Introductions:

- Annette Caraway, Manager II acted as moderator for this meeting. Attendees were welcomed. Introductions were made.

Agenda Review:

- The agenda was reviewed. It was noted that the Enforcement Report may need to be delayed.

Public Comments:

- Kevin Ryan (USEPA) noted that Primacy agencies receiving federal funds are required to have an approved Operator Certification Program or they face a 20 percent withholding in the Drinking Water State Revolving Fund grant. On July 31, 2018 the United States Environmental Protection Agency (USEPA) issued new guidance for annual reporting to be used in 2019, however California (State Water Board), took the initiative and used the new guidelines for the FY17/18 report. USEPA was very pleased with the submission and will be using California’s report as a model for other states when they submit their FY18/19 reports. The USEPA commends the State of California for its efforts.

- Robert Cheng asked for clarification regarding USEPA’s role regarding the State Water Board’s regulations. Kevin replied that the USEPA will not be involved in promulgating regulations; its focus is more public health as opposed to state regulations.
Exam Update:

- The Drinking Water (DW) Treatment exam will take place this Saturday 11/3/2018. There are 1,825 examinees that have applied to take the exam and 1,798 examinees were approved to take the exam. In the last three exams March DW Distribution 2018, May DW Treatment 2018, and September DW Distribution 2018 the numbers have stayed consistent.

- Water Treatment grade 5 (T5) exams are given in Northern and Southern California in June and December. The number of sites/days depends on where the approved examinees are located. Sacramento and Lakewood are typical sites. Earlier this year there were enough T5 examinees to hold an exam in the San Diego area. The OOC is not having difficulty getting panel members. The Division of Drinking Water (DDW) has qualified people who are willing to be on this panel as well.

- Special handle exams for incarcerated individuals have been temporarily placed on hold. The State Water Board is awaiting information from California Department of Corrections and Rehabilitation (CDCR) and Federal prisons. Lawrence Dimock commented that in the past inmates were escorted to the general testing sites. Would it be possible to allow this escort of the inmates as opposed to State Water Board staff going to the facility? An answer cannot be provided, at this time, however it will be considered.

- The total number of certified DW operators across all grade levels is growing slowly. DW has 34,703 certified operators. In DW Distribution there are 20,175 and in DW Treatment there are 14,528. Of these operators 11,961 are dual certified. Growth vs. pass rate – not everyone who passes an exam applies for certification. OOC will have information available at the next meeting for how many operators’ certifications expired in the past year. Places of employment are not tracked, so the numbers on how many operators are not working or how many operators may be retired and still maintain their certification are not available. Concerns expressed regarding the age (55+) of the operators and the number of T5 operators retiring. At the next meeting the numbers for pass rates by sites should be available so educators can have a better idea about how successful their programs are.

- The list of certified operators on the website is updated once a month, between the 10th and 15th of each month. The results from the September DW Distribution exam have also been posted to the website.

Exam Frequency:

- Alice Webber reviewed the Office of Operator Certification’s (OOC) proposal to combine Drinking Water Treatment, Distribution, and Wastewater exams. At the joint committee meeting additional services were requested and this proposal was suggested as a way to meet that request. Alice updated the committee on some of the challenges that have surfaced after reviewing the new proposal.

- Alice pointed out that the operator taking the exam will need to choose which exam to take. If an operator is only pursuing one certification, an additional exam opportunity is available, however, if an operator is pursuing multiple certifications, there will be less exam opportunities per year. Currently, there are four DW exam opportunities (2
Distribution and 2 Treatment). With this proposal there will only be three exam opportunities per year.

- OOC has already received feedback from a few educational institutions that the proposed exam schedule will cause problems with the scheduling of classes. Most educational institutions who offer review classes and/or specialized training courses base their schedule on OOC’s current exam cycle.

- There will not be much time between the releasing of results from one exam to the application deadline of the next exam. If there are any issues with the mail, examinees could potentially miss an opportunity to re-submit for the next exam cycle.

- Currently, the Drinking Water and Wastewater databases do not communicate with one another. If the new exam proposal is approved and the database project does not meet its deadline, there will be challenges in tracking which exam the operator has requested.

- Alice requested feedback from the committee before proceeding with this proposal.

Questions: What prompted this potential change? Is it intended as revenue generating?
Answers: At the joint meeting, there was a comment to provide additional services such as extra examinations. At the joint meeting the discussion was brought up as to how OOC could offer additional services, this proposal was the result. This is not intended to increase revenue.

Question: Would online application submittal speed up the process?
Answer: OOC requires an original signature. The applications are available online, but the State Water Board cannot accept electronic applications due to the need of a “wet” signature.

Question: Have you tried to elicit any response from operators?
Answer: Not yet. The OOC brought this before the committee at this point and needed to make sure it was clearly communicated before taking it to the operators for comments.

Questions: Is there a write up describing the process? Can the start of the new schedule be delayed until the committee can gather more feedback?
Answers: The OOC does not have a write-up for this meeting. Yes, the start of the new schedule can be delayed. The OOC encourages the committee to obtain feedback from the CA NV AWWA Conference March 2019. The frequency increase will be delayed until September of 2020. This is due to the Grade III-V for Wastewater operators.

- Larry Lyford requested that OOC submit an abstract so that the new exam proposal can be discussed at the Spring AWWA conference.

Recycled/Advanced Water Treatment:

- Jon Struztel reported that the California/Nevada American Water Works Assoc. (CA/NV AWWA) and the California Water Environment Association (CWEA) are moving forward with an Advanced Water Treatment (AWT) exam and certification program. Steven
Garner (CA/NV AWWA) then reported that the plan is to offer exams to those operators that hold a CA Water Treatment grade 3 or higher or a CA Wastewater grade III or higher. A workshop was held to compile a 100-question exam for Grade 3. AWWA/CWEA anticipate holding the first exam in Spring 2019.

The following questions were asked and answered by Steven Garner.

Question: Do higher grade examinees get more time for the exam?
Answer: The plan, at this time, is for a 100-question exam with a three-hour time limit - similar to the current DW exams. WW exams have staggered end times. It was noted that WW exams have a different number of questions on each grade level of exams and that grades III and higher have essays and math questions (graded for partial credit) requiring additional time. Tai Tseng noted that for the Professional Engineer (P.E.) exam there are two 4-hour segments.

Question: What types of questions are on the AWT exam?
Answer: Multiple choice/single answer questions. There will not be essay questions on the exams.

Question: What is the passing score, 70%?
Answer: The passing score is undetermined at this time.

Question: What are the requirements for exam entry?
Answer: Must hold a DW T grade 3 or higher or a WW grade III or higher.

It was noted that a CA Grade 3 Wastewater of DW Treatment operator would be eligible for a Grade 5 AWT exam. This is a supplemental exam and is not intended to replace State requirements. The specifics of the program still are being worked out and CA/NV AWWA is open to revising requirements.

**Enforcement Update:**

Presented by Bryan Elder, Chief, Special Investigations Unit (SIU) Bryan introduced his staff - Jim Fischer, Angie Noorda, and Char’mane Robinson.

- The SIU provides assistance to Regional Boards, particularly Stormwater and Wastewater, and has hired a new staff member (Char’Mane Robinson) to help with OpCert cases.

- There are currently 85 open cases, 25 of which involve drinking water or wastewater plants. Since July 1, 2018, SIU has completed 4 actions and has 8 ongoing enforcement actions.

- Examples of these investigations include: examination misconduct, fraudulent documentation of experience hours, falsification of laboratory results, uncertified/expired
operators, Chief Plant Operators (CPOs) not at the appropriate grade level or using poor care and judgement.

- SIU is complaint based. Methods of reporting complaints differ but the majority come from anonymous tips, interactions with Office of Operator Certification, and referrals by agencies.
- As a result of these investigations, 1 operator was suspended for exam misconduct, 2 operators had their certificates revoked for falsifying lab data, and 1 operator was reprimanded, which led to a notice of violation.
- The personal impact to individual operators is taken into consideration when determining the severity of the enforcement action.
- Water quality issues are generally reported to Division of Drinking Water (DDW) district offices. The DDW offices do not always report issues to the Office of Enforcement (OOE). This is starting to become more prevalent.
- Statewide enforcement training for all State Water Board regional offices have been successful. The next step is to initiate these types of meetings with DDW district offices.
- Enforcement actions are now posted to the website with the most recent actions at the top of the list.

Question: What is the role of the individual operator in an agency enforcement case?
Answer: Judgments generally are against the system, not the operator.

Question: Does the system need to report issues to enforcement, OOC, and DDW?
Answer: Not necessarily, as it is not in the regulations, however, it would be considered “best practice.”

**Regulatory updates for Division of Drinking Water:**

Presented by Mark Bartson, Chief, Technical Operations Section

- 11 regulatory priorities relating to drinking water and recycled water regulations with emphasis on protection of public health.
- Economic Feasibility Criteria for Hexavalent Chromium – invalidated maximum contaminant levels (MCL) of hexavalent chromium for drinking water.
- Lead and Copper Rule (LCR) – implementation of program for schools and day care facilities to test for lead in faucets.
- Surface Water Augmentation (SWA) – effective October 1, 2018.
- Direct Potable Re-use (DPR) Research and Framework – DDW developing plans for funding, research, technical documents for successful DPR projects.
- Revised Total Coliform Rule (RTCR) – elimination of the Total Coliform MCL, replacing it with a “Find and Fix” approach.

- Cross-Connection Control Regulations – adoption of policy handbook.

- Environmental Laboratory Accreditation Program (ELAP) Regulations – full compliance to be achieved 3 years from date of adoption of the regulations.

- Primary Package Applications – reduce backlog.

- DPR regulations – uniform water recycling criteria for DPR through raw water augmentation by December 31, 2023

- Detection Limit for Purposes of Reporting (DLR) Revision – feasibility of benefits received by lowering the DLR for perchlorate.

  Question: Would treated water augmentation be introduced to a distribution system?
  Answer: No, surface water augmentation requires the water to pass through a reservoir followed by a surface water treatment plant. Direct potable reuse via “flange to flange” is not currently covered by regulations and is more complicated.

**Operator Certification Regulation Changes:**

- Alice updated the committee on the current round of Drinking Water Operator Certification regulation changes. It was noted that this is mainly a “clean up” of the current regulations. Updates will include adding definitions that were included in Assembly Bill 2890, cleaning up and deleting obsolete language, and cleaning up exam eligibility criteria.

- The plan is to have the suggested changes to the committee prior to the next meeting.

  Question: Will these changes be part of the abstract submitted to AWWA?
  Answer: No, it would not be included.

  Question: Can regulation changes be discussed publicly before it goes to the board for approval?
  Answer: Yes, the changes must be discussed ahead of time, and the State Water Board encourages public participation and transparency. The changes cannot go to public notice without going before the advisory committee first.

  Question: Will the CA/NV AWWA conference be the first time the public sees the changes?
  Answer: The plan is to send them to the committee prior to the conference. They will not be discussed publicly prior to the next committee meeting.

- There was additional conversation with committee members and Mark Bartson regarding the development of Recycled Water regulations. That discussion was not directly
related to the current update of Drinking Water Op Cert Regulations. Larry Lyford agreed to send his questions to Mark Bartson in writing as opposed to continuing the discussion.

Experience Sub-Committee Report:

- Jon reported that the DW analysts look at several things to determine eligibility for experience. Criteria consists of official job description(s), supervisor letter(s), organizational chart(s), rating of the facilities for grade and site-specific experience, DW distribution, DW treatment, and wastewater treatment experience, and timeframes. Certification requires a letter from the operator’s supervisor explaining all duties, with a complete breakdown of time. DW analysts take a common-sense approach to duties in the regulations that overlap for DW Treatment and DW Distribution, such as monitoring SCADA. An operator has 40 hours a week to claim for experience time. If the operator is a designated Shift Operator, the operator may receive additional time, up to 60 hours a week, if the operator is responsible for both DW Treatment and DW Distribution on an assigned shift. If the operator is the designated Chief Plant Operator, the operator may receive additional time, up to 80 hours a week, if the operator is responsible for both DW Treatment and DW Distribution. This additional time is granted to those in responsible charge for DW Distribution and DW Treatment. Verified overtime is accepted. For non-traditional jobs such as Water Quality, some time may count towards DW treatment experience.

Question: If an operator is at home on call will the operator receive 8 hours daily or 40 hours weekly?
Answer: No. The operator will get experience time credited for when the operator actually is called out for an emergency.

Question: Is supervision retroactive?
Answer: Yes, supervision performed previous to AB2890 passing will count as experience.

Question: How far up the line will people get hands on experience credit?
Answer: The supervisor that is supervising the operators may receive credit. Basically, two levels up from the actual operators in the field.

Question: Does maintenance count?
Answer: If maintenance is in the person’s job title and primary duty, no. If the person is an operator with maintenance being their “other” duties, yes.

Question: When will Advanced Water Treatment, Direct Potable Reuse count as DW experience?
Answer: When DW regulations change. Currently, recycled water is considered Wastewater Treatment, and still will count as 50 percent, towards the general experience aspect of DW Treatment certification.

- Operators that have a job title that does not have “operator” in the job title find it difficult to achieve higher levels of certification. Committee members would like us to look outside normal duties, so all experience is considered. The OOC does this by asking the supervisor or CPO writing the letter for clarification of duties and justification for
experience. DW regulations define “operator experience” as the daily performance of activities consisting of the control or oversight of any process or operation at a water treatment facility or in a distribution system that may affect the quality or quantity of water. Collecting information is not changing quality or quantity. Working with raw water is not drinking water and would not count. If the water flows into an aqueduct clarification will be requested. If the water goes directly into the DW treatment plant, yes it counts.

Question: Can this be posted?
Answer: No, but OOC may post FAQs.

Schedule Next Advisory Committee Meeting:

The Committee chose March 28, 2019 for their next meeting. The meeting will begin after the CA-NV AWWA Spring Conference which takes place at the Sacramento Convention Center. The Committee Meeting is likely to start at 1:30pm at State Water Board Headquarters, 1001 I Street, Sacramento, California.