

January 12, 2023

Judy Grycko
OESAC CEU Committee
PO Box 577
Canby, OR 97013-0577

Subject: Request for Approval of Module 5 Operator Course Application for CEU's

Good afternoon Judy,

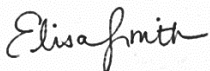
Thank you for your recent correspondence with our team. We are following the submission of our Operator Course Module 4 asking for accreditation CEU's of 3.5 hours for our 7 Section – Operator Course **Module 5: *Black Hat White Hat, A History of Compliance.***

Module 5 demonstrates the importance of developing and implementing an Emergency Management System (EMS). This course also demonstrates why an EMS is necessary for vigorously analyzing requirements and how it helps notify, plus protect, Operators and the Company from legal issues. Specifically, associates will learn how the EMS functions, the importance of consistent training for all associates and how through required, regular compliance audits for all project sites the EMS program resolves any issues discovered.

The purpose of this module is to provide Operators with a deeper understanding of regulatory compliance and the knowledge that "non-intentional" errors that result in non-compliance are serious issues that carry the same stiff consequences and penalties of any non-compliant event. Operators will further gain an understanding regarding the benefits of self-disclosure of information to regulators and what each associate can do to keep their "White Hat" white.

As the course author, I have 23 years of wastewater experience as a compliance inspector, manager and trainer. I hold an active Grade 1 Environmental Compliance Inspector license in California, and work with a group of 15 members in the C&R group who contribute to our courses and collectively have over 300 years of wastewater and water utility experience.

Sincerely,



Elisabeth A. Smith
Companywide Compliance Trainer
elisabeth.smith@jacobs.com

Attachments:

Module 5 Operator Course Syllabus
Elisabeth A. Smith, Curriculum Vitae

Jacobs



Module 5: *Black Hat White Hat, a History of Compliance*

OMFS Training Series for Jacobs (formerly CH2M)

2023 Syllabus Course Description

Operations Management Group

Document history and status

Revision	Date	Description	Author	Checked	Reviewed	Approved

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Executive Summary

With our ethics, policies and requirements understood, we can assure functioning within our regulatory requirements. We aim for 'Target Zero' meaning:

- Zero illness.
- Zero injuries
- Zero environmental impacts
 - Decrease the environmental impact or footprint of
 - the Company's operations
 - the offices we work in
 - project sites where we deliver to our clients

How do we obtain this goal together for Health, Safety & Environment?

- By complying with environmental laws and regulations that apply to all the work we do from:
 - Highway construction projects to
 - Complex hazardous waste sites

Not only will Compliance help decrease our environmental footprint, but it is also particularly important since all environmental laws carry severe civil and criminal penalties.

Module 5: *Black Hat White Hat, a History of Compliance*

Our work protects both the health and safety of the environment as well as the people we serve. For this reason, each of our jobs is important. We must strive to achieve Target Zero in our compliance in addition to properly completing records of the decisions that we make and the circumstances that we deal with. This is especially true if during the workday a problem arises, an unusual event takes place, or a mistake is made.

Purpose

This training demonstrates what happens when records are not properly documented, the impacts it has on the company, management and associates. To avoid these issues in the future, associates need to know how to make good records and how to update a record from a mistake being made. We need to recognize how important good record keeping is and take the time to document all the work we conduct. From this training you will learn why it is important to always make time. This course supports associates regarding documentation of daily operations and improving the content of records produced. Associates will gain a deeper understanding regarding the importance of their records and the knowledge that good recordkeeping provides individuals with a better legal position should their actions ever be questioned. Examples are also provided of how situations quickly became serious legal issues when records did not accurately explain actions and events.

- We often feel we will remember and understand the things that we experience and happen daily. As time goes by however, we inevitably forget details or even complete events. When it comes to documentation in our records, one issue with not making a note about changes or non-routine events is later on the person who made the record often cannot remember what happened.
- All associate records are important and must be carefully and thoughtfully produced.
- Of course, because we are human, it is always possible to make a mistake. The best course of action is to make a good record of what the mistake was and explain what we did to correct the problem. The writing of honest records at the time an event occurs, is the best opportunity to explain ourselves and can help prevent problems from occurring later on.
- What we say or what we do not say in our records can help those who review our records to arrive at a correct conclusion or an incorrect conclusion about what happened.
- The Real McCoy: Out of 1,600 associates, it only takes one to bring on another search or debarment due to their records and the decisions they made.
- Associates can often think if mistakes made are 'unintentional mistakes' there will not be any legal issues, which unfortunately is not true. This is a misunderstanding of regulatory compliance.
- Know which hat you want to wear, black or white.
- Know how lucky you are regarding intentional and nonintentional mistakes.
- Be onboard with management's rules and regulations that if followed will protect you when a mistake occurs.
- Know what your plan is if you do not know or understand the requirements of your position, how do you plan to find out? Know how you plan to prevent a mistake from happening.
- Know who your Environmental Manager is and how to contact them with questions or information.
- Know who is and how to connect with your Target Zero Leadership Team.
- Know who your Health, Safety & Environment (HS&E) regional officer is and where HS&E Tools and Training are located online.
- Complete all of your HS&E online training.
- Report all environmental incidents.
- Take responsibility for your own actions and for those around you, HS&E is my job and your job.

1. Course Syllabus Description

The intended audience of the course is all Operators, regardless of their length of service. Because all Operators make records in the course of their work, this training is applicable to all positions.

We are committed to the goal of “Perfect Compliance and Perfect Reporting”. This means all associates are expected to take any and all reasonable actions to achieve perfect compliance and then fairly and accurately reflect the results of their efforts in their monthly reports to their regulators.

The Company has long recognized its greatest asset is its associates who are the key to all of the Company’s goals including achieving the goal of Perfect Compliance. One of the most important jobs associates have in reaching this goal is making good records.

You will remember from previous trainings that records must always include:

- The actual time something (an event) happened.
- The date (including month, day and year).
- The initials of the person making the record.
- A good description of what happened or how data was generated.
 - The description can be the most difficult of these to prepare, but it is also critically important.

Know how to:

- Properly define Target Zero and the three categories it encompasses.
- Accurately document an unusual event, a changed record and the reason for the change.

Know:

- With Titration what sample types are approved for continuous monitoring.
- Why is a single grab sample not adequate for continuous monitoring permit requirements.
- What the Company’s policy on Falsification and what it means.
- What you would like your records to look like if they were reviewed or audited.
- Why it is important to take the time to write correct records and documentation.
- What the benefit of self-disclosure of information to the regulators is.
- Understand how a government investigation can result from inaccurately documented records.
- What information should be included in all records.
- What types of records at your project require detailed records to be recorded.

The operator course **Module 5: *Black Hat White Hat, a History of Compliance*** consists of 7 Sections in a 102.48 minute video to watch, review and complete by each Operator. Each Section includes:

1. Simple Text (designed for ease of reading and comprehension).
2. Content Examples.
3. Content Illustrations within the videos.
4. Module Final Exam.

Each Section encourages personal accountability, provides examples of the evolving requirements, communication and due diligence required in Compliance & Reporting. The course provides guidance, direction and confidence for attaining our goal “Perfect Compliance and Perfect Reporting of Non-Compliance” to be achieved. Course retention is critical with our Clients’ / Customers’ satisfaction in our perfect compliance with all laws and regulations. Our Companywide Compliance Trainer and Program Administrator will be available to help Employees understand, practice and apply what they have learned.

Each Section will require the Employee to complete an attendance sheet that includes Course title with approval ID, Date, Printed name, and Signature. The Project Manager (or designee) is also required to provide their signature ensuring Operators are utilizing the course material appropriately, for the noted duration and following up with their performance in the field, confirming Operators are successfully applying what they have learned.

The course content, duration and brief description of each section is provided within the Appendix.

2. Module Lesson Plan

Module 5: *Black Hat White Hat, a History of Compliance* is a self-paced video presentation designed to allow the participant an opportunity to read the course materials and then observe or experience examples of the content. The *video* presentation accompanied by questions and answers will encourage understanding and learned knowledge through course completion. This module will have a Final Exam at the end that will be scored, recorded and tracked.

The learning environment will be in a quiet area (the training room for example), furnished with a desktop, or laptop computer loaded with the assigned course files. The Project Manager will be responsible for providing the Employee with a computer, assigned Courses, Sign-In Sheet, and other materials (calculator, scratch paper for notes and computations) and will collect the Final Exam after completion.

The Final Exam will serve to confirm the Employees retention of the Module and may be utilized as part of the Employee Performance Program internally known as e3.

3. Program Tracking and Accountability

The Companywide Compliance Trainer, or e3 corporate software framework, will score and file the Final Course Exams. A score of 70% is required to Pass. Results will be made available to the site supervisor. If the Employee does not achieve the minimum score of 70%, the Employee will repeat the course.

The Companywide Compliance Trainer and Program Administrator will be available to those participants showing a need for specific course assistance. Employees will be given the course material objectives as part of their quarterly performance evaluation.

Appendix A. Course Module Descriptions

The following Sections are offered in the recommended progression:

Section	Description	Duration
Course Learning Objectives	Discuss Course Learning Objectives and Expectations.	15.00 min.
Section 1 – Black Hat White Hat Discussion Topics and Explanations	DVD topics covered: Target Zero. <ul style="list-style-type: none"> • Zero illness. • Zero injuries. • Zero environmental impacts. • HS&E: Health, Safety and Environment. <ul style="list-style-type: none"> • Protects People • Safety laws protect workers inside the fence line. • Environment laws protects everyone outside the fence line. • Penalties for environments crimes are higher than penalties for workers' safety crimes. • Environmental laws carry 15 year felonies for knowing endangering others while committing an environmental crime. 	3.10 min.
Section 2 – Lessons Learned with Wayne Heinemann (WH)	Be a company who cares about: <ul style="list-style-type: none"> • Quality in the work we perform. • Find enjoyment in going to work. • Race to clean up a spill. • Fall in love with what you do and the work your conduct. 	7.5 min.
Section 3 – WH Situation at Rialto with Chlorine Violation	<ul style="list-style-type: none"> • Industry changes in 1996 <ul style="list-style-type: none"> • EPA changed enforcement practices changed from <ul style="list-style-type: none"> • Field staff (experienced at WWTP) to • Lawyers (experience at law). • Document any unusual monitoring events. • Document all work performed. 	29.40 min.
Operator Group 1	<ul style="list-style-type: none"> • Real life examples <ul style="list-style-type: none"> • Enactment/participation • Q&A • Digging deeper <ul style="list-style-type: none"> • Expanding Operator knowledge base <p style="text-align: right;">Cont. on Next Page</p>	15 min.

Module 5: *Black Hat White Hat, a History of Compliance*

<p>Section 4 – WH Development of the Environment Management System</p>	<ol style="list-style-type: none"> 1. System vigorously analyzes requirements. 2. System for the people (associates) <ol style="list-style-type: none"> a. To know and follow. 3. Training for everyone. 4. Compliance Audits for all sites. 5. Internal investigation function <ol style="list-style-type: none"> a. How to resolve issues found. 6. Clean water act re Audits with self-disclosure to the gov't will not be pursued criminally. Civil still a possibility. 7. Helpline established. 8. Place for staff to go when they feel things need to change. 9. Strict HR Policy. 10. If ethics not followed there is disciplinary action. 	<p>11.35 min.</p>
<p>Section 5 – WH Common Observations</p>	<p>People involved:</p> <ol style="list-style-type: none"> 1. Misunderstandings led to non-intentional mistakes thought to not be an issue. 2. Did not understand regulatory compliance. 3. Did not take regulation fine print seriously (agreement/not enforced). 4. None understood DOJ does not care to prosecute the "little guy": <ol style="list-style-type: none"> a. Target is the management. 5. Many experienced personal suffering from stress. 6. Project site incurred high costs/fees. 7. Potential Debarment = no more federal work. 8. Presentation re new plan to avoid debarment: <ol style="list-style-type: none"> a. EMS. b. Not bad guys. 9. Rialto, CT not bad guys. Mistakes were made. 10. The Real McCoy: <ol style="list-style-type: none"> a. Out of 1,600 associates, <u>just one</u> can bring on another search or debarment. 11. Black Hats and White Hats <ol style="list-style-type: none"> a. Once a company is scrutinized their white hat becomes black and remains black and scrutinized. 	<p>13.50 min.</p>
<p>Operator Group 2</p>	<p>Real life examples with enactment/participation, Q&A and digging deeper in expanding Operator knowledge base. Cont. on Next Page</p>	<p>15.00 min.</p>

Cont. on next page


Module 5: Black Hat White Hat, a History of Compliance

Continued from previous page:

Section	Description	Duration
Section 6 – WH Conclusion	<ul style="list-style-type: none"> • Which hat do we want to wear. <ul style="list-style-type: none"> • Do you know the requirements of your job (Office/field/engineers). • How lucky are you. <ul style="list-style-type: none"> • Intentional/non-intentional. • Be onboard with management’s rules/regs. • What is your plan. <ul style="list-style-type: none"> • If you don’t know the requirements of your position, how will you find out? How do you prevent this from happening? • Work from bottom up to meet regulatory compliance. 	4.40 min.
Section 7— Keeping the White Hat White	<ul style="list-style-type: none"> • Know your Environmental Manager. • Connect with the Target Zero Leadership Team. • Use HS&E Tools and Training online. • Report Environmental Incidents. • Take Responsibility for your own actions and for those around you, HS&E is your job. 	43.03 min
Driving the Point Home	<ul style="list-style-type: none"> • Real life examples <ul style="list-style-type: none"> ▪ Enactment/participation ▪ Q&A ▪ Digging deeper ▪ Expanding Operator knowledge base 	15 min.
Module 5 – Final Exam	12 Question Exam with story problems requiring 70% or higher score.	30.00 min.
Evaluation Report	Provide Operator Evaluation.	15.00 min
Total Hours	All Hours Listed are Firm Estimates.	3.50 Hours

Appendix B. Course Completion Sign-Off Sheet

Upon completion of each Section, the Operator will legibly print their name and provide a valid signature and date to receive credit. The Companywide Compliance Trainer (or designee) is responsible for Attendee enrollment. The Attendee must commit to full participation, and application of acquired knowledge towards individual professional growth. The Program Administrator will file the signature sheets with the Companywide Trainer into a secure filing network.

		Course Completion Sign-Off Sheet State: _____ Course # _____ Employee Name _____		
Module 5: Black Hat White Hat, A History of Compliance				
	Start Date	Completion Date	Minutes to Complete	Supervisor Signature
Course – Learning Objectives			15.00	
Section 1 – Black Hat White Hat Discussion Topics and Explanation			3.10	
Section 2 – Lessons Learned with Wayne Helnemann (WH)			7.50	
Section 3 – WH Situation at Rialto with Chlorine Violation			29.40	
Operator Group 1 – Enactment/Participation, Digging Deeper			15.00	
Section 4 – WH Development of the Environment Management System			11.35	
Section 5 – WH Common Observations			13.50	
Operator Group 2 – Enactment/Participation, Digging Deeper			15.00	
Section 6 – WH Conclusion			4.40	
Section 7 – Keeping the White Hat White			43.03	
Driving the Point Home Enactment/Participation, Digging Deeper			15.00	
Module 5 Final Exam requiring 70% or higher score			30.00	
Evaluation Report – Provide Operator Evaluation			15.00	
Total Hours Awarded for CEU Credit			3.50 TCH	0.35 CEU
I understand that it is incumbent upon me to complete all modules in this Course and that Jacobs verifies and audits the completion of training by employees. My signature indicates that I personally reviewed and completed all portions of this Course and no one has completed any portion of this course on my behalf.				
DD/MM/20YY				
Employee Signature _____		Date _____		# License / Certification #

Appendix C. Compliance & Reporting Certificate of Completion

Upon completion of the Module, the Program Administrator will complete the below Completion Certificate and provide a copy to the Operator for their records. At the site level, the Operator is responsible for submitting their Certificate to the State and paying any applicable state CEU fees. The Program Administrator may assist, as needed. When required, this form will be customized to include necessary State specific information.

Jacobs
CERTIFICATE OF COMPLETION
First Last Name

has successfully completed:

Module 5: *Black Hat White Hat, A History of Compliance*

State Drinking water and Wastewater Operators
Awarded: 0.35 CEU, 3.50 TCH
Course ID #: n/a
License / Certification #: _____

On _____ (Date)
As reviewed and approved by: _____

Elisabeth Smith, Companywide Compliance Trainer

EDUCATION

- Awarded Air Force ROTC college scholarship
- University of California, Riverside, California
- Harvey Mudd College, Claremont, California
- University of California, Sacramento, California, Office of Water Programs:
 - Industrial Pretreatment Inspections
 - Water Treatment Plant Operation, Volumes 1 and 2
 - Operation of Wastewater Treatment Plants Volumes 1 and 2

CERTIFICATIONS

- California Water Environmental Association (CWEA) Grade I Environmental Compliance Inspector

PROFESSIONAL AFFILIATIONS

- American Water Works Association (Emergency Preparedness & Security committee member)
- CWEA (member)

AWARDS

- Rocky Mountain Water Environment Association Industrial Pretreatment Coordinator of the Year, 2004
- CWEA Safety Award, Santa Ana River Basin Section, 2002

Summary/Profile

Ms. Smith is skilled in all aspects of compliance training, managing industrial pretreatment programs, and treatment facility security. She has conducted environmental auditing, prepared legal framework to support local industrial pretreatment, and supported investigative teams working under attorney privilege. Ms. Smith is a certified California Grade 1 Environmental Compliance Inspector.

Project Experience

Companywide Compliance Trainer **Jacobs** **Colorado Springs, Colorado**

Ms. Smith provides regulatory compliance training to O&M staff for Jacobs. She provides training to project management staff on company tools to facilitate understanding, tracking, and improving permit compliance. Ms. Smith works closely with the Compliance and Reporting Group to update compliance training as new regulatory changes and issues arise.

Ms. Smith has been instrumental in developing and producing a series of multimedia training on a variety of topics that are delivered to all eligible associates and then become part of required onboarding training for new hires. An external review of systems by a nationally recognized authority described the program as “far and away the leader in the environmental field.”

She regularly delivers webinars on a variety of topics to project workers in the field. Previous topics include cybersecurity, active shooter, data handling, workplace security, sampling protocols, and spill reporting.

Ms. Smith has studied security issues related to O&M facilities – cybersecurity and physical security. She sits on the AWWA Emergency Preparedness & Security committee, which works to shape and influence regulations and industry guidance. She monitors security warnings and communicates them to company personnel.

Industrial Pretreatment Coordinator

CH2M HILL

Rio Rancho, New Mexico

Ms. Smith served as the Industrial Pretreatment Inspector, developing a pretreatment program under a compliance order from the U.S. Environmental Protection Agency. She conducted an industrial waste survey, developed the monitoring and reporting program, identified and categorized significant industrial users, developed the implementation manual, developed local limits, drafted the sewer use ordinance, and drafted the enforcement response plan. During this process, Ms. Smith met regularly with the Utility Director, City Attorney, City Clerk, and other city departments to coordinate program elements. In addition, she made several presentations to the Utility Commission and the City Council regarding pretreatment program implementation. For her work in Rio Rancho, Ms. Smith received the 2004 Industrial Pretreatment Coordinator of the Year Award from the Rocky Mountain Water Environment Association.

Industrial Pretreatment Inspector

CH2M HILL

Rialto, California

As Industrial Pretreatment Inspector, Ms. Smith managed the pretreatment program and served as the program inspector. She conducted inspections, performed grab and composite sampling, and documented results. She prepared monthly client reports and quarterly and annual regulatory reports. Ms. Smith also surveyed and inspected new businesses in the City to determine if they needed regulation under the pretreatment program. She interfaced with regulatory agencies, industrial users, and the City of Rialto, preparing documents for permitting and enforcement activities.

Ms. Smith also served as Project Safety Team Leader. She implemented a comprehensive training program to comply with Occupational Safety and Health Administration (OSHA) requirements as well as California OSHA requirements. She coordinated weekly staff safety training topics, monthly plant inspections by the safety team, and annual plant inspections by the company. She presented Rialto project's training system during the Project Safety Team Leader Summit 2000 as a model for other projects. Under her leadership, the Rialto project earned the 2002 Safety Program of the Year Award from the Santa Ana River Basin Section of the CWEA.

Legal Secretary

Bonne, Bridges, Mueller, O'Keefe and Nichols

Riverside, California

As a legal secretary in a medical malpractice defense firm, Ms. Smith worked with an attorney responsible for 10 to 20 cases. Familiar with each local district's rules for court and filing, she managed the attorney's calendar and filed motions and documents in court on a wide variety of alleged medical malpractice cases. She established cooperative relationships with insurance carrier representatives, doctors, attorneys, courtroom clerks, and attorney service personnel.