

Frequently Asked Questions regarding Passage of Assembly Bill 2890

On July 1, 2014, the responsibility for California's Drinking Water Operator Certification Program (DWOCP) for operators of public water systems was transferred from the State Department of Public Health (CDPH) to the State Water Resources Control Board (State Water Board). To better align the programs the State Water Resources Control Board sponsored Assembly Bill (AB) 2890. AB 2890 was approved by the California Legislature and signed into law by Governor Brown on September 12, 2016.

Wastewater Operator Certification Program

Frequently Asked Questions regarding Passage of Assembly Bill 2890

On January 1, 2017, the following changes to the Wastewater Operator Certification Program (WWOCP) will go in effect:

- Wastewater Operator Certificates and Renewals will be issued for three years.
- The WWOCP will accept educational points from for-profit educational entities.
- The Wastewater Advisory Committee will add one committee member, a water recycling operator to represent water recycling treatment plants.

AB2890 BILL

1. Where can I find a copy of Assembly Bill 2890?

For a complete copy of the bill and its history go to the California Legislative information webpage at:
http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2890.

2. What happens if there is a conflict between what AB 2890 and the WWOCP Regulations?

AB 2890 is California Law. Statements from AB 2890 supersede Title 23 Waters, Division 3 State Water Resources Control Board and Regional Water Quality Control Boards, Chapter 26 Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration.

THREE vs. TWO YEAR CERTIFICATE/RENEWAL PERIOD

3. When will my certificate be good for a full three years?

All wastewater operator certificates and renewals issued on and after January 1, 2017 will be issued for a three year period. This includes Operator-In-Training (OIT) certificates and renewals.

4. What happens if I do not renew my certificate by the expiration date?

It is essential to have a valid, unexpired operator certificate. Operators can't work in wastewater operations without a current, valid certificate posted at the Wastewater Treatment Plant. It is illegal to work as an operator with an expired certificate and by doing so operators will be subject to enforcement action.

5. **How do I reinstate my certificate if I did not renew my certificate by the renewal date?**
An operator has one year from the expiration date in which he/she can submit a reinstatement application with the renewal fee and a \$100.00 reinstatement fee to reinstate their expired application. The operator's certificate issuance date will be the date the certificate was reinstated. As of January 1, 2017 reinstatements will be issued with an expiration date of three years.
6. **Will Operators-In-Training (OIT) certificates be issued for two or three years?**
OIT certificates and renewals will be issued for three years as of January 1, 2017.

ACCEPTANCE OF FOR-PROFIT EDUCATION

7. **Do I need to resubmit my college transcripts from my for-profit college/university to receive educational points?**
Yes, applicants who have not submitted an official or copy of their official transcripts will need to do so in order to receive educational points. Please note, that as of January 1, 2017 all college transcripts must be official copies or copies of official transcripts.
8. **Will all For-Profit college coursework count?**
In order for the WWOCP to accept college coursework, the college or university must be accredited by the Western Association of Schools and Colleges or another accrediting organization recognized by the [United States Department of Education](#).
9. **How do I submit for-profit continuing education coursework that is not taken at a college of university?**
Submit a copy of your certificate of completion.
10. **How do I get my college transcripts if my college is now closed?**
If the College or University is from California, contact the California Bureau for Postsecondary Education (BPPE) (916) 431-6959. To download the transcript, please go to http://www.bppe.ca.gov/students/transcript_req.pdf.

ADVISORY COMMITTEE

11. **Who can be an Advisory Committee Member?**
Advisory Committee Members are appointed by Statewide Organizations to represent particular segments of wastewater treatment fields. AB 2890 added a new position on the Wastewater Treatment Plant Advisory Committee. The individual must work at a water recycling plant and must hold a current/valid certificate issued by the SWRCB (either a water treatment or wastewater operator).
12. **How do I apply or nominate someone for the new Water Recycling Operator Wastewater Committee Member position?**

The nominee must be employed as an operator at a water recycling plant and be either a certified Water Treatment or Wastewater Treatment Operator. Interested parties should submit a nomination letter, resume, letter of acceptance of nomination, and address, phone number, and name of employer. You can submit your request to Christa Beck at Christa.Beck@Waterboards.ca.gov or by mail to: State Water Resources Control Board, Wastewater Operator Certification Unit, P.O. Box 944212, Sacramento, CA 94244-2120.

13. What does the Wastewater Advisory Committee do?

Advices the WWOCP in its decisions and attends at least two biannual Wastewater Advisory Committee meetings.

Drinking Water Operator Certification Program

Frequently Asked Questions regarding Passage of Assembly Bill 2890

On January 1, 2017, the following changes to the Drinking Water Operator Certification Program (DWOCP) will go in effect:

- Civil Liabilities may be imposed for Water Treatment and Water Distribution Operators.
 - The Drinking Water Operator Certification Advisory Committee was established in Statue which states the committee will consist of ten members and lays out the organizations they represent.
 - Allows for a discount fee for renewals or certifications for Water Treatment or Water Distribution operators that also hold a Wastewater certification.
 - Allows operators that hold certification with the United States, a territory or tribal government or a unit of any of these to apply for reciprocity.
 - Deleted obsolete language. Deleted Section 106895 Grandfather clause, Section 106896 Evaluation of AWWA distribution operator program.
 - Deleted references to the Drinking Water “operator-in-training”.
-

AB2890 BILL

1. Where can I find a copy of Assembly Bill 2890?

For a complete copy of the bill and its history, go to the California Legislative information webpage at: <https://legiscan.com/CA/drafts/AB2890/2015>

2. What happens if there is a conflict between what AB 2890 and the DWOCP Regulations?

AB 2890 is California Law. Statements from AB 2890 supersede current Title 22 Drinking Water Operator Certification Regulation.

CIVIL LIABILITIES

3. What are administrative civil liabilities and will they affect me?

Administrative civil liabilities are fines or other forms of action taken by the State Water Board against entities and/or individuals that commit a violation of the statutes.

4. Who may be subject to administrative civil liabilities?

Anyone who operates a water treatment plant or distribution system is subject to administrative civil liabilities.

5. *What violation do I have to commit to have administrative civil liabilities take effect?*

Violations may include but are not limited to:

- Operate a water treatment plant or water distribution system without a valid or unexpired certification of the appropriate grade.
- In responsible charge and allowing the employment of any person as an operator who does not hold a valid, unexpired certification of the appropriate grade.
- Use of fraud or deception in the course of operating a water distribution system, a water treatment plant or a water recycling plant.
- Failure to use reasonable care or judgment in the operation of a water distribution system, a water treatment plant or a water recycling plant.
- Engaging in dishonest conduct during a water examination.
- Willful or negligent acts that cause or allow the violation of the federal or California Safe Drinking Water Act or the regulations and standards adopted pursuant to either act.
- Submitting false or misleading information on an exam or certification application.

6. *How much are the civil liabilities?*

Penalties range from \$100 per day to \$5,000 for each violation, depending upon the type of violation committed.

ADVISORY COMMITTEE

7. *How does this change the current stakeholders committee?*

Some current members of the committee may not be chosen to serve on the new committee, however the State Water Board does not foresee any substantial change in how the committee has operated.

The advisory committee shall consist of the following members:

- A. Two persons from a statewide organization representing medium to large water systems.
- B. Two persons from a statewide organization representing small water systems.
- C. One person from a local primacy agency.
- D. One person who is employed as an operator at a water recycling treatment plant.
- E. One person from an educational institution's school or division of engineering.
- F. One person who is a member of an organized labor union that represents water treatment operators and water distribution operators.
- G. One person who is employed by an educational institution, professional association, public agency, or private agency to provide water treatment or water distribution courses of instruction.
- H. One person who is a professional engineer specializing in sanitary engineering.

8. *How does one become a member of the committee?*

Anyone interested in becoming an Advisory committee member or anyone who wishes to nominate an Advisory committee member should submit a personal biography which includes the nominee's name, address, phone number and name of employer. The package should also include a letter of acceptance from the nominee and if applicable committee representation. Nominations should be submitted to: State Water Resources Control Board, Drinking Water Operator Certification Unit, P.O. Box 944212, Sacramento, CA 94244-2120. Attn: Michael Rohner, or contact via email at: Michael.Rohner@waterboards.ca.gov

DISCOUNT FOR WASTEWATER CERTIFICATION

9. *When will the discount be available?*

The discount will not become effective until emergency regulations are submitted and approved.

10. *I hold a water certification as well as a wastewater certification. Will I receive a discount for both renewals?*

Yes, as long as both certifications are valid.

11. *How much of a discount will I receive?*

The amount of the discount is still to be determined and must first be approved via emergency change to the current regulations.

12. *How do I apply for the discount?*

Once the discount becomes effective (when the emergency regulations are submitted and approved), you will need to write your Wastewater Operator number on your Drinking Water renewal notice or certification request .

13. *I hold both water distribution and water treatment certifications as well as a wastewater certification; will I get an additional discount on my water renewals?*

No, there is not an additional reduction for holding 3 certifications. You are already receiving the discount for holding both Water certifications.

RECIPROCITY

14. *How does AB2890 affect reciprocity?*

AB 2890 amends the reciprocity provision to allow operators certified by United States, prescribed territories or tribal governments, or any unit thereof, to apply for certification through reciprocity.

DELETED LANGUAGE

Operator-in-training

15. *How does AB2890 affect Operator-in-training?*

AB2890 deletes language regarding Operator-in-training (OIT) from Drinking Water only. This language was deleted from the Operator Certification Regulations in 2001.

16. *Does this change affect the Wastewater OIT operators?*

No, there is no change to the Wastewater OIT program.

AWWA “Grandfathering”

17. *How does AB2890 affect “grandfathering” of certifications from American Water Works Association (AWWA)?*

When the State of California initiated Distribution operator certification we accepted (“grandfathered”) operators that had held a Distribution certificate issued by AWWA. Grandfathering was completed in December 2003 consequently the AWWA grandfathering section has been deleted.