



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

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

7                   **Members present:** Cathie Eisen, Chair  
8   Dale Graham  
9   Ivan (Michael) Abell  
10    Maria Gilvarry  
11    Sydney Hoke  
12    Bobby Towle  
13    Filiberto Aguirre, Jr.

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15                   **Absent:** Rick Mitchel  
16    Joe Bailey

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18                   **Guests:** Jill Turner, NMED-DWB SWIG Manager  
19    Eric Hall, NMED-DWB Manager  
20    Anita Tavasci, NMED-DWB UOCP  
21    Kendall Crowe, NMED-DWB UOCP  
22    Nile Carver, NMED-DWB UOCP  
23    Jason Herman, NMED-GWQB/ Acting Program Manager Pollution Prevention

24           **Center**

25    Susan LucasKamat, NMED-SWQB Program Manager, Point Source Regulation  
26    Avery Young, NMED-GWQB  
27    Jack Crider, Entranosa Water  
28    Cherie Barker, Jacobs Engineering, city of Rio Rancho  
29    Cynthia Arnold, Epcor, city of Edgewood  
30    David Sonnenberg, city of Bloomfield  
31    Roxy Shreeves, city of Bloomfield

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33           **ACTION:** Chair Cathie Eisen convened the meeting of the Utility Operator Certification Advisory Board  
34                   at 9:37 am on February 3<sup>rd</sup> of 2022. Roll was called, a quorum was present  
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36           **AGENDA ITEM 2. REVIEW AND APPROVAL: MEETING AGENDA**

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38           **DISCUSSION:** Chair Eisen asked the Board if anyone found any corrections of the meeting agenda. Mr.  
39                   Hall stated that he has an addition to place on the agenda. Mr. Hall said he needed to add 'Temporary  
40                   Certification' following Item number 5 which would be the new Item number 6. Chair Eisen announced  
41                   that Item 6 is 'Temporary Certification' and all other agenda items would move down.  
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43           **ACTION:** Member Abell made the motion to accept the meeting agenda as amended. Member Towle  
44                   seconded the motion. Chair Eisen stated that she has a motion and a second to accept the agenda as  
45                   amended and called for a vote of approval by stating aye. The motion carries unanimously.  
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47           **AGENDA ITEM 3. REVIEW AND APPROVAL: OCTOBER 21, 2021 MEETING MINUTES**

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49           **DISCUSSION:** Chair Eisen asked if everyone had reviewed the previous meeting's minutes and if  
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**ACTION:** Member Gilvarry made a motion to accept the meeting minutes as presented. Member Graham seconded the motion. The Chair called for all in favor to say aye. The motion carried unanimously.

**AGENDA ITEM 4: OPEN MEETINGS ACT**

**DISCUSSION:** Chair Eisen read the “Utility Operator Certification Advisory Board Open Meetings Resolution” that is to be reviewed and adopted annually.

**ACTION:** Chair Eisen said that she will print and sign the document to meet the requirements.

**AGENDA ITEM 5: WELCOME NEW BOARD MEMBER/S**

**DISCUSSION:** Mr. Hall gave a welcome to all of the guests and thanked them for attending. Mr. Hall welcomed Maria Gilvarry in her transition from alternate Board member to a permanent Board member position. Mr. Hall welcomed Filiberto Aguirre, Junior as the new alternative Board member filling Member Gilvarry’s past position.

**AGENDA ITEM 6: TEMPORARY CERTIFICATION**

**DISCUSSION:** Mr. Hall explained that since the UOCP switched over to electronic renewal notification, a few certified operators had missed their email renewal notices. Because of this a few of them had allowed their certifications to lapse a year or more which requires re-examination to make their certifications active again. To allow these operators the ability to remain in their capacities, the UOCP is offering to allow Temporary Certifications to be applied for these persons. He continued saying that the Temporary certifications will allow enough time for these operators to take the certification exams again. Some of the persons that had lost their certifications were supervisors and higher-level capacity positions and the UOCP does not like to see anyone lose their certifications. Mr. Hall explained; to spread the word of the electronic notices, we are sending a Gov Delivery mass emailing again and mailing a paper notification of the current process of email notification to all active operators in our database. Mr. Hall stated that the UOCP Administrative Coordinator is monthly compiling a list and contacting the operators that are about to go Inactive. Anita Tavasci explained in detail what had happened to bring about this situation and what is being done to remedy it, now and in the future. Mr. Hall asked all Board members and guests to spread the word of email notices to other operators and that they need to check their spam, trash and junk folders in their emails. Chair Eisen wanted to have clarified if the email notices are a temporary or permanent process. Mr. Hall and Ms. Tavasci both stated that no more paper-mailed notices will be sent following this courtesy reminder notice.

**AGENDA ITEM 7. NO-DES**

94 **DISCUSSION:** Mr. Hall asked the Board if the experience gained during operation of the No-Des  
95 technology would qualify as a Distribution level 3 or a Water Supply level 3 classification. Nile  
96 Carver provided some information regarding what the No-Des distribution flushing, portable  
97 truck is capable of doing. Member Filiberto Aguirre, Jr. went into detail of the operation of this  
98 piece of equipment since the city of Las Cruces has purchased and used it. Bobby Towle added  
99 that he too has operated this machine. He agrees with Filiberto that you have to monitor the  
100 readings from the machine hooked from one hydrant to the next and monitored for iron issues.  
101 Chair Eisen stated that this machine has the potential to affect water quality and must be  
102 monitored closely requiring a high level of knowledge to operate it safely. She asked Member  
103 Aguirre and Member Towle if there was a properly certified operator running the machine.  
104 Both members replied yes, at least a level 3 operator was present and operating. Member  
105 Abell posed a question; how large of a population is affected by this machine when being  
106 operated? Based on the chart shown, due to the population served, could be rated as a water  
107 supply level 2 or a distribution systems level 3. Chair Eisen stated that filtration is involved in  
108 this technology and Member Abell agreed that a water supply level 3 would be competent to  
109 run it. Member Sydney Hoke stated that a water supply level 3 would be enough. Member  
110 Abell asked if it is being considered a water supply 3 or a distribution 3? Member Towle agreed  
111 with the water supply 3. Chair Eisen agreed a water supply level 3. Chair Eisen asked Mr. Hall if  
112 this process had been vetted by the Drinking Water Bureau. Mr. Hall did not know, and Jill  
113 Turner suggested that it be checked by Drinking Water Bureau Compliance for investigation  
114 into this system for use in the distribution system. Member Abell posed a question; if a smaller  
115 system contracts an outside person with this machine, who will be the responsible person  
116 certified to take the responsibility for water quality parameters? Mr. Hall suggested with as  
117 many questions surrounding this technology, that the Board can table this discussion until a  
118 later meeting. Member Abell agrees that he would feel comfortable with the water supply level  
119 3 certification to operate it. Member Hoke agrees with Member Abell that a level 3 water  
120 operator would take the responsibility under their certification to be the operator.

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122 **ACTION:** Member Dale Graham made a motion to table this discussion to a future meeting for  
123 a final decision. Member Hoke seconded the motion. Chair Eisen recognized the motion and  
124 second then called for a vote. The motion carried unanimously.

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#### 126 **AGENDA ITEM 8. SANTA FE WASTEWATER FALSIFICATION**

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128 **DISCUSSION:** Mr. Eric Hall stated that he would like to discuss this with the Board but has been  
129 counselled by the state's attorney to wait until more information is acquired. Mr. Hall went on  
130 to tell the Board that we had lost Annie Maxfield as our attorney who is now replaced by Chris  
131 Vigil. Chair Eisen wishes Annie the very best. Mr. Hall said that it is a hard loss and Chris Vigil  
132 seems to be a very good replacement.

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#### 134 **AGENDA ITEM 9. CERTIFICATION EXAM INFORMATION**

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136 **DISCUSSION:** Kendall Crowe, of the Utility Operator Certification Program, stated that the  
137 Program is trying to capture some information to evaluate our certification exams. He went on

138 to show a chart with pass/fail statistics and was happy to announce that the pass rate at the  
139 end of 2021 was an overall 40%. To date, for 2022, we are at a 50% pass rate. Mr. Crowe went  
140 on to show the new addition to the statistics chart that charts the attrition rate in the state of  
141 New Mexico which gives the number of operators leaving and entering the water and  
142 wastewater field. Mr. Crowe asked for any comments and suggestions for any statistics that  
143 can be added that may help the Board. Chair Eisen gave her appreciation for the effort to track  
144 the information . She asked what had been done to improve the pass/fail rate. Mr. Crowe  
145 stated that all of the exams were gone through and reviewed for updated information and  
146 grammatical wording. He also said that it could be the much smaller testing environment.  
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148 **AGENDA ITEM 10. NEW MEXICO WATER AND WASTEWATER ASSOCIATION**

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150 **DISCUSSION:** Mr. Hall stated that he has sent an invitation to the current President of the New  
151 Mexico Water and Wastewater Association, (NMWWA), Craig Byers, who is unable to attend  
152 today. Chair Eisen asked Member Aguirre if he would like to give any updates on behalf of the  
153 NMWWA. Member Aguirre stated that the NMWWA is happy to continue working closely with  
154 the Utility Operator Certification Program and appreciate all of the feedback.  
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156 **AGENDA ITEM 11. DRINKING WATER BUREAU UPDATE**

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158 **DISCUSSION:** Jill Turner stated that the Drinking Water Bureau has presented the New Mexico  
159 legislative session, which is going on now, some proposals for additional funding. The  
160 Sustainable Water Infrastructure Group potentially has 2 additional positions opening. One  
161 newly created position is called Regionalization and Sustainability Team Lead. Ms. Turner went  
162 on to explain that regionalization is a prime focus of the Department and Bureau to make  
163 smaller systems more sustainable and can be called consolidation which is within the  
164 Governor’s initiative. Another topic that everyone is probably aware of is the Bi-partisan  
165 Infrastructure Law which has passed. It contains a lot of funding for water and there have been  
166 work group calls around the country with the EPA involving the drinking water state revolving  
167 fund. The drinking water state revolving fund supports a lot of the Bureau’s funding and  
168 supports about 75% of the Utility Operator Certification Program. The Infrastructure Law  
169 funding is spread-out over the next 5 years and the New Mexico Finance Authority works with  
170 that grant and the Drinking Water Bureau receives the set-aside money which funds all of its  
171 programs. The money that is available is about \$63 million spread across the four pots of  
172 money; the State Revolving Fund, a Supplement, Lead Service Line Replacement and the  
173 Emerging Contaminants pot which includes PFAs. Ms. Turner stated that there is going to be  
174 available money and how to distribute it is still in the discussion phase. With this additional  
175 funding the Drinking Water Bureau is planning to ‘staff-up’ additional positions in Compliance,  
176 Utility Operator Certification Program, and all across the Sustainable Water Infrastructure  
177 Group. Ms. Turner stated that regionalization or consolidation is the best path for smaller  
178 systems, including mutual domestic systems, to be able to financially afford improvements to  
179 their systems and share staffing.  
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181 **AGENDA ITEM 12. NM SURFACE WATER QUALITY BUREAU-POINT SOURCE POLLUTION**  
182 **PROGRAM UPDATE**

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184 **DISCUSSION:** Susan Lucas-Kamat stated that the biggest update is on personnel. They were  
185 able to add a position this fiscal year for someone to work on Produced Water and Produced  
186 Water Research. They are waiting on final approval to fill that position. They have completed  
187 interviews to back-fill their Municipal Team Lead position. She hopes to be able to provide the  
188 names of the persons that fill both of those positions at the next Advisory Board meeting.  
189 Susan went on to say that like the Drinking Water Bureau, they are also waiting on the current  
190 legislative session since their Program has submitted requests for additional staff. These  
191 additional requested staff are to work on the potential development of state discharge  
192 permitting program. The Surface Water Quality Bureau is working with the Drinking Water  
193 Bureau on the money available through the Bi-partisan Infrastructure Law to allocate money  
194 into the Clean Water State Revolving Fund and continuing work with persons in the  
195 Construction Program Bureau who are writing applications for funding.

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197 **AGENDA ITEM 13. NM GROUND WATER QUALITY BUREAU-DOMESTIC WASTE TEAM UPDATE**  
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199 **DISCUSSION:** Jason Herman announced that their Program Manager, Steve Pullin, retired on  
200 December 31<sup>st</sup> and Jason is now the acting Program Manager. He had asked Avery Young to  
201 attend with him today since in the future Jason may not be able to attend on a regular basis.  
202 Jason stated that they still have Robert George on contract for wastewater systems in New  
203 Mexico for training or compliance assistance. Jason went on to say that if any system needs  
204 help or training to simply call with their request and they will be added to a list for a visit during  
205 this or following quarter from Mr. George. Jason stated that the Ground Water Quality Bureau  
206 has also created a Produced Water position and have completed interviews for that position  
207 but have not selected a candidate. Jason had mentioned in the previous Advisory Board  
208 meeting that they are developing a training for facilities that receive septage and wastewater  
209 treatment plant sludge, mostly land farms, for disposal. The training is to provide information  
210 pertaining to how to appropriately meet permitting and compliance requirements. They will  
211 also provide a notification that states that allowances for not meeting the requirements within  
212 their permits for septage and sludge disposal facilities will no longer occur. Meeting  
213 compliance, moving forward, will be well within their permit terms. These trainings will  
214 probably occur within the next 2 quarters. Chair Eisen commended Jason for moving forward  
215 on septic and wastewater sludge receiving stations not meeting compliance within their  
216 permits.

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218 **AGENDA ITEM 14. OPERATOR CERTIFICATION PROGRAM UPDATE**  
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220 **DISCUSSION:** Mr. Hall stated that he had been working closely with Jill Turner to acquire a new  
221 operator database for the Program. The Cert Man data base that is currently being used is old  
222 and does not function well. He looks forward to a new database that will provide various  
223 reports for the Program. Chair Eisen read from the meeting chat that Robert George and  
224 company are working on a new wastewater study guide and wanted that reflected in the

225 minutes. Member Abell wanted to make a point for use of the Infrastructure Law monies.  
226 Member Abell said for everyone to talk to their Boards, Directors and Councils to get any  
227 improvement projects 'shovel-ready' to take advantage of the money being provided for water  
228 and wastewater infrastructure once it becomes available. Member Gilvarry added to what  
229 Member Abell stated that at the EQA, Municipal Leagues and other association's meetings, one  
230 of the concerns is the supply chain disruption and lack of available quality contractors. She  
231 gave the example that it now takes 6 months to receive parts that used to take a week or two.  
232 There is a concern that the Infrastructure Law money will be available but the materials and  
233 contractors to do the work may be hard to come by. Another concern is the price of the  
234 projects going up due to the delays and maybe there is a way to increase the funding if proof  
235 can be supplied that the project cost increase was due to supply chain and lack of available  
236 contractors. Member Gilvarry wanted these points known in case there is a limited timeframe  
237 the projects must be completed by. Jill Turner stated that the Infrastructure Law also moves  
238 from the 'American Iron and Steel' requirements for the Drinking Water State Revolving Fund  
239 loans to the 'Build America - Buy America' which means more of your projects will require  
240 materials that come from within the United States. This requirement is starting in mid-April.  
241 That will affect any project going forward with the Drinking Water State Revolving Fund money  
242 derived from the Infrastructure Law unless there are going to be waivers which the EPA has not  
243 decided upon. Chair Eisen thanked Maria and Jill for this information, and it would be a great  
244 time to be applying for PERs. Member Gilvarry added that this is a time frame that she is  
245 concerned that some of the contractors are going to start responding to her RFPs and RFBs.  
246 She is going to be reaching out to everyone present, other directors and systems around the  
247 state. She does not want to spend the money with contractors that does not meet the  
248 standards. Member Gilvarry thinks this a good time for everyone to be communicating to  
249 assure we are hiring the right people for the right job. Chair Eisen suggested maybe we could  
250 get a listing of contractors with a point or star system to rank available contractors for  
251 accountability and reliability. Member Gilvarry stated that she had moved from using RFBs to  
252 RFPs so she is able to make more of a proposal instead of just going with the lowest bid. In the  
253 past she has had lowest bid vendors cause so much damage that it cost more to fix the issues  
254 created. Member Gilvarry said that one of their requirements is for their engineers to do deep  
255 research on vendors who respond to their RFBs or RFPs to look into the contractor's history.  
256 She went on to state that she is now receiving bids from contractors that she had never heard  
257 of before. Chair Eisen mentioned that this would be a great Board training if anyone would be  
258 willing to put it together. She stated that she will give Bill, (Conner of the New Mexico Rural  
259 Water Association), a call and mention this. She feels that this a very valuable discussion to  
260 have at this time and is encouraging everyone to follow-up on this and network on this topic.

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262 **AGENDA ITEM 15. OTHER BUSINESS**

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264 **DISCUSSION:** Chair Eisen asked if there was any other business to discuss. She asked Eric Hall  
265 for a suggestion of the next Advisory Board meeting date. Mr. Hall suggested Thursday May  
266 12<sup>th</sup> of 2022. All Board members agreed that May 12<sup>th</sup> would work for their schedules.

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268 **AGENDA ITEM 16. PUBLIC COMMENT**

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270 **DISCUSSION:** Chair Eisen asked if there are any Public Comments. There were no public  
271 comments.

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273 **AGENDA ITEM 17. ADJOURNMENT**

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275 **DISCUSSION:** Chair Eisen stated that if there is no public comment then the meeting should be  
276 adjourned.

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278 **ACTION:** Member Graham made a motion for adjournment of the Board meeting. Member  
279 Hoke seconded the motion to adjourn. Chair Eisen performed Role-Call for adjournment of this  
280 meeting. The vote passed unanimously. Chair Eisen proclaimed that at 11:26 am on February  
281 3<sup>rd</sup> of 2022 that the meeting of the Utility Operator Certification Advisory Board is adjourned.