



**MEETING OF THE UTILITY OPERATOR CERTIFICATION ADVISORY BOARD**  
**THURSDAY September 12, 2024**  
**9:05 A.M.**  
**HELD VIRTUALLY VIA CISCO WEBEX MEETING**

**AGENDA ITEM 1. ROLL CALL AND INTRODUCTION OF GUESTS**

**Members present:** Cathie Eisen, Chair  
Ivan (Michael) Abell, Vice Chair  
Dale Graham  
Maria Gilvarry  
Sydney Hoke  
Bobby Towle  
Rick Mitchell  
Filiberto Aguirre, Jr.

**Absent:** Craig Byers

**Guests:** Eric Hall, NMED-UOCP Team Lead  
Nile Carver, NMED-UOCP  
Avery Young, NMED-GWQB  
Susan Lucas-Kamat, NMED-SWQB  
Peter Nathanson  
Martin Lopez, President New Mexico Water and Wastewater Association  
Nafis Fuad, NMED  
Bethany Anderson, NMED-DWB  
Joe Martinez, NMED DWB Bureau Chief  
Cherie Barker  
Stephanie Anderson  
Doug Pond, Overlook COOP  
Janet Garcia  
Leif Bymoen

**AGENDA ITEM 1. ROLL CALL AND INTRODUCTION OF GUESTS**

**ACTION:** Roll was called, a quorum was present. Chair Eisen asked the guests to introduce themselves.

**AGENDA ITEM 2. REVIEW AND APPROVAL: MEETING AGENDA**

**DISCUSSION:** Chair Eisen asked the Board Members if they have reviewed the agenda and if there were any corrections needed.

**ACTION:** Member Gilvarry made the motion to approve the agenda as presented. Member Abell made a second to the motion. The Chair took a voice vote. The motion carries unanimously.

**AGENDA ITEM 3. REVIEW AND APPROVAL: JUNE 27, 2024 MEETING MINUTES**

**DISCUSSION:** Member Towle pointed out a miss-spelled name on line 23. Member Gilvarry stated that the word 'said' was missing in the sentence on line 66 of the minutes.

52 **ACTION:** Chair Eisen asked for a motion to accept the meeting minutes with the adjusted  
53 changes. Member Towle made a motion to accept the minutes with the changes made.  
54 Member Mitchell made a second to the motion. The Chair took a voice vote. The motion  
55 passed unanimously.

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57 **AGENDA ITEM 4. CONGRATULATIONS TO NEW BOARD MEMBERS**

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59 **DISCUSSION:** Chair Eisen stated that Bobby Towle, Maria Gilvarry and Filiberto Aguirre, Jr.  
60 remained on the Board. The Chair thanked the three Members for all of their contributions on  
61 the Board and their willingness to serve.

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63 **AGENDA ITEM 5. CERTEMY UPDATE**

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65 **DISCUSSION:** Eric Hall stated that the Program is working with Certemy with adjusting  
66 workflows to make the program work more efficiently. Chair Eisen asked for additional  
67 information of the challenges with the Certemy program. Mr. Hall stated that operators can  
68 currently sign-up for multiple profile accounts. Specific individual identifiers are being  
69 implemented to stop that. The Program has suggested to shuffle workflow steps and combine  
70 steps to work more efficiently. Another problem has been that persons are filling an  
71 application but not completing the payment step. Chair Eisen asked if Certemy is being  
72 supportive and if that it is helping the Program to move forward. Mr. Hall responded, 'at  
73 times'. Peter Nathanson stated that he had received a second notice to renew his certification  
74 after he had already paid. Mr. Hall replied that he would look into that and Mr. Nathanson  
75 stated that he had contacted a staff member and was asked to ignore the second notice to  
76 renew. Chair Eisen asked if the Program will be able to get the challenges worked-out. Mr. Hall  
77 responded that he thinks so but it will take time to get away from all of the work-arounds for  
78 the platform to work. Member Gilvarry stated in a previous meeting that if a warranty exists  
79 with Certemy then Certemy is required to do certain things to take additional burden off of the  
80 UOCP staff and Certemy will have to follow through with satisfying the warranty. Mr. Hall  
81 responded that he had spoken with his upper management and they have informed him that  
82 they are willing to look into the contract. Chair Eisen asked Mr. Hall how this is affecting the  
83 overall operation of the Utility Operator Certification Program. Mr. Hall responded that it is  
84 consuming all of the staff's time with increased phone calls and emails which is causing a  
85 backlog of program required tasks. Chair Eisen asked if there is an alternative to manage all of  
86 the applications until the Certemy issues can be resolved. Mr. Hall replied that there are open  
87 positions in the Program to be filled. If they can be brought in and trained we could have 2 staff  
88 working on, (exam), applications to help towards getting caught up. Chair Eisen stated for the  
89 record that she is concerned that Certemy's failure to function to perform as expected is having  
90 a negative impact of the overall operation of the Program. Guest Peter Nathanson asked Mr.  
91 Hall if these are new positions that will be expanding the staff. Mr. Hall answered that one of  
92 them is a new position the other is a 'Double-Fill' position for a staff member that is leaving in  
93 January. Chair Eisen thanked Mr. Hall for the update. Member Agguire asked Mr. Hall if most  
94 of the issues with Certemy have been resolved. Member Aguirre went on to state that a few of  
95 his operators have been applying and re-applying and their information has been repeatedly

96 lost or deleted. They then have to re-do their exam applications and that is the same for re-  
97 exam applications. Mr. Aguirre stated that it is discouraging for the persons that want to  
98 become certified. Member Aguirre asked if Certemy is addressing these problems. Mr. Hall  
99 stated that there was a problem with the supervisor signature of the application and several  
100 applications had to be deleted. Mr. hall went on to say that the issue has been resolved with a  
101 supervisor form. Mr. Aguirre then asked Mr. Hall about the re-exam applications. Member  
102 Aguirre asked if all of the information had to be re-entered and uploaded. Citizenship,  
103 educational documents, and training credits for instance. Mr. Hall replied that issue has not  
104 been resolved at this time and the Program is trying to fix it with a short-form application.  
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106 **AGENDA ITEM 6. DRINKING WATER BUREAU UPDATE**

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108 **DISCUSSION:** Mr. Hall stated that Tanya Trujillo was not available at this time and he asked  
109 Bethany Anderson if she had anything to report for Drinking Water Bureau. Peter Nathanson  
110 asked a question that is pertinent to the Drinking Water Bureau and other Bureaus. Mr.  
111 Nathanson is wondering about the movement to separate the compliance activities of all  
112 Bureaus and place them in another division. Bethany Anderson stated that there have been  
113 meetings with the Cabinet Secretary but it still needs to go before the legislative session. It is a  
114 proposed compliance and enforcement division which would separate compliance out of the  
115 Drinking Water Bureau. Bethany Anderson stated that there are a lot of moving pieces to this  
116 topic and that is about all the information she has at this time. Mr. Nathanson asked how this  
117 proposed change will affect the location and the operation of the Utility Operator Certification  
118 Program. Bethany Anderson asked Mr. Hall if he had received any information about this. Mr.  
119 Hall had not received any additional information at this time. Bethany Anderson stated that if it  
120 were to go into effect it would be on July 1<sup>st</sup> of 2025. Chair Eisen asked Mr. Hall to have this  
121 item placed on the agenda for the next meeting so the Board could get some updates on this.  
122 Mr. Hall stated he would discuss it with Tanya Trujillo to have it under the Drinking Water  
123 Bureau Update on the next meeting agenda.  
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125 **AGENDA ITEM 7. NEW MEXICO WATER AND WASTEWATER ASSOCIATION**

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127 **DISCUSSION:** Martin Lopez, the current President of the New Mexico Water and Wastewater  
128 Association, (NMWWA), provided updates. The NMWWA have created a Finance Committee  
129 which is reviewing the policies and procedures the NMWWA uses. Mr. Lopez went on to state  
130 that the Committee will be reviewing job descriptions and financial procedures among other  
131 outdated policies. The NMWWA should be able to present the findings to the NMWWA  
132 Executive Board members within a couple months. They anticipate action on the findings by  
133 the end of their November meeting or short school in January. Mr. Lopez stated that the  
134 NMWWA Central School is currently finishing-up in Albuquerque. They had 140 students  
135 registered. He stated that the cost for attending schools and workshops for non-NMWWA  
136 members will be increasing and a slight adjustment for NMWWA members. Mr. Lopez stated  
137 that the NMWWA will be searching for officers to serve on the Board for 2026. He also  
138 announced that NMWWA is just starting the Facility Tours that have been nominated for the  
139 Good House-Keeping and Max Summerlot awards. Retired Operators will be conducting the

140 state-wide facility tours. Chair Eisen thanked Martin for the update and asked if anyone had  
141 any questions for Martin.

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143 **AGENDA ITEM 8. NM SURFACE WATER QUALITY BUREAU-POINT SOURCE POLLUTION**  
144 **PROGRAM UPDATE**

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146 **DISCUSSION:** Susan Lucas-Kamat stated that the Point Source Pollution Program has begun the  
147 Advisory Panel process for a surface water state program. The development of the Advisory  
148 Panel is to move towards NPDES delegation from the EPA under the Clean Water Act and also  
149 developing a permitting program for non-Waters of the U.S. that are within the state. Susan  
150 asked if there were any questions. Chair Eisen thanked Susan for the update.

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152 **AGENDA ITEM 9. NM GROUND WATER QUALITY BUREAU – DOMESTIC WASTE TEAM UPDATE**

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154 **DISCUSSION:** Avery Young stated that their Bureau is hiring a lot of people thanks to the Rapid  
155 Hire event. As a Section, Pollution Prevention, they have divided their domestic waste facilities  
156 into two different categories; small wastewater which is referred to as ‘minor’ and major  
157 wastewater treatment plants. Avery went on to say that she will remain as the Team Lead over  
158 the major domestic wastewater facilities and they are in the process of getting an offer letter to  
159 their selected candidate for the minor domestic waste team. She thinks it will be around  
160 50,000 gallons per day or more that will fall into the major systems and less than 50,000 gallons  
161 per day for the minor category. Avery went on to say that of course there will be a caveat for  
162 the more technologically advanced smaller systems and they may get moved into the major  
163 category. Ms. Young is looking forward to having enough staff to have reasonable case-loads  
164 for staff to over-see facilities and provide assistance. Avery stated that according to the  
165 regulations, there is a requirement for all plans and specifications for replacement and  
166 upgrades to be filed with the Ground Water Quality Bureau prior to construction. She stated  
167 for systems that have a ground water discharge permit to include the Ground Water Quality  
168 Bureau as early as possible. Their Bureau consistently sees proposed upgrades for facilities that  
169 are difficult to permit or wouldn’t achieve the permitting goals that the Bureau has for nitrogen  
170 discharge limits and other objectives like that. For these systems they will have to start over  
171 since the proposals were written without the assistance of the Bureau. Avery stated that the  
172 Bureau is happy to be involved as soon as possible, be an advocate of the community as well as  
173 making sure the design engineers are made aware of the design parameters that the Bureau is  
174 looking for. Avery Young did state that the future plans concerning permitting, enforcement  
175 and compliance will affect the Ground Water Bureau. Unlike the Drinking Water Bureau which  
176 does already have a separation, Ground Water has a Technical staff that over-see the ground  
177 water discharge permits and everything else. This separation of permitting and enforcement  
178 will affect their workflow. Chair Eisen stated that the Ground Water Quality Bureau has  
179 provided very good technical support with the personal experiences she has had. Chair Eisen  
180 stated that she wants to go back to the statement made earlier about separating major and  
181 minor treatment facilities depending on the types of treatment utilized. Chair Eisen stated that  
182 the Board is looking at small systems that have advanced treatment types used in them. Chair  
183 Eisen stated that the Board is contemplating the level of certification required to run a small

184 system that utilizes advanced treatment and would like to see how the Ground Water Quality  
185 Bureau classifies the separation of the 'major' and 'minor' systems. Avery Young replied that  
186 the Bureau does see there are differences in treatment techniques that does impact finances  
187 and the level of technical assistance provided. Chair Eisen asked if there were any questions or  
188 comments for Avery. There were none. Chair Eisen thanked Avery for her detailed report.

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190 **AGENDA ITEM 10. NM OPERATOR CERTIFICATION PROGRAM UPDATE**

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192 **DISCUSSION:** Mr. Eric Hall stated that he had given most of the update through the  
193 information he had provided earlier. Mr. Hall said that the Program does have a couple  
194 positions open that are trying to be filled that would help the Program to get caught up. Mr.  
195 Hall mentioned that Anita Valdez has developed a valuable Certemy training that she is giving  
196 at the NMWWA Central School this week. At the Central School Anita and Mr. Hall have been  
197 providing assistance to operators and answering a lot of questions about the Program, how to  
198 become certified and navigate Certemy. Peter Nathanson stated that he had noticed that the  
199 Water and Wastewater study guides are not on the UOCP webpage and he is wanting to know  
200 the status on those. Mr. Hall replied that the water study guide had been worked on and needs  
201 to be re-visited to see how ready it is. He went on to say that the wastewater study guide had  
202 not been revised at this point. He stated that Certemy is currently the priority. Mr. Nathanson  
203 asked if the updates of the study guides could be done by an outside entity on a volunteer basis  
204 to help speed-up the process. Mr. Hall responded that he could work with upper management  
205 about that and he had spoken to his supervisor about it. Mr. Nathanson feels it is an important  
206 item for operators to have available. Mr. Nathanson went on to state that he feels that the  
207 Utility Operator Program should develop the latest versions to make sure all of the training  
208 providers and technical assistance providers across the state have the most current version. He  
209 went on to state that it is important that operators have consistent versions to use. Mr. Hall  
210 stated that the New Mexico Water and Wastewater Association has a water study guide on  
211 their website and that is the most current version. He went on to say that currently there is not  
212 a current version available for wastewater. Mr. Nathanson asked where the operators should  
213 go for an alternative; the University of Sacramento Office of Water Programs study manuals?  
214 Mr. Hall replied yes, the Sacramento Manuals. Chair Eisen stated that we should have the  
215 study guides as a topic that should be placed on the next agenda. Mr. Nathanson said he would  
216 be willing to volunteer and possibly a small committee could be formed to compare the current  
217 study guides to the Need to Know criteria depending if Eric and upper management would  
218 agree. Chair Eisen suggested to Mr. Nathanson to put together an outline to bring to the next  
219 Board meeting for discussion. Mr. Nathanson suggested that operators who are knowledgeable  
220 about advanced technologies could provide their experiences to help and revise the chapters.  
221 Chair Eisen told Mr. Nathanson that his ideas are appreciated. Member Abell has a question  
222 regarding the study guides. Mr. Abell stated that a grassroots effort is helpful but he feels that  
223 the state has money available to work on updating the publications and he does believe that  
224 the Board should ask the state to help fund those updates as in the past. Member Abell went  
225 on to say that the state does receive funding from all of the municipalities and the state could  
226 donate some money to help update the study guides. Chair Eisen said she was going to bring  
227 that up in Other Business on the agenda but since they were on the topic now she will say that

228 this does need to be on the next agenda. Chair Eisen went on to state that we are trying to  
229 bring new operators into the field and trying to help operators to be successful and good study  
230 guides are crucial. Chair Eisen said that this topic has been on the back burner way too long.  
231 Mr. Hall agreed and said that he will speak with his supervisor to come up with a plan of  
232 direction to go with this. Chair Eisen asked Mr. Hall if this topic could be on the next agenda.  
233 Mr. Hall agreed. Chair Eisen asked if anyone has any questions or comments to provide about  
234 the Program. There were none.

235

236 **AGENDA ITEM 11. OTHER BUSINESS (INCLUDING NEXT MEETING DATE)**

237

238 **DISCUSSION:** Chair Eisen has questions for Mr. Hall. The Chair listed the study guides and  
239 bringing in new operators into the field. The Chair stated that she had spoken with the New  
240 Mexico Rural Water Association who shared that they have 6 people participating in the  
241 Apprenticeship Program. Chair Eisen stated that the Water Quality Control Commission  
242 mentioned that we need more operators to fill open positions in the field. The Chair wants to  
243 bring in more operators and is concerned where the Program is on the regulation revisions  
244 while the Program is being overwhelmed with Certemy issues. The Operator-In-Training  
245 certification is part of the proposed regulation revisions. Chair Eisen asked Mr. Hall if there are  
246 any updates that he could provide. Mr. Hall stated that the regulation revisions had been being  
247 worked on and we still find areas that need to be addressed and the regulations are close.  
248 Certemy and operator assistance is currently consuming staff time. Chair Eisen stated that it is  
249 important that the regulations remain in discussion since the Operator-In-Training is in the  
250 proposed regulations. Chair Eisen stated that she had been in communication with the Ground  
251 Water Quality Bureau concerning the level of certification required for systems and hope in the  
252 future be able to use the Ground Water Quality Bureau's evaluations for the levels of  
253 certification required for systems. Member Abell stated that he agreed with that view and  
254 believes that Surface Water Quality Bureau and the Ground Water Quality Bureau should  
255 collaborate to figure out how to address certification levels then contact the Utility Operator  
256 Certification Advisory Board and Program to submit their suggestions. Member Abell stated  
257 that both of those Bureaus also have the ability to write regulations and it shouldn't be all of  
258 the UOCP's responsibility to get all revisions written. Chair Eisen thanked Member Abell for his  
259 contribution and thanked Avery for working in-tandem with other programs that will help  
260 determine certification levels required. Member Towle agreed with Member Abell's statement  
261 and if all Bureaus are working together then all goals will be met. Member Hoke also agreed  
262 that working together with making certification level determinations would be beneficial. Chair  
263 Eisen stated that when discharging to non-waters of the United States, even high level  
264 operators will have challenges that affect down-stream users. Chair Eisen stated that she  
265 would like to discuss this topic further in the next meeting. Member Abell stated that October  
266 16<sup>th</sup> there is a deadline for lead service line inventory. His executive staff is trying to work on  
267 how to fund the inventory work. Member Abell went on to say that about a year ago the  
268 Drinking Water Bureau, (DWB), had some information about going through the state revolving  
269 loan fund to assist with funding the inventory process. He also stated that to this day on the  
270 DWB website the state has not taken primacy on the lead service line inventory so it is still  
271 under the EPA. Member Abell stated that the inventories are going to crash the EPA's database

272 when all of the national inventories are submitted by October 16<sup>th</sup>. Member Abell asked how  
273 anyone else is dealing with the deadline and funding. Mr. Hall asked Joe Martinez, DWB Bureau  
274 Chief, if he had some information on this. Mr. Martinez stated that the state of New Mexico  
275 had requested an extension on the lead service line inventory at the suggestion of the EPA  
276 because there is another lead rule in the works that will be revealed in the next 2 to 3 years. He  
277 went on to say that the EPA informed him that when this new rule is released, that is when the  
278 states should request primacy. Part of the extension is that the state of New Mexico have a  
279 written agreement with the EPA that the state will do the bulk of the work related to the lead  
280 rule. If there are any violations then the state would make those referrals to the EPA so the  
281 EPA would issue the violations or administrative orders. Mr. Martinez continued by addressing  
282 the funding question. There is lead funding available for the next 3 years that could be used  
283 towards inventories, lead service line replacement or anything lead related. Mr. Martinez  
284 requested that if anyone has a question about what can be funded to please contact the  
285 infrastructure financing staff to ask if the particular project can utilize the funds. Mr. Martinez  
286 stated that the fund is around \$28 million a year and the infrastructure financing staff will work  
287 with the New Mexico Finance Authority to ask if projects qualify to be funded. Mr. Martinez  
288 said that the DWB is working towards creating a lead service line portal for systems to submit  
289 their inventories. He said if, in the event that the portal is not ready by October 16<sup>th</sup>, the DWB  
290 has some back-up plans how to submit inventories. Member Abell is glad to hear that the DWB  
291 is working with systems. Chair Eisen stated that there were some trainings put on by NMED  
292 regarding the lead service lines. Chair Eisen called the trainer and was told that there were  
293 some other funding available for lead service lines. Chair Eisen went on to say that she feels  
294 that there is going to possibly be more issues in these older systems on the customer's side and  
295 the two suggestions that were provided to her was that the systems could acquire the funding  
296 to get the repairs done and then recover the funds through water bill adjustments or the  
297 customer could look into financial help through low-income assistance programs. Mr. Martinez  
298 stated that drinking water and wastewater is very complicated due to additional regulations  
299 and new requirements. He also stated that he did catch the earlier conversations concerning  
300 study guides and agrees that having available guides is a priority but the Utility Operator  
301 Certification Program, (UOCP), has been faced with several challenges over the last few years.  
302 He named several challenges and complimented the UOCP Team for facing the issues and  
303 working hard towards making a good product. Martin Lopez, President of the NMWWA, said  
304 they had completed lead service line exercises in the 1990s and asked Mr. Martinez if any of  
305 those records were still available. Mr. Martinez replied that since the exercises were done in  
306 the '90s that they would have been paper files and extremely difficult to find them. Mr.  
307 Martinez stated that if the systems have the records from the exercises the DWB could look at  
308 them and evaluate if they would be useful for the lead service line deadline. Member Abell  
309 asked Mr. Martinez how to address the numbers of how they identify the unknowns of the  
310 service line inventory. Member Abell stated that he may have around 7,000 to 8,000 unknowns  
311 and if each one will have to be identified or if it could be a percentage. Mr. Martinez stated  
312 that if a system wants to list all of its service lines as unknowns it can but there is a draw-back  
313 to that since the EPA will consider it made of lead and will eventually have to review those lines  
314 and determine what they are made of. Chair Eisen thanked Mr. Martinez for recognizing the  
315 multiple challenges the Program has been faced with and his support of the Program. Chair

316 Eisen asked Mr. Hall when the next quarterly meeting date should be set. Mr. Hall asked the  
317 Board Members if a meeting in November would work in everyone’s schedule. All Board  
318 Members stated that November would work for them. Member Graham suggested November  
319 14<sup>th</sup> . The Board Members agreed that November 14<sup>th</sup> would work for them.

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321 **AGENDA ITEM 12. THE ADVISORY BOARD WILL RECEIVE PUBLIC COMMENTS. NO ACTION**  
322 **WILL BE TAKEN BY THE ADVISORY BOARD**

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324 **DISCUSSION:** Chair Eisen thanked everyone for their contributions and asked if there are any  
325 public comments. There were no public comments.

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327 **AGENDA ITEM 13. ADJOURNMENT BY ROLL CALL**

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329 **DISCUSSION:** Chair Eisen thanked everyone for their attendance and contributions.

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331 **ACTION:** The Chair asked for a motion to adjourn the meeting of the Utility Operator  
332 Certification Advisory Board on September 12, 2024 at 10:24am. Member Abell made a motion  
333 to adjourn the meeting. Member Graham made a second to the motion. Chair Eisen called the  
334 Member’s names; Ivan Abell. Member Abell replied “present”. Dale Graham; Member  
335 Graham replied “yes”, Sydney Hoke; Member Hoke replied “yes”. Maria Gilvarry; Member  
336 Gilvarry replied “yes”. Bobby Towle; Member Towle replied “yes”. Rick Mitchell; Member  
337 Mitchell replied “yes”. Filiberto Aguirre, Jr.; Member Aguirre replied “yes”. Chair Eisen  
338 affirmed that Member Craig Byers is absent. Mr. Hall confirmed Member Beyer’s absence.  
339 Chair Eisen asked for a voice vote to the motion. The motion to adjourn the meeting was  
340 unanimous, none opposed. The motion carries.