





Office of Operator Certification

CWEA Workshop
Wastewater Operator Certification Program Regulations:
The Future is NOW

Workshop topics

- Introductions
- Program Overview
 - Mission statement
 - Office of Operator Certification organizational chart
- Amended Regulations
 - What's New!
 - What's Changed!
- Examinations
- Program Updates
- Office of Enforcement

Mission Statement

The primary purpose of the Operator Certification Program is to protect public health and the environment by providing for the effective operation of WWTPs through the certification of wastewater treatment plant operators.



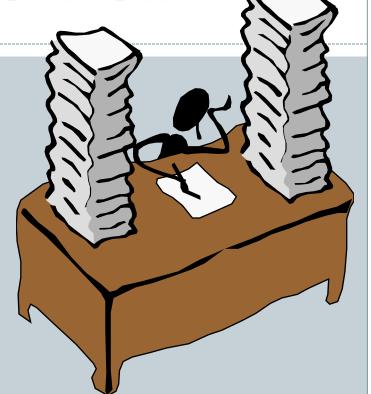
What does that mean?



*Through education and experience, operators are expected to gain the expertise necessary to safely treat wastewater so its discharge meets standards set by the Regional Water Quality Control Board.

Operators must be aware of their responsibilities and requirements for certification with the Office of Operator Certification. **Program - Overview**

- Process applications for:
 - Examinations
 - Certifications
 - Renewals
 - Contract Operator
 - Provisional Operator
 - Exemption of Class I WWTPs
 - Examination waivers
- Administer wastewater operator examinations
- Classification of wastewater treatment plants



Office of Operator Certification Organizational chart - Administration

Doug Wilson Staff Manager III

Christine Gordon Staff Manager II

Wes Wilkinson Staff Manager I

Sheriska Rogers Seasonal Clerk

Debra Cockrell Associate Program Analyst Debbie Zuccala
Certification
Analyst

Anna Hernandez Examination Analyst

Xia Lao Program Analyst

Office of Operator Certification Technical / Legal staff (Indirect)

Examination graders (10 – 12 staff)
Water Resource Control Engineers

Legal counsel (1 staff)



Amended Regulations

Effective April 1, 2013 - What's New!

- Exemption of Class I WWTPs
- Imposition of Administrative Civil Liability
- Inclusion of privately owned WWTPs
- Lone operator
- Provisional operator
- Qualifying experience credit

Exemption of Class I WWTPs

(Section 3677)

- *An owner of a Class I WWTP may apply to the Office of Operator Certification (OOC) for an exemption from reporting requirements if the WWTP could not, due to operator error, violate water quality objectives.
- A non-refundable application fee of \$800 is required with application.
- **❖** If approved, the exemption is valid for four (4) years; a renewal application must be submitted along with a \$300 renewal fee.
- **❖** If denied, the owner must, within 365 day from the date of denial, staff the WWTP with certified operators of the appropriate grade level.

Imposition of Administrative Civil Liability (ACL) (Section 3709 and 3719.11)

The State Board has the authority to impose ACL penalties administratively in accordance with the Water Code.

Inclusion of privately owned WWTPs (Section 3767 and 3680.1)

- Within 60 days of the effective date (May 30, 2013), the owner of a privately owned WWTP must submit to the OOC a completed plant classification form with required documents.
- No later than two (2) years from the effective date (March 31, 2015), all persons performing duties of an operator must possess at least a Grade I certificate, a valid provisional operator certificate, or a valid operator-in-training certificate.
- No later than two (2) years from the effective date (March 31, 2015), the owner must staff the WWTP with operators of appropriate grade levels.

Lone Operator (Section 3681)

- A chief plant operator of a WWTP must receive written approval from the OOC before assigning an operator as a lone operator.
- The chief plant operator must demonstrate that the owner has had difficulty, despite due diligence, hiring a certified operator of the appropriate grade to operate the WWTP.
- The chief plant operator must request approval and submit a written plan.
- If approved, the use of a lone operator is valid for 180 days.

Provisional Operator (Section 3680.2)

- The owner of a Class I WWTP may apply to the OOC to use a provisional operator.
- The owner must demonstrate that the owner has had difficulty hiring, despite due diligence, a certified operator to operate the WWTP.
- A non-refundable fee of \$1,000 is required with application.
- If approved, the request is valid for five (5) years.

Provisional Operator Certificate

(Section 3683 – 3683.4)

- An owner of a Class I WWTP may employ a provisional operator to be solely responsible for the operation of the WWTP, if the owner received written approval from the OOC.
- ❖ The applicant for a provisional operator certificate must meet the minimum education requirements; and pass an examination at the Grade I level or higher.
- A provisional operator certificate is valid for a maximum of 24 months and can not be renewed.
- The certificates are valid only while the provisional operator is employed at the WWTP for which the certificate was issued.
- The provisional operator certification fee is \$170

Qualifying Experience Credit

(Section 3684)

An applicant for certification who has acquired one year of full-time qualifying experience at a WWTP may receive qualifying experience credit, provided certain conditions are met.

Questions Answers

Amended Regulations What's changed!

Certification

- Education/experience requirements
- Application
- Signature
 Sig
- Posting certificates

Chief plant operator

- Definition
- Expectations(Office of Enforcement)

Educational points

- *High school equivalence
- Courses recognized



Amended Regulations What's changed! (cont.)

- Examination waiver
- New fees
- Operator-in-training
 - Direct supervision
 - Education requirements
 - Issuance/expiration dates
 - Renewals
- Reporting requirements
 *Owners of WWTPs

 - Operators



Certification

(Section 3702 - 3703)

Education/experience requirements

Application

Issuance of certificates

Posting certificates

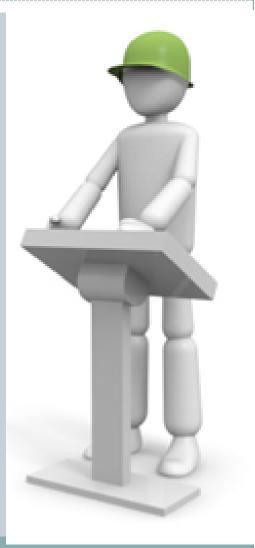
*Definition (Section 3671)

***Expectations**(Office of Enforcement)

*Designated Operator-in-Charge (DOIC) (Section 3671)

Duties:

Responsible for overall operation of WWTP and includes compliance with effluent limitations (WDR Permit), and ensures that OITs are supervised directly



Duties:

Can be a Provisional Operator who is responsible for Class I WWTP (with approval from SWRCB)



Duties:

- Compliance with:
 - Discharge Prohibitions
 - Standard Provisions
 - Special Provisions
 - Discharge Specifications

Duties:

- Compliance with:
 - Land Applications
 - Effluent Limitations
 - Groundwater Limitations
 - Receiving Water Limitations

Duties:

Use reasonable care and judgment

Not commit fraud or deception

Duties:

- Not allow uncertified operators to operate your plant
- Not negligently violate waste discharge requirements

Duties:

Shall appoint a certified operator to be the designated operator-incharge for any period of time during which the chief plant operator is unable to carry out the responsibilities of the position of "chief plant operator"

CPO Acknowledgement Form

Duties:

- Wastewater Treatment Plant Class Data Form
- Form sent out in March 2013
- Required to correctly classify the WWTP
- Required to correctly identify appropriate operator grade level

All Monitoring Reports signed by:

Corporation:

Principal executive officer of at least the level of senior vicepresident

Partnership:

General partner or the proprietor

All Monitoring Reports signed by:

- Municipality, state, federal or other public agency:
 - Principal executive
 - Officer or ranking elected or appointed official

All Reports signed by:

- Duly Authorized Representative:
 - The authorization is made in writing
 - The authorization specifies either an individual or a position having responsibility for the operation of the regulated facility

All Reports signed by:

- Duly Authorized Representative:
 - The written authorization is submitted to the Board



Changes to Chief Plant Operators

CPO changes:

* "If the chief plant operator changes, the owner shall notify the Office of **Operator Certification in writing within** 30 days and shall provide a signed statement from the new chief plant operator acknowledging and accepting the responsibilities of the position of "chief plant operator"

Operator Log Books

Duties:

- Must keep Logbooks
 - Acceptable:
 - computer entry
 - hand written



Operator Log Books

Duties:

- Logbooks
 - Keep all "raw" log book sheets
 - Do not use "pencil", use permanent ink
 - Do not use "whiteout" or make handwritten logbooks "unreadable"

Standard Operating Procedures (SOP)

Definition:

Set of written instructions that document a routine or repetitive activity

Definition:

Should be written with sufficient detail so that an operator can successfully reproduce the activity or procedure when unsupervised

Duties:

Should have SOP for each piece of equipment/procedure at the WWTP

Duties:

- Chief Plant Operator (CPO) responsible for SOPs
- CPO responsible to train operators in the SOPs

Duties:

- SOPs should be part of personnel training program
- All operators at a WWTP should know about the SOPs

Duties:

SOPs need to be reviewed/updated

(document all reviews/updates)







Quality System Home Frequent Questions

Quality Management Tools by Topic

Specifications for: EPA Organizations Non-EPA Organizations

Guidance

Training & Conferences

EPA Contacts & Web sites

Other Useful Web sites
Terminology Search
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You are here: EPA Home * EPA Quality System * Tools * Standard Operating Procedures

Quality Management Tools -Standard Operating Procedures

Standard Operating Procedures are written documents that describe, in great detail, the routine procedures to be followed for a specific operation, analysis, or action. Consistent use of an approved Standard Operating Procedure ensures conformance with organizational practices, reduced work effort, reduction in error occurrences, and improved data comparability, credibility, and defensibility. Standard Operating Procedures also serve as resources for training and for ready reference and documentation of proper procedures.

For directions on accessing the references listed below, see Information About Downloadable Files.

References

- Frequent Questions about Standard Operating Procedures
- <u>Guidance for Preparing Standard Operating Procedures (G-6)</u> (PDF 60pp, 336K <u>About PDF</u>) April 2007, EPA/600/B-07/001. Guidance on the development and documentation of Standard Operating Procedures.

Examples and Other On-line Resources

- EPA Office of Emergency and Remedial Response http://www.epa.gov/oerrpage/superfund/programs/clp/index.htm
- National Institute on Drug Abuse www.nida.nih.gov/Funding/DSMBSOP.html EXIT Disclaimer
- Tennessee Department of Environment and Conservation Center http://tennessee.gov/environment/permits/sops.shtml | EXIT Disclaimer |

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http://www.epa.gov/QUALITY/sops.html Print As-Is

Educational Points

(Section 3685 - 3686)

High school equivalence

*No longer allow applicant to substitute educational points for high school equivalence

Courses recognized

- *Management
- ***Science**
- *Wastewater treatment

Examination Waiver (formerly "Reciprocity") (Section 3689)

- The OOC will waive the examination requirement and examination fee if the applicant holds a valid, unexpired certificate issued by a certifying body for a position comparable to that of an operator at a WWTP, if certain provisions are met.
- *The examination waiver fee is \$100 in addition to the certification fee.

How does a tribal operator become certified with OOC?

- Operator must be certified by a "certifying body"
 - Inter Tribal Council of Arizona(ITCA)
 - certifying body <u>must be comparable</u> to OOC requirements:
 - **Experience, education, and examination requirements**
 - **Applicant meets the minimum education and qualifying experience requirements for same grade level (refer to requirements table)**
 - *** Applicant has passed a written examination**
 - **Applicant completes the OOC Certification and Exam** Waiver application, pays fees for both.

New Fees

(Section 3717)

New fees became effective April 1, 2013. This will allow OOC to charge reasonable fees for processing and administering the associated costs for the OOC.

*The fees have not been increased since 2003.

Operator-in-Training

(Section 3682 – 3682.6)

Direct supervision

Education requirements

Issuance/expiration dates

Renewals

Reporting Requirements

(Sections 3682.6, 3683.4, 3702.5, and 3719.10)

Operators

*Must notify OOC within 30 days of the date a certifying body or court, for any act associated with performing duties at a facility that treats wastewater, takes final action: to discipline the operator; to impose ACL; or to impose civil or criminal liability.

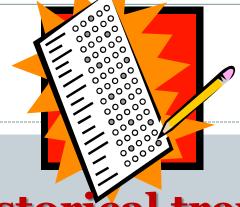
Reporting Requirements

(Section 3676)

Owners of WWTPs

- Within 60 days of the effective date (May 30, 2013), the owner of a WWTP must submit to the OOC a signed statement from the chief plant operator acknowledging and accepting the responsibilities of the position of "chief plant operator."
- * Within 60 days of the effective date (May 30, 2013) the owner of any WWTP using sequence batch reactor or extended aeration treatment for process control must submit to the OOC a completed plant classification form with additional required documents.
- * The owner must notify the OOC in writing within 30 days of entering into or ending a contract with a contract operator.
- The owner must notify OOC in writing within 30 days of any final disciplinary action taken by the owner against an operator or contract operator.

Questions Answers



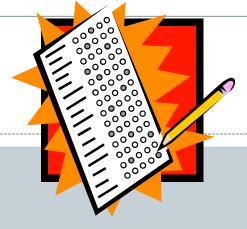
Pass/fail rate - historical trends

Grading process

Revised equivalents/formulas sheet



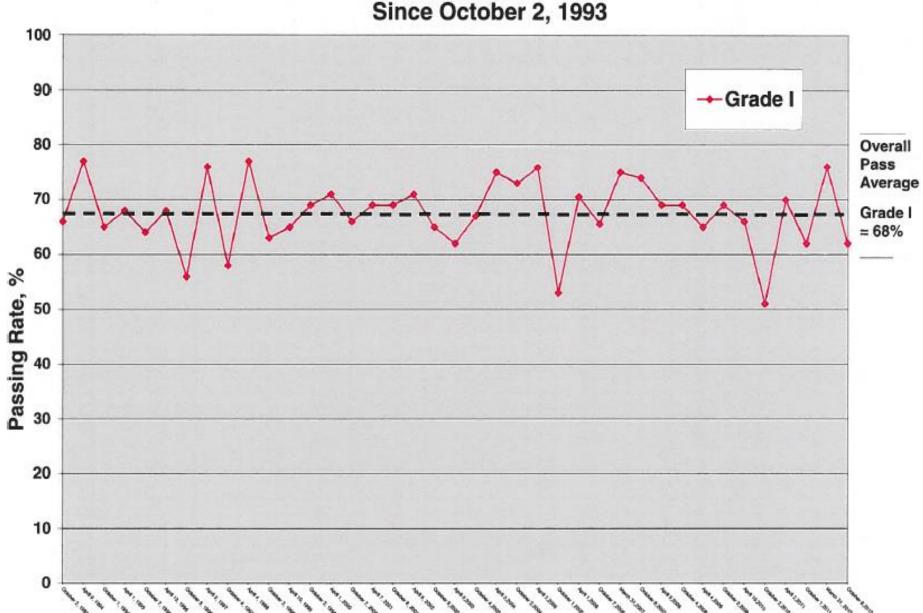
Helpful tips



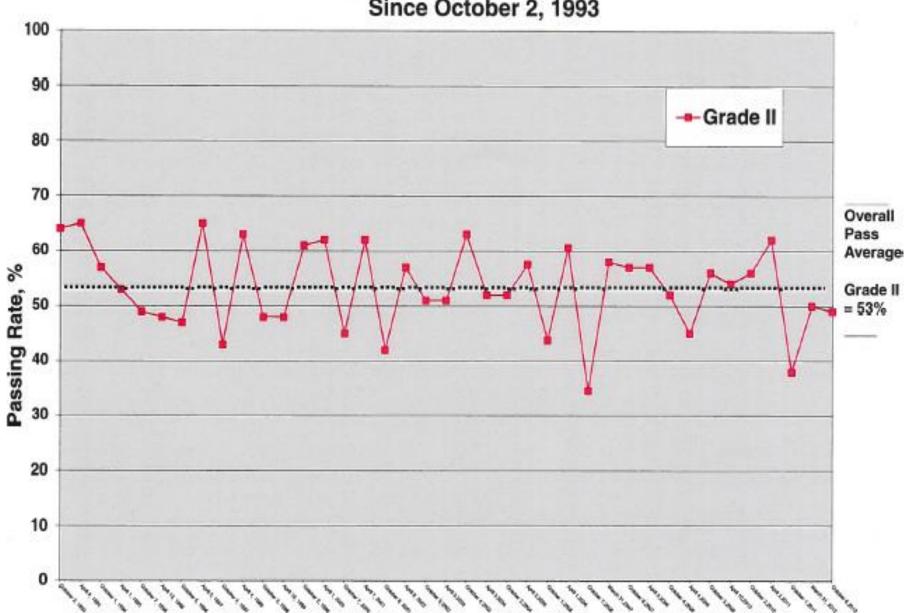
Pass/Fail Rate Historical trends



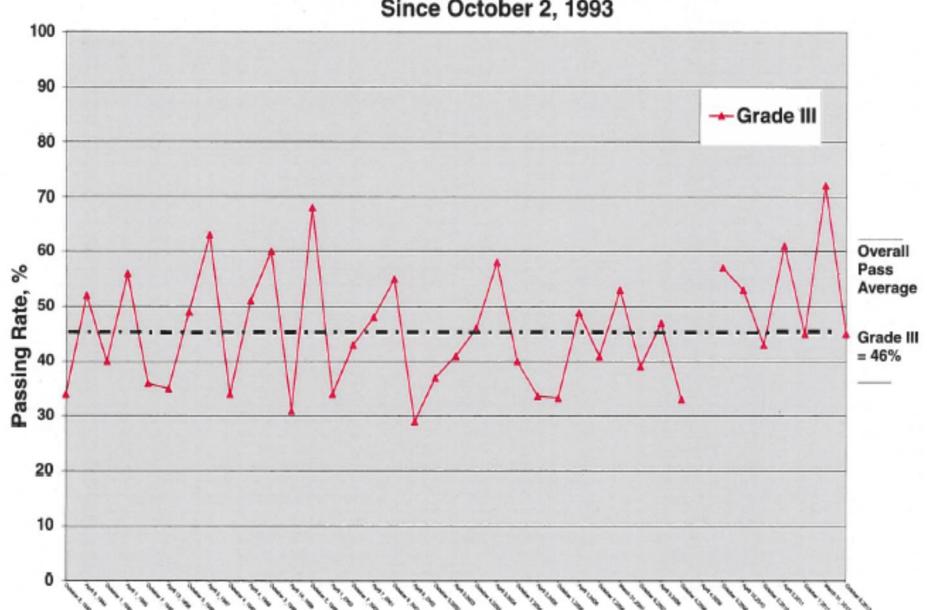
Passing Rates for Grade I Exams Since October 2, 1993



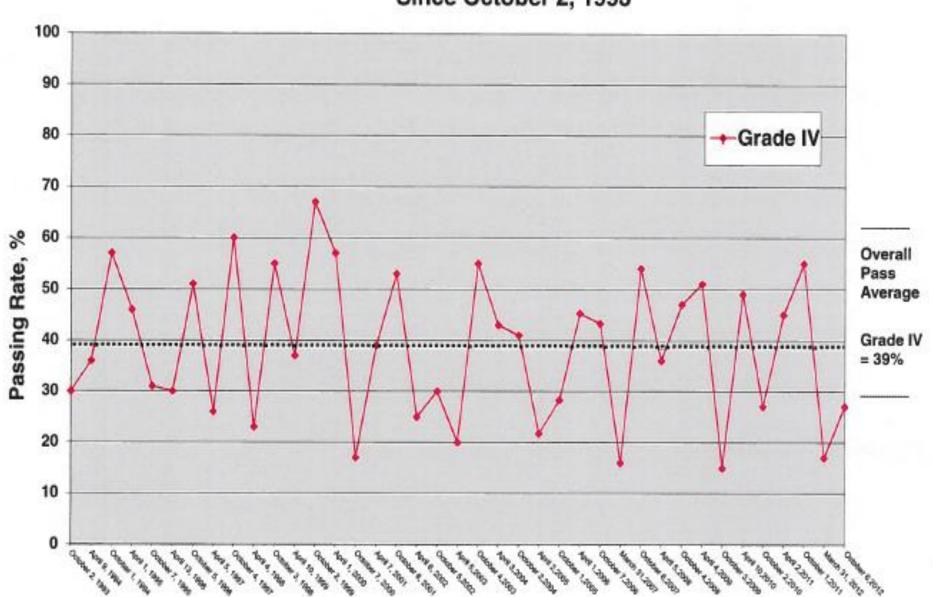
Passing Rates for Grade II Exams Since October 2, 1993



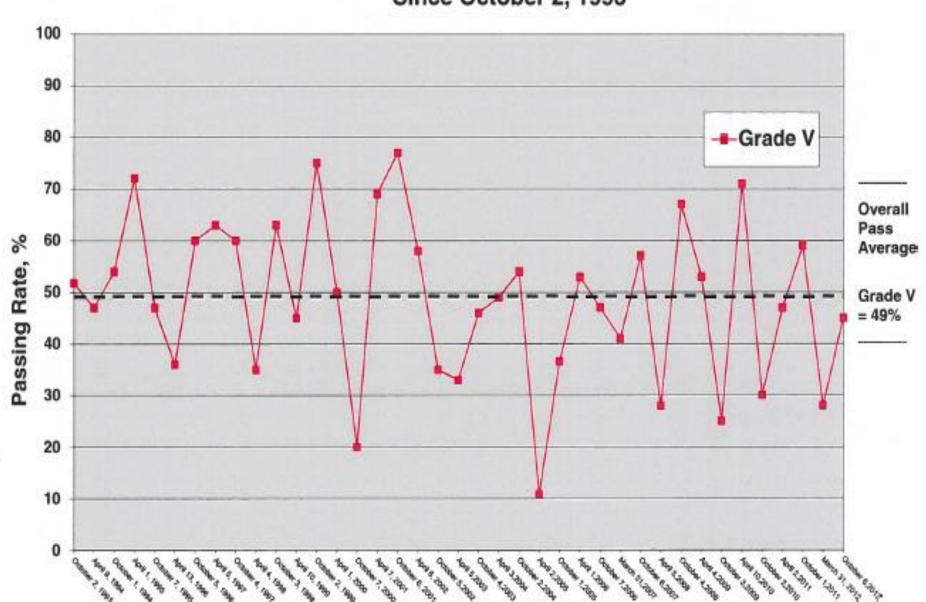
Passing Rates for Grade III Exams Since October 2, 1993

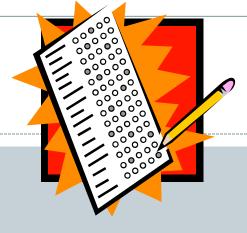


Passing Rates for Grade IV Exams Since October 2, 1993



Passing Rates for Grade V Exams Since October 2, 1993





Grading is a Three Step Process

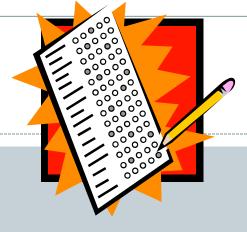


Grading Three Step Process

Step 1: 1st Grading by 12 Engineers: Scan Tron + Hand Grading-Math/Essay.

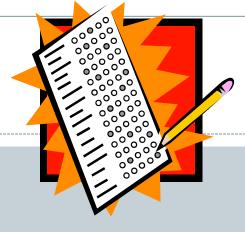
Step 2: 2nd Grading: Close to Pass (within ~10 Pts of Passing) is reviewed.

Step 3: 3rd Grading: After examinee review/comments Opportunity to review exams for Close to Pass exams.



Revised Equivalents/Formulas Sheet





Applying for an Examination



Helpful Tips!!!

Units are Important (2nd Check)

Formulae Sheet is Good Reference

Work Hardest Problems Last

Draw Schematic/Diagram

Budget Time

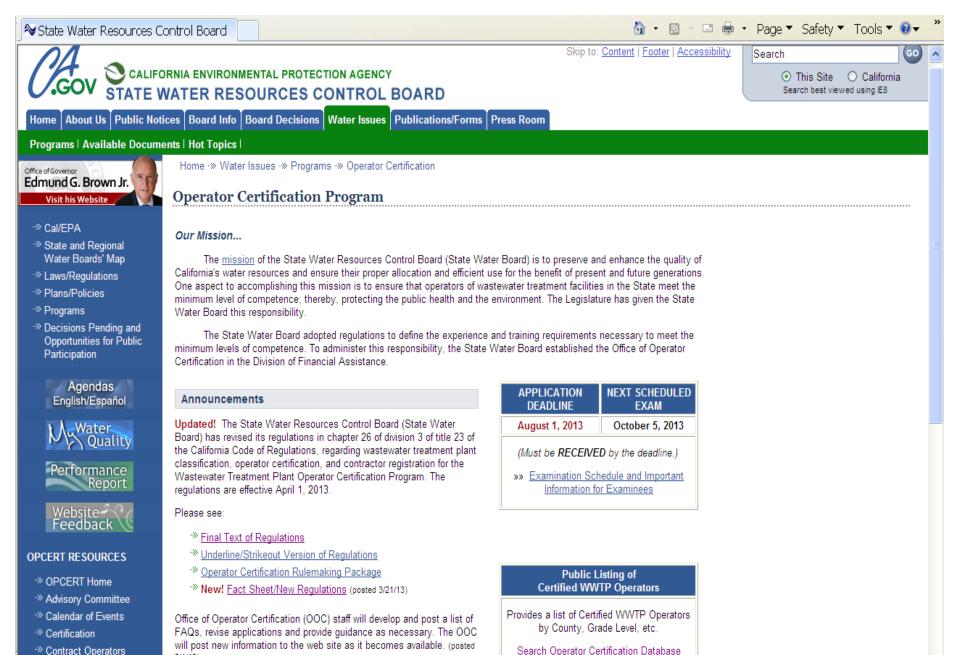
Questions Answers

Program Updates & Improvements

Operator Certification Information System (OCIS) - Enhanced features

Searchable operator listing





→ Email Subscriptions

2/1/13)

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Office of Governor
Edmund G. Brown Jr.
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- Decisions Pending and Opportunities for Public Participation

Agendas English/Español



Performance Report



OPCERT RESOURCES

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Home -- Water Issues -- Programs -- Operator Certification

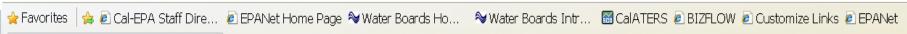
Search Operator Certification Database

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Search

Certificate No:	
Last Name:	
First Name:	
City:	
County:	
Grade Level:	~
Sort By:	~
Sort Order:	~



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- → Recuprocity

 → Regulations

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This list is updated daily and may not contain the most recently updated data. Although the State Water Resources Control Board takes all steps to ensure the accuracy of the information in the list, there may be some inaccuracies. Please contact the Operator Certification Unit at (916) 341-5819 if you have any questions.

Updated on: March 13 2013. Back to Operator Search Page

LAST NAME	FIRST NAME	MIDDLE INITIAL	CITY	STATE	COUNTY	CERTIFICATE NO	GRADE	ISSUED	EXPIRATION
Smith	Rick	D.	Cedar Ridge	CA	Placer	3817	IV	06/04/2012	06/30/2014
Smith	James	L.	Lakeside	CA	San Diego	2331	III	05/20/2011	06/30/2013
Smith	Donald	L.	Carefree	AZ	Out Of State	3404	V	05/04/2012	06/30/2014
Smith	Vincent	M.	Placerville	CA	El Dorado	9691	II	01/03/2012	12/31/2013
Smith	James	R.	Sn Juan Capistrano	CA	Orange	7050	V	06/20/2011	06/30/2013
Smith, I I	Samuel	S.	Lake Elsinore	CA	Riverside	9418	II	12/12/2011	06/30/2013
Smith	Jennifer	R.	Berkeley	CA	Alameda	5440	V	12/16/2011	12/31/2013
Smith	Patrick	A.	Mi Wuk Village	CA	Tuolumne	7489	II	11/09/2012	12/31/2014
Smith	Terry	L.	Needles	CA	San Bernardino	7550	II	12/05/2011	12/31/2013
Smith	Howard	P.	Santa Maria	CA	Santa Barbara	4853	III	05/20/2011	06/30/2013
Smith	Charles	E.	Quail Valley	CA	Riverside	7346	III	05/13/2011	06/30/2013
Smith	Jeffrey	L.	Riverside	CA	Riverside	5113	III	05/09/2012	06/30/2014
Smith	Charles	J.	Oceanside	CA	San Diego	4871	III	10/29/2012	12/31/2014
Smith	Robert	M.	San Jose	CA	Santa Clara	10206	II	11/19/2012	12/31/2014
Smith	Bruce	J.	Lockeford	CA	San Joaquin	8445	II	05/13/2011	06/30/2013
Smith	Mark	W.	Santa Barbara	CA	Santa Barbara	9562	III	03/19/2012	06/30/2014
Smith	Archie	L.	Fairfield	CA	Solano	8878	IV	04/26/2012	06/30/2014
Smith	Marlon		Lompoc	CA	Special Handle	34961	OIT-I	07/18/2011	06/30/2013
o '11	D 11	т	ъ	O.4	о т '	02.40	T 7	11/12/2012	10/01/0014



Questions Answers



Questions?

Website:

www.waterboards.ca.gov/water issues/programs/operator certification

- Applications
- Regulations
- Contract Operator List
- Advisory Committee
- Email Subscriptions
- Frequently Asked Questions

Contact Information

GENERAL INFORMATION – <u>OpcertProgram@waterboards.ca.gov</u>

(916) 341-5819 / (916) 341-5734

<u>Christine Gordon</u> (916) 341-5835, <u>cgordon@waterboards.ca.gov</u>
 Staff Services Manager II, Office of Operator Certification



Operator Ethics and Enforcement Actions State Water Resources Control Board Enforcement

Dr. Matthew Buffleben, PE Jim Fischer, PE

Office of Enforcement Special Investigations Unit

Today's Topics



- Introduction Office of Enforcement
- Operator Ethics
- Complaints to the Water Board
 - Confidentiality
- Whistler Blower
- Documentation
 - Standard Operating Procedures
- Enforcement

Office of Enforcement



- Located in Sacramento
- Our role is to ensure that violations of orders and permits result in firm, fair, and consistent enforcement
- Special Investigations Unit
 - Operator certification
 - Wastewater treatment
 - Sanitary sewer overflows

Operator Ethics



Grounds for disciplinary action

- Submitting false or misleading information
- Using fraud or deception
- o Failing to use reasonable care or good judgment
- o Failing to apply knowledge or ability in duties
- Willfully or negligently violating waste discharge requirements

Complaints to the Water Boards

- Come from a variety of sources
- Can be anonymous
- Will be kept confidential as long as possible
 - If the investigation identifies enough hard evidence or other witnesses willing to testify, complainant may be kept confidential

Confidentiality

(77)

• If complainant testimony is essential to prove a case but they are unwilling to testify, we may be forced to drop the investigation

Whistleblower Protection



- You may file a complaint with Occupational Safety and Health Administration (OSHA) if your employer retaliates against you for reporting a potential environmental violation.
 - Federal Water Pollution Control Act Act)

(Clean Water

Whistleblower Protection



- Must be filed within 30 days of alleged unfavorable action
- Complaints must be filed in writing
 - o OSHA Regional Office San Francisco
 - × (415) 625-2547
- Contact OSHA for more details
 - o www.osha.gov

Documentation



- Industry Standard to keep a Logbook
 - Maintaining a Logbook is part of showing work was conducted within a standard of care
- Memos or emails
- Standard Operating Procedures

Enforcement Policy



- Approved in May 2010
- Describes:
 - Prioritization
 - Progressive enforcement
 - Informal Actions (Notice of Violations- NOV)
 - Formal Actions (Cleanup Orders, Administrative Civil Liabilities)
 - Calculation of Civil Liabilities
 - ➤ Factors include: harm, culpability, history

Enforcement



- Enforcement may be taken for certain violations
- Disciplinary Actions:
 - Reprimand
 - Place on Probation
 - Refuse to grant, suspend or revoke an operator certificate or registration
- Civil Liability (monetary penalties)
- Criminal Enforcement (misdemeanor)



Enforcement Cases



Case #1

Grade V (chief plant operator) - October 12, 2011

Violations:

- Allowing Uncertified Operations
- Failure to Use Good Care or Judgment
- Willful or Negligent Violation of Waste Discharge Requirements

Summary:

The State Water Board found evidence that the operator violated numerous provisions of the WWTP operator requirements, including allowing uncertified operators to operate WWTPs, negligently allowing permit violations to occur, and failing to use good care and judgment. The State Water Board settled the case against the operator for a \$30,500 penalty.

Case #2

Grade V (chief plant operator) - October 12, 2011

Violations:

- Willfully or Negligently Allowing Permit Violations
- Failure to Use Good Care or Judgment

Summary:

Chief plant operator at several WWTPs, and employed by several contract operators. The operator failed to comply with standard operating procedures for treating effluent and controlling chlorine residuals, failed to ensure proper sampling and reporting of effluent limits, including taking coliform samples before dechlorination. CPO fined \$30,000, was formally reprimanded, and was required to retake and pass the Grade V operator certification exam or his certificate would be reduced to a Grade III until such time as he passed the Grade V certification exam.

Case #3

Contract Operator (agency) - December 23, 2010

Violations:

- Allowing Uncertified Operation
- Willfully or Negligently Allowing Permit Violations
- Failure to Use Good Care or Judgment
- Failure to Report That It Has Contracted to Operate a WWTP

Summary:

The contracting agency was the contract operator for numerous WWTPs throughout the State of California. Violations at 13 of those facilities. The State Water Board and the agency entered into a stipulated agreement whereby the agency agreed to pay \$1,000,000, for misconduct related to the operation of multiple wastewater treatment facilities in California and an additional \$250,000 for staff costs.

Questions

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Contact:

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Sacramento, CA 95814
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mbuffleben@waterboards.ca.gov