

ARKANSAS DRINKING WATER ADVISORY AND OPERATOR LICENSING COMMITTEE

April 11, 2024, Meeting Minutes

A quarterly meeting of the Arkansas Drinking Water Advisory and Operator Licensing Committee (Committee) was held on April 11, 2024. The quarterly meeting was held at 10:00 am, at the Freeway Medical Tower, Little Rock, Arkansas with all members and guests attending in-person or utilizing virtual meeting software.

Members present:

Lance McAvoy, Chair, Fort Smith Water Utilities (2024)	Brad Hammond, P.E., Olsson Engineering (2027) -Virtual
Jeff Ford, Kimzey Regional Water District (2025)	Larry Lloyd. P.E., University of Arkansas (2028)
Sharon Sweeney, Central Arkansas Water (2026)	Bryan Smith, Grand Prairie Regional Water (2029)
	Lance Jones, P.E., Executive Secretary; ADH

Department of Health (ADH) Staff & Guests present:

Reginald Rogers, Attorney, ADH	Chris Harris, Arkansas Rural Water – Guest- Virtual
Brian Nichols, Attorney, ADH	Randy Harper, Arkansas Environmental Training Academy- Guest
Chuck Thompson, Attorney, ADH- Virtual	Jeremy Rowe, Arkansas Environmental Training Academy- Guest
Deborah Reagan, Attorney Specialist, ADH- Virtual	
Heather Parker-Foster Training and Certification Officer, ADH	Robin Lynch, ADH, Administrative Specialist III
	Jack Gregg, Jr., ADH, Training Coordinator

MEETING CALLED TO ORDER – McAvoy

The meeting was called to Order by McAvoy, who then asked everyone to introduce themselves starting with the Committee members, staff, and guests. (See above attendance notations)

REVIEW AND APPROVAL OF MINUTES – McAvoy

McAvoy then directed attention to the January 18, 2024 meeting minutes, provided prior to the meeting, and requested any corrections to the minutes. McAvoy received a motion from Ford to approve minutes as amended, with Sweeney providing the second and the motion was passed by the Committee.

CRIMINAL HISTORY WAIVER REQUEST – McAvoy

No criminal history requests are on the agenda for the Committee.

HIGH SCHOOL WAIVER REQUEST – McAvoy

No high school waiver requests are on the agenda for the Committee.

OLD BUSINESS – McAvoy

No old business needed to be discussed.

NEW BUSINESS – McAvoy

Solicitation of New Committee Member – Jones

Jones updated the Committee on this year's proposed member appointment. Nomination packets were received by three (3) waterworks entities with a total of two (2) to nominees.

The Arkansas Water Works and Water Environment Association (AWW&WEA) and the Arkansas Environmental Training Academy - Southern Arkansas University Tech (AETA) nominated Mr. James Whisenhunt III, Chief Operator, Texarkana Water Utilities, Texarkana, AR.

The Arkansas Rural Water Association (ARWA) nominated Mr. Bruce Curtis from Conway County Regional Water Distribution District, Morrilton, AR.

These nominees hold Arkansas Grade IV Treatment and Distribution Water Operator licenses and meet the eligibility requirements for appointment. Their resumes and nomination packets will be presented to the Board of Health on April 25, 2024 for consideration. Upon approval of appointment from the Board of Health, the selected nominee will begin their 6-year term in July 2024.

COMMITTEE REPORTS – McAvoy

Executive Secretary / Section Director's Report – Jones – edits needed

Jones stated that the Agency is starting the budget process for the next fiscal year and that the current program funding was adequate. The Section is currently working with the Natural Resource Division (NRD) of the Arkansas Department of Agriculture and the contracted service provider to assist water systems get their service lines inventories completed by the due date of Oct 16, 2024 using federal funds from the Bipartisan Infrastructure Law.

ADH submitted a primacy extension request for the federal Lead and Copper Rule Revisions (LCRR) and are currently reviewing the proposed Lead and Copper Rule Improvements (LCRI) which were published at the end of November 2023. Public comments were due to EPA by February 5, 2024. The Section was also reviewing the PFAS Rule that was finalized the previous day.

The Section is anticipating EPA to finalize the Consumer Confidence Report Rule (CCR) revisions, that were also proposed last year and publish, in the next few weeks. Also expecting the proposed federal Water System Assessment Restructuring Rule to be released in the coming months. The Restructuring Rule proposes to address water systems that have challenges in their operational management and finances and do not have the required capacity from the technical, managerial, and financial standpoint.

All of these federal Rules will require ADH to update the state PWS Rules so that ADH can adopt the EPA Rules by reference, most likely will propose this update in 2025.

On the water operator licensing update, the proposed revised Rules were reviewed by the legislative Public Health Committee and are still waiting on the Rules Committee before an update can occur.

ADH and the Natural Resources Division provided education and updates on the state water plan, water infrastructure funding and the drinking water program to the legislative members of the Public Health Committee per a request by Co-Chair Senator Missy Irvin.

Training and Certification Officer's Report – Parker-Foster

Parker-Foster provided an exam report showing the Operator Licensing program administered 159 license exams for the first quarter of 2024, with an overall 37 percent passage rate. License applications continue to be received in above normal numbers.

The current license renewal period is from July 1, 2023, to June 30, 2025. The previous renewal period was from July 1, 2021 to June 30, 2023. All remaining licenses were inactivated in our ADH system. The Rules Pertaining to Water Operator Licensing, Section XV. Maintenance of License, D. Any licensee whose License has expired can request, within one (1) year of expiration, (June 30, 2024), the license can be reinstated by the Department upon documentation of past renewal training requirements and the payment of the fees as stated in Section XI, Subsection C and D.

Arkansas Environmental Training Academy (AETA) Report – Harper/Rowe

AETA announced their new chancellor, Dr. Jerry Thomas of Southern Arkansas University Tech-SAU-AETA who has been in the position for approximately three (3) months. Krona Page has taken over student services within AETA and Heather Barkhimer has taken over course production and marketing for the AETA.

AETA reported that in the first quarter of 2024, for mandatory water training courses, they provided a total of 64 classes with 537 students.

Arkansas Rural Water Association (ARWA) Report – Harris

ARWA provided a written report for the Committee that stated that 164 total training hours and 549 students in attendance from January – March 2024.

OTHER BUSINESS – McAvoy

A motion by Smith with a second by Lloyd was made nominating Ford for the 2024 Chair and Sweeney as the Chair-Elect and passed by the Committee. Elections for the officers will be conducted at the July 2024 meeting. Following the nominations, a certificate of appreciation was presented by Jones to McAvoy for his service on the Committee and as current Chair.

CONFIRM NEXT MEETING DATE/ADJOURN – McAvoy

McAvoy requested information to set the date for the next Committee meeting, scheduling the next meeting for July 11, 2024, at the Arkansas Department of Health, in Little Rock, AR. McAvoy expressed appreciation and thanked everyone for the opportunity to serve on the Committee. McAvoy requested a motion to adjourn the meeting. Smith motioned to adjourn, Ford provided the second motion and the motion passed.