Augusta Utilities District traveled to Rhode Island. Kirby toured six facilities of various sizes from 1.0 mgd to 20 mgd. He also spent time at the two facilities that were flooded during the March floods and heard about their experiences during the flood.
- ❖ Bernie Bishop, Rhode Island NEWEA State Director, thanked MWWCA and the Greater Augusta Utilities District for allowing Kirby to participate in the excellent program. He hopes the two associations can continue this exchange program in the future. The NWPCA will pick up the cost for his third night at the hotel, so there will be no need to make that payment.
- ❖ Rhode Island could not find an operator this year to participate.

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- ❖ November 18, 2010 Committee Chair Meeting: Chuck Applebee will be traveling to the NEWEA office for a meeting with Committee Chairs, and he looks forward to meeting the other State Directors and further learning his responsibilities.
- ❖ NEWEA Awards: Chuck will be learning about his responsibilities over the next couple of months, which includes developing nominations for NEWEA Awards. The awards include NEWEA Operator Award and the Alfred E. Peloquin Award. Other awards are open for nominations including NEWEA Clair N. Sawyer Award, the WEF Arthur Sidney Bedell Award, as well as the NEWEA Operator Safety Award and the Sherman Chase Award recognizing achievements in safety and municipal operations. He will be getting the criteria for nominations for these awards.

If MWWCA Committee members have nominations for these awards, please bring them to his attention.

Guest Report:

Robert Bohlmann, Director of York County Emergency Management Agency–Not able to attend meeting; needed to cancel due to weather.

Old Business:

Status Reports for Strategic Planning Session

Top Six Short Term Initiatives

- Website Overhaul/Communications.
Committee/Facebook/Social/Media.
Aubrey Strause reported that she has been in contact with Steve Lane, and they need to set up a meeting.
- Establish Young Professionals Committees.
André Brousseau reported he will contact Paula Drouin from LAWPCA to get this started.
- Conduct a session at Fall Convention on members: brain storming, strategic planning.
André Brousseau reported this took place at the Fall Convention, and it was a success. Paul Rodriguez reported the two key outcomes of this meeting:
 - ✓ Need to email our final minutes to the membership–Joan Kiszely needs to email out the final minutes to the membership list serve.
 - ✓ Move the Executive Board meeting around the state and advertise to the surrounding areas that they are welcome to attend.

Lead Person

Steve Lane
Mac Richardson
Travis Peaslee
Aubrey Strause
Ryan Wadsworth

André Brousseau

Paul Rodriguez,
Jeff McBurnie, and
Joan Kiszely, MMA

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Top Six Short Term Initiatives

- Identify on environmental organizations to build on affiliation.
Chuck Applebee will be taking the lead on this. Chuck noted this was addressed at the Government Affairs meeting. It was noted that MWWCA needs to do outreach to the Maine Clammers' Association, Conservation Law Foundation, Maine Aquatic Association, etc.
- Elected Officials involved in DC Trip.
This has been scheduled for the first week of April 2011. It was noted that they will be looking for another elected official to attend next year.
- 45th Anniversary in 2011 (get professional assistance with how to market).
Brief discussion on how big of an event we want this to be.

Lead Person

Mike Grove,
Government Affairs
Committee

Mike Grove,
Government
Affairs Committee

Paul Rodriguez
Jeff McBurnie

Committee Reports:

Government Affairs Committee: Paul Rodriguez reported on the following:

- MWWCA Government Affairs Committee met on October 7, 2010.
- RE: Meeting/Conference Call notes from Andrew Gilmore
Participants:
André Brousseau
Paul Rodriguez
Chuck Applebee
Terry Campbell
Andrew Gilmore

LEGISLATURE-*(Note: Discussion items in black and feedback from meeting are in red).*

Past Bills potentially still on the table for monitoring/action:

- LD 650 – “Sustainable Funding” Bill. The report was delivered to the Utilities and Energy Committee, and Bill is now law, albeit unfunded. What, if any, action do we take this session to keep this issue from dying on the vine?
 - ✓ *Find creative ways to keep it alive. Don't push this year for sales tax diversions. Not the right time. Gilmore to come up with ideas/opportunities to keep issue on radar screen on legislators during this economic downturn.*
- LD 821 – “Pharmaceuticals” Bill. David Anderson was the shepherd of this Bill for MWWCA over the past session. Andy Fisk indicated to me that Rep. Jones expressed interest in carrying this issue forward into the 125th Legislature. Is David still interested in being involved with this Bill and/or what is our position and strategy moving into the 125th?
 - ✓ *Congress just passed “Permanent Drug Collection” Bill. Does MWWCA want to advance the concept at the State level?*
 - ✓ *Gilmore: Begin with Andy Fisk. Find out more about Rep. Jones' intent, what the Bill status is, and what we may want to focus on, etc.*
 - ✓ *Find out more about the “Congressional” Bill. André to send link.*

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- LD 1399 – DMR “Clam Flat” Bill. There was a reporting provision, albeit much weaker than we requested, in the bill regarding point source analysis vs. non point source. We need to do some research to see how the funding has been used at DMR, what the effects have been in terms of increased DMR staffing, better federal reporting, clam flat closures, etc. and where the departments are on the source analysis.
 - ✓ Gilmore: Talk to Andy Fisk. See how things are going with DEP & DMR. Find out what impacts the funding from wastewater facilities has had so far on the DMR’s efficacy, staffing, reporting, reopening closed flats more quickly, etc. Talk to Rep. Tilton and Senator Trahan.
- LD 1645 – Combined Utility Ability to Shut Water Service for Failure to Pay Sewer. The Bill was passed and allowed the 44 combined districts the authority to shut off water for sewer non payment. There is also a reporting requirement due back to the committee from the MPUC. We need to do some research to see where that reporting is and how things are working “in the field” so far. Do we want to push the ball forward to allow non combined districts and departments to enter into similar agreements if they so choose this session? Or should we wait and see how things unfold in the field and at the State level?
 - ✓ Monitor only.

Potential Upcoming Bills (*that we know about so far*):

SRF: Maine’s Match

- Rep. David Van Wei (D New Gloucester). On Rep. Van Wei’s website: “**Capital Reserve Accounts for Water and Wastewater Facilities** – Water and wastewater utilities are not currently required to set aside funds for major capital replacements. Instead, most wait for federal or state grants. I am considering a bill to require water and wastewater utilities to allocate a portion of their own revenues from user rates to fund capital replacement accounts.”
 - ✓ Gilmore: Talk to Rep. Van Wei sooner than later.
- Rep. Michelle Innes (D Yarmouth). Rep. Innes expressed to me an interest in addressed the “non flushable” wipes issue under her “Products Stewardship” Bill. Her ideas ranged from setting legal standard for something to be considered and advertised as “flushable” to seeking compensation from the industry for equipment upgrades (pump grinders, etc.) to deal with their products.
 - ✓ André – It’s definitely an issue. But there are some others in the field not reporting any problem at all. (Gravity systems?). Can also bind up again in the aeration basin after going through the system and wreak havoc.
 - ✓ Gilmore: Talk to Rep. Innes. Meet with small MWWCA group? Rep. Ayotte?

OTHER-Legislative Breakfast

- It’s not too early to be thinking about a theme, our partners and some basic logistics decisions such as: hold at the Senator Inn again, or in the new MMA addition this year?
 - ✓ Gilmore: Draft list of items for Executive Committee to review and make decisions.
 - ✓ Reach out to potential partners.

Outreach Training Sessions: Jeff McNelly, Toby McGrath (Verrill Dana) and I are putting together a half-day to a 1 day program for MWWCA and MWUA members. We discussed this

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concept at the end of last session. The intent is to hold 2 or 3 sessions for membership to talk about how to get more involved locally and at the State level to advocate for issues important to our industries. We would look to hold these after the November election.

NEAR TERM ACTION ITEMS

1. General Outreach (Gilmore to pursue):
 - Environment Maine.
 - Clammers' Association.
 - Environmental Coalition. Name? (Ask Andy Fisk)
 - ✓ NRCM, CLF, etc.
2. General Communication, Correspondence & Coordination:
 - a. Gilmore to put together a draft plan.
3. Create Survey reach out to membership and poll them on big issues. Talk to Chris Higgins (Membership):
 - a. Gilmore to contact Chris Higgins and coordinate.
4. Gilmore to update draft contract Scope of Work and send to André, Paul, Chuck and Terry.

Laboratory: June Mooney reported they have not had any meetings. She has reviewed the SOP's. She noted she probably needs to hold regional meetings to get feedback on the SOP's. Her goal is to have this done by summer and promote it at the 2011 Fall Convention.

Membership: Chris Higgins reported that the vendor roundtable at the Convention went well. He got some good feedback. He will send the feedback to Travis Peaslee. He noted that the majority of the vendors were very happy.

Chris noted that he sent out a letter to lapsed members. He received four back that do not want to rejoin.

Pretreatment: Tom Wiley absent. Al Jellison noted that on the Pretreatment side, dentists will now be categorical users.

Personnel Advancement Committee Report: Aubrey Strause reported on the following:

- Good comments on the Technical Sessions at the Fall Convention.
- Excellent turnout.
- Friday Technical Sessions were not well attended. There was a brief discussion to how to keep attendance up on Friday afternoon.
- Now are doing Operator Scholarship–To date, only one Operator Scholarship application has come in; Aubrey requests that everyone spread the word About the scholarships

Convention: Travis Peaslee reported that the Convention was successful. He thanked everyone for their assistance. He has not gotten in everything on the financials.

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He noted the MWUA Joint Show is scheduled for February 8, 2011. There will be five one-hour sessions. The speakers have been confirmed, but he is looking for moderators at this time. He has a meeting this afternoon with MWUA to go over the MOU.

Ski day will be held at Sugarloaf on March 9, 2011.

Sponsorship List: Travis Peaslee will work with Joan Kiszely to put this together.

Spring Conference will be April 29, 2011.

Public Relations: Ryan Wadsworth thanked everyone that helped with the MWWCA booth at the Fall Convention, and he thanked Aubrey Strause. André Brousseau will attend the job fair.

Safety: Al Jellison reported that Ed MacDonald, Loss Control Manager at MMA, would like to be on the committee with him. Jeff McBurnie also noted he would like to be on this committee.

Communications: Mac Richardson reported he needs articles for the newsletter. The deadline will be November 5th, and he will try to get the newsletter out the second week of November.

Collection Systems: Doug Howard absent.

Residuals: John Leslie – no report. They will report back after the hearings on the proposed Odor Rule, and they will continue to monitor the rulemaking process..

Operations Challenge: Alex Buechner reported that the team did very well. They took 12th out of 26 teams. Everyone on the team is staying on for next year.

Industrial Representative: Dan Welch – absent. André Brousseau noted he has been working on a complimentary Industrial Representative membership. Dan Welch and Mary Waring worked on the criteria for the awards & membership.

Awards: Mary Waring – no report. She thanked everyone for her award.

JETCC Rep: Darold Wooley reported on the following:

- ❖ All of the October classes are filling up. Just since Columbus Day there has been a huge jump in enrollment. The pump class in Bangor on Oct 19 is now full, the Ellsworth Electrical Primer is full, and other classes are nearing capacity. The 6-week Basic WW class in Augusta has 16 people attending weekly.
- ❖ The second Management Candidate School begins at Bangor WWTF next Tuesday (October 19, 2011) with 22 registrants. The new school has an even split of 12 WW operators and 12 DW operators while 4 of those students hold both licenses. DHHS & Maine Water Utilities Association are assisting with some of the presentations to make sure these future managers have a broad overview of management from both types of utilities. The 17 candidates from last year graduated at the MWWCA Convention, where they were, easily identified throughout the convention by the T-shirts that Woodard & Curran sponsored.
- ❖ A course on Grappling with Stormwater Management in this Era of Climate Change has been approved for WW & DW Continuing Ed.credit. JETCC is helping DEP's Non-

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Point Source Training Center with this class at the Augusta Civic Center and it offers a good opportunity to hear from well recognized speakers. (Circulate brochure).

- ❖ The JETCC Board is working on creating a formal sponsorship program for vendors and manufacturers to receive recognition while helping JETCC. More details to follow. JETCC is open to suggestions and comments from MWWCA members who have experience in either garnering or contributing to Sponsorship opportunities.
- ❖ JETCC is now working on training courses for Spring 2011. Now is the time to call JETCC about hosting a class or to request a training topic.
- ❖ Throughout the year, JETCC seeks nominations for the Founders Award. This is a great opportunity for managers to recognize that operator who they can't live without! Nomination forms are available on line at www.jetcc.org.
- ❖ **The next Wastewater exam is November 17.** There are 61 people registered to take the exams. Last time Maine had that many examinees was 2006! The Spring 2011 exam will be Wednesday, May 11, 2011. Applications due by Friday, April 1, 2011.

MMA Rep: Joan Kiszely emphasized that MWWCA should have a presence at the 2011 MMA Convention. She reported on the success of the 2010 MMA Convention, and about the attendance of many Elected Officials.

1st Vice President Report: Paul Rodriguez – no report.

2nd Vice President Report: Jeff McBurnie – no report.

Immediate Past President Report: Tom Wiley absent.

Other New Business: André Brousseau noted he will email the budget request forms to everyone.

- ✓ Budget Request forms 2011

Adjournment: Motion made by Al Jellison, seconded by Jeff McBurnie, all approved to adjourn the meeting at 11:45 a.m.