



1 **MEETING OF THE UTILITY OPERATOR CERTIFICATION ADVISORY BOARD**
2 **THURSDAY June 9, 2022**
3 **9:37 A.M.**
4 **HELD VIRTUALLY VIA CISCO WEBEX MEETING**

5
6 **AGENDA ITEM 1. ROLL CALL AND INTRODUCTION OF GUESTS**

7 **Members present:** Cathie Eisen, Chair
8 Dale Graham
9 Ivan (Michael) Abell
10 Sydney Hoke
11 Bobby Towle
12 Joe Bailey
13 Rick Mitchell

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15 **Absent:** Maria Gilvarry
16 Filiberto Aguirre, Jr.

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18 **Guests:** Eric Hall, NMED-DWB UOCP Manager
19 Anita Tavasci, NMED-DWB UOCP
20 Nile Carver, NMED-DWB UOCP
21 Jason Herman, NMED-GWQB
22 Jason Martinez, NMED-SWQB Point Source Regulation
23 Avery Young, NMED-GWQB
24 Christopher Vigil, NMED Assistant General Council
25 Craig Byers, NMWWA President
26 Michael DeClercq
27 Robert Glenn
28 Jesse Cole
29 Ronald Borunda
30 Dennis Wing

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32 **ACTION:** Roll was called, a quorum was present
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34 **AGENDA ITEM 2. REVIEW AND APPROVAL: MEETING AGENDA**

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36 **DISCUSSION:** Chair Eisen asked the Board if anyone found any corrections of the meeting agenda.
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38 **ACTION:** Member Bailey made the motion to accept the agenda as presented. Member Graham
39 seconded the motion. The motion carries unanimously by voice vote.
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41 **AGENDA ITEM 3. REVIEW AND APPROVAL: FEBRUARY 3, 2022 MEETING MINUTES**

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43 **DISCUSSION:** Chair Eisen asked the Board if everyone had a chance to review the February 3, 2022
44 meeting minutes and if there are any changes needed.
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46 **ACTION:** Member Abell made a motion to accept the minutes as written. Member Hoke seconded the
47 motion. The Chair took a voice vote. It passed unanimously and the motion carries.
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49 **AGENDA ITEM 4. ADVISORY BOARD VACANCIES TO FILL**
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51 **DISCUSSION:** Chair Eisen asked Mr. Hall whose positions are expiring. Mr. Hall responded that Cathie
52 Eisen, Dale Graham and Ivan Abell's terms are expiring. Anita Tavasci asked what are the positions that
53 are vacant. Mr. Hall responded that these are Regular positions that are being filled.
54

55 **ACTION:** Joe Bailey asked if Cathy would like to remain on the Board. Cathie responded that yes, she
56 would like to remain on as a Regular Board member. Member Bailey made a motion that Cathie Eisen
57 serve another term on the Utility Operator Certification Advisory Board. Member Towle seconded the
58 motion. A voice vote was called. It passed unanimously, the motion carries. Chair Cathie Eisen asked
59 Dale Graham if he would be interested serving another term on the Board. Member Graham
60 said that he would like to serve another term on the Board. Member Towle made a motion to
61 allow Dale Graham to serve another term on the Board. Member Abell seconded the motion.
62 A voice vote was taken and was passed unanimously, none opposed. The motion carries. Chair
63 Eisen stated that Ivan Abell's term is expiring, and she asked Mr. Abell if he would like to serve
64 another term on the Advisory Board. Ivan Abell said he would be pleased serving another term
65 on the Board and he needs to make an adjustment to his resume. Member Abell stated that he
66 had been promoted to Utilities Director for the village of Carlsbad the last 2 weeks. Member
67 Graham made a motion to have Ivan Abell serve another term on the Utility Operator
68 Certification Advisory Board. Member Hoke seconded the motion. A voice vote was taken and
69 passed unanimously, the motion carries. Eric Hall expressed his appreciation for the interest
70 shown by the applicants and asked them to continue showing interest. Chair Eisen also
71 thanked the applicants and for them to take consideration for the next openings on the Board.
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73 **AGENDA ITEM 5. NO-DES WATER MAIN FLUSHING TECHNOLOGY**
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75 **DISCUSSION:** Mr. Hall briefly described what the No-Des Water Main Flushing technology and
76 he feels that due to it changing the quality and quantity of water that it should be classified as a
77 Water Supply level 3 certification required for operation of that piece of equipment. Chair
78 Eisen asked for a motion if there were no other discussions on the topic. Member Hoke asked if
79 the level 3 operator would be required while operating that system. Chair Eisen responded;
80 Yes.
81

82 **ACTION:** Member Hoke made a motion that a level 3 water would be required for operation of
83 the No-Des Water main Flushing Technology. Member Towle seconded the motion. A voice
84 vote was taken, it passed unanimously, none opposed. The motion carries.
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86 **AGENDA ITEM 6. EXAM APPLICATION SIGNATURE REVIEW/DISCUSSION**
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88 **DISCUSSION:** Mr. Hall does not want to mention any names and asked that the Board would
89 refer to the individual's name as Operator number 1. Mr. Hall explained that Operator 1 had
90 sent several exam applications with forged supervisor signatures and one of the applications
91 was when Operator 1 had acquired their certification. Member Bailey asked Christopher Vigil,
92 NMED Assistant to General Council, what is the process to follow in this circumstance.
93 Christopher Vigil stated that first there needs to be a request for hearing. Mr. Vigil reminded
94 everyone present that the words allegation/alleged must be used since there has been no

95 determination of findings on this case. Chair Eisen asked Mr. Vigil to give an outline of protocol
96 for this type of situation since there have been very few that have previously arisen. Mr. Hall
97 referenced the regulations, (NMAC 20.7.4 Utility Operator Certification), for the steps of the
98 process and what must happen in which order. Christopher Vigil read the rule on the
99 contemplated suspension that the person must be notified by certified mail and he advised that
100 this topic not be discussed until after the individual is notified by certified mail. Anita Tavasci
101 asked Christopher if he would be able to preview the certified letter before it is sent to the
102 individual. Mr. Vigil stated definitely, he and Mr. Hall will draft the letter together. Member
103 Graham gave a historical comparison to a previous similar situation and the steps taken in the
104 order done. The Board agreed that procedural protocol must be followed.

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106 **AGENDA ITEM 7. NEW MEXICO WATER AND WASTEWATER ASSOCIATION**

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108 **DISCUSSION:** Craig Byers, President of New Mexico Water and Wastewater Association,
109 (NMWWA), discussed the Northern Short School 2 weeks ago. Mr. Byers explained that the
110 math classes were the most attended. Next week the NMWWA will have a booth at the Rural
111 Water Association’s training. Mr. Hall told Craig that the NMWWA is doing an awesome job
112 with the trainings they have provided. Chair Eisen asked Craig how many people were in the
113 math classes. Mr. Byers replied that one class had 65 people packed into the class and most of
114 the people that attended took the math classes back-to-back for 6 hours. Chair Eisen asked
115 Craig how the NMWWA is doing with generating revenues with virtual and in-person trainings.
116 Mr. Byers said that the face-to-face trainings have its merits and the virtual trainings have had
117 attendees from all portions of the state. Anita Tavasci shared some feedback she had received
118 from operators that attend the Central Section monthly meeting. Anita asked how the
119 operators can get meeting dates information and if it is posted on the NMWWA’s website.
120 Craig stated the Central Section meetings are on every second Tuesday of each month. He also
121 stated that the NMWWA sends bulk emails to all persons that are registered for email notices.
122 Craig stated that if there are any inquiries about membership, trainings, etcetera, to please
123 contact himself or Rose Trujillo of the NMWWA.

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125 **AGENDA ITEM 8. DRINKING WATER BUREAU UPDATE**

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127 **DISCUSSION:** Eric Hall stated that Jill Turner is not available today, but she had given him an
128 outline of the topics to discuss. Mr. Hall said that the main topic of discussion is a replacement
129 operator database for the current failing program being used. Eric gave appreciation for the
130 work that Anita Tavasci has performed working with the current database as issues have arisen.

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132 **AGENDA ITEM 9. NM SURFACE WATER QUALITY BUREAU-POINT SOURCE POLLUTION**
133 **PROGRAM UPDATE**

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135 **DISCUSSION:** Jason Martinez spoke on behalf of Susan Lucas-Kamat. Jason gave the update of
136 the Triennial Review of Water Quality Standards with the Water Quality Control Commission,
137 (WQCC). The WQCC issued a Statement of Reason and Decision on March 9th of this year.
138 There will be changes to 20.6.4 NMAC and were published in the New Mexico Register on April

139 23, 2022. The changes were sent to the Environmental Protection Agency, (EPA), for approval
140 and once approved the changes will apply to all current NPDES permits. Chair Eisen asked if
141 there are emails being sent that provide the changes for review by the public. Jason replied
142 that they should be available on the state’s SRCA website along with the current 20.6.4 NMAC
143 regulations. Chair Eisen thanked Jason for the information and for joining the Advisory Board’s
144 meeting.

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146 **AGENDA ITEM 10. GROUND WATER QUALITY BUREAU-DOMESTIC WASTE TEAM UPDATE**

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148 **DISCUSSION:** Avery Young stated that their Program is working on a Surface Disposal class for
149 training purposes. This would be for surface disposal facilities that take care of sludge,
150 septage, grease, hydrocarbons and car wash waste. Avery said her Program will be talking with
151 Eric Hall about offering Training Credits for the class since a lot of wastewater treatment plants
152 have a sludge disposal components as part of their facility. She stated that they hope to
153 provide the training mid-to-late September in Santa Fe and another in Las Cruces in early
154 October. Mr. Hall stated he would provide credits for that class upon review of the specifics.
155 Chair Eisen suggested that Avery should contact the New Mexico Rural Water Association and
156 New Mexico Water and Wastewater Association to discuss providing that training at their
157 venues. Avery stated that they are also working with Robert George who is their contract
158 operator for ground water who will be taking care of the sludge content and she will be
159 presenting the septage topics.

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161 **AGENDA ITEM 11. NM OPERATOR CERTIFICATION PROGRAM UPDATE**

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163 **DISCUSSION:** Mr. Eric Hall said that certification testing is going well and wanted to share with
164 the Board that the first 2 weeks of July will be the Department’s ‘Summer Break’ when testing
165 will be on hold.

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167 **AGENDA ITEM 12. OTHER BUSINESS**

168

169 **DISCUSSION:** Mr. Eric Hall gave a brief update on the 20.7.4 NMAC regulation revisions. He
170 had been working on reviewing the verbiage and will be going over the revisions with the
171 Assistant Legal Council Christopher Vigil. Chair Eisen asked Eric if he would be presenting the
172 regulation revisions to the Board. Mr. Hall said he would call a Special Meeting with the Board
173 to review the revisions before going forward with stakeholder meetings. Mr. Hall stated that
174 Mr. Mike Coffman had sent a detailed description of a wastewater system. Mike Coffman is
175 recommending that this system be classified as a Small Wastewater Advanced. Mr. Eric Hall
176 opened up the classification discussion with the Board. Member Bailey stated that this system
177 would be good for smaller wastewater systems in the state of New Mexico. Mr. Bailey predicts
178 we will start seeing a lot more of this type of wastewater system being utilized by residential
179 and commercial accounts that do not have the ability to have advanced treatment systems.
180 Chair Eisen stated that this could also open the door to have certified operators overseeing
181 advanced systems. Mr. Hall specified that the State has the authority to designate classification
182 of wastewater treatment systems. He stated that if none of the Board members have any

183 objections, he thinks this type of treatment system should be classified as a Small Wastewater
184 Advanced system. Member Bailey agreed with the classification and that the system is properly
185 designed for where it is located. Member Towle agreed. Chair Eisen asked if any of the Board
186 members have any concerns. Member Graham stated that he and the Board supports what
187 Mike Coffman had proposed and he agrees with it. Chair Eisen is glad that the Board has the
188 same respect for Mike that she has. Cathie Eisen then asked that next meeting date be
189 proposed and that the Board should keep in mind the Special Meeting that will also be called
190 for review of the regulation revisions. After discussion Mr. Hall suggested September 15th for
191 the next regular Advisory Board meeting. Member Bailey asked Eric if we must go before the
192 Water Quality Control Commission, (WQCC), to approve new Board members. Mr. Hall said he
193 will get with Christopher Vigil to work on that appearance before the WQCC. Member Abell
194 stated that historically the Board has met in September and that it is too late to go before the
195 WQCC in June and to keep continuity possibly new members can be approved in July. The
196 Board members agreed to tentatively set the next meeting for September 15th.

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198 **AGENDA ITEM 13. THE ADVISORY BOARD WILL RECEIVE PUBLIC COMMENTS. NO ACTION**
199 **WILL BE TAKEN BY THE ADVISORY BOARD.**

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201 **DISCUSSION:** Chair Eisen asked if there are any public comments. There were no public
202 comments provided.

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204 **AGENDA ITEM 14. ADJOURNMENT BY ROLL CALL**

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206 **ACTION:** Chair Eisen asked for a motion to adjourn. Member Graham provided the motion to
207 adjourn. Member Hoke seconded the motion. Chair Eisen, present, Joe Bailey, present, Dale
208 Graham, present, Sydney Hoke, present, Ivan Abell, present, Bobby Towle, present, Rick
209 Mitchell, present. Chair Eisen stated that Maria Gilvarry and Filiberto Aguirre, Jr. are absent.
210 Adjournment of the Utility Operator Certification Advisory Board occurred at 10:51 am on June
211 9th, 2022.