

Operator Certification New Rules Update

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Contact Hours: 1.00

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August 15, 2018



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OAC Definition

*"**Active** instruction" means the time when a professional operator is receiving instruction. This **does not include***

- break time*
- introductions or*
- question & answer sessions in excess of fifteen minutes.*

*A professional operator **shall not claim** hours on a renewal application other than those received in active instruction. ”*

Ohio Man Accused of Falsifying Water Operator Training Certifications

3/23/2017

(YOUNGSTOWN, Ohio)—Ohio Attorney General Mike DeWine today announced that a Youngstown-area man has been indicted for allegedly falsifying the training certificates of water department employees.

_____, 41, of Niles, was indicted by a Mahoning County grand jury today on the following six counts:

- Two counts of forgery, fifth-degree felonies
- Two counts of criminal non-compliance with Ohio Revised Code Chapter 6109 (Ohio's safe drinking water law), unclassified felonies
- Two counts of tampering with records, third-degree felonies



Ohio Man Accused of Falsifying

Water Operator Training Certifications

Resource: Ohio Attorney General Website

3/23/2017

_____ offered continuing education courses for water operators. He is accused of falsifying the training certificates of Youngstown employees, primarily in 2013 and 2014, by claiming they had taken the courses, when, in fact, they never took or completed the classes as required. Last month, 26 employees of the Youngstown Water Department pleaded guilty to falsifying their contact hours in the Franklin County Municipal Court, Environmental Division. They were ordered to pay a combination of restitution, fines, and community service. Certified water operators' licenses also were suspended for a year.





OAC Definition

***"Expired certificate"** means a certificate which has not been renewed by December thirty-first of the renewal year. An expired certificate may be renewed within ~~one year~~ **six months** of the expiration date in accordance with rule 3745-7-15 of the Administrative Code."*



OAC Definition

Operating Experience

*"Operating experience" means time performing the day-to-day activities necessary to ensure the proper performance **and operation** of the equipment or processes of a public water system, treatment works, or sewerage*



OAC Definition

Visit

"Visit" means a period of time when a person is on-site at a public water system, treatment works, or sewerage system that is sufficient to perform routine sampling (e.g. flow, chlorine residual, and pH measurements), maintenance, and or observation of a public water system, sewerage systems, or treatment works in order to ensure compliance and proper operation. "



OAC Definition

Green Leaf Training Provider

"Green leaf training provider" means a training provider that is approved by the director to issue trainer-specific contact hour course approval numbers."

OTCO is a Green Leaf Training Provider



Collections Experience

Effective August 15, 2019

“...experience shall qualify as operating experience but may count for no more than twenty-five per cent of the operating experience requirement of each field”:

“Collection system experience when applying for a wastewater treatment examination or certificate.”



Laboratory Experience

Effective August 15, 2019

“...experience shall qualify as operating experience but may count for no more than twenty-five per cent of the operating experience requirement of each field”:

“Laboratory analyses if the analyses are conducted in the laboratory of the owner of a public water system, treatment works or sewerage system”



Pretreatment

Effective August 18, 2019

“...experience shall qualify as operating experience but may count for no more than twenty-five per cent of the operating experience requirement of each field”:

*“**Pretreatment**, if part of a treatment works or sewerage system, where pretreatment is the only job duty.”*



Sludge Handling Experience

Effective August 15, 2019

“...experience shall qualify as operating experience but may count for no more than twenty-five per cent of the operating experience requirement of each field”:

“Sludge handling or hauling, if part of a treatment works.”



SCADA Experience

Effective August 15, 2019

“...experience shall qualify as operating experience but may count for no more than twenty-five per cent of the operating experience requirement of each field”:

“On-site supervisory control and data acquisition (“SCADA”) systems monitoring.”



“Beginning one year after the effective date of this rule, types of experience related to a public water system, a treatment works, a water distribution system, or a sewerage system that qualify as operating experience include the following:”





OAC Definition

Effective August 15, 2019

Operating Experience

“On-site investigations and inspections
*of operations that require coordination of
work with active treatment processes,
collection, or distribution systems.”*



OAC Definition

Effective August 15, 2019

Operating Experience

“Experience in ensuring compliance with primary and secondary maximum contaminant levels, action levels and permit limits through the evaluation of facility process control parameters.”



OEPA Professional Operator Training Course

- 3745-7-06 (Certification of professional operators)*
- All applicants for certification shall complete Ohio EPA's professional operator training course.*
 - Class IV exam deadline (2 years from approval)*



Recording the “Visit”

3745-7-09

- Date and times of arrival and departure shall be recorded in military time.*
- Failure to document minimum staffing is evidence that minimum staffing requirements have not been met.*
- Report minimum staffing times to the agency on a form approved by the Director*
- Began reporting in November 2018. • Guidance and youtube video for PWS. • Guidance for eDMR.*



Certified Professional Operators Required

- Owners of private sewerage systems **classified** by the director must provide an appropriately certified ORC.
- Owners of all public sewerage systems must provide an appropriately certified ORC.
- Contract must clearly define the responsibilities of the owner and the professional operator.
- Contracted professional operator shall perform their duties in accordance with the contract operator rules





3745-7-07 Professional Operator In Training

- (A) Eligibility for professional operator in training status shall be limited to applicants for the class A, I, or II examination.
- (B) Eligibility requirements for examination and designation as a professional operator in training are the same as the prerequisites in rule [3745-7-06](#) of the Administrative Code, except that the director may waive the onsite operating experience requirement in public water systems, sewerage systems, or treatment works until after the applicant has successfully passed an examination.
- (C) A professional **operator in training** shall complete the operating experience requirement within four years of passing an examination for which the professional operator applied.
- (D) Upon successfully completing the actual onsite operating experience requirements of rule [3745-7-06](#) of the Administrative Code, the applicant shall submit an application to be certified by the director as a professional operator in the classification for which the professional operator applied, subject to verification by the council.
- (E) Any person designated as a professional **operator in training** is **not** certified and **shall not** act as a professional operator of record.



Operator Certification Rules

- 3745-7-01 (Definitions)
 - **Population** – specific to classification
 - **Private Sewer** – Not Public
 - **Public Sewer** – Owned by a municipality, county, state or public body.
 - **Week** – 7 day period beginning on Sunday and ending on Saturday.

OAC Rule 3745-7-04 (Cont.)

- Added a provision to staffing reduction charts that allows reductions based on staffing by an OIT.
- Added provisions to allow systems to have flex schedules and use a backup operator, 1 class lower, on the remaining days of the week.
- Also, allows an OIT at Class II facilities.
- Addition of a provision clarifying backup operators are responsible for violations that occur while they are staffing a plant.

Operator Certification Rule Changes

- 3745-7-05 (Classification of professional operator certification)
 - Added a chart showing superseding certificates.
- 3745-7-06 (Certification of professional operators)
 - All applicants for certification shall complete Ohio EPA's professional operator training course.
 - Class IV exam deadline. (2 years from approval)



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Operator Certification Rule Changes

Drinking Water Certificate Hierarchy Table

Class IV water supply			
Class III water supply			
Class II water supply			
Class I water supply			Class II water distribution
Class A water supply	Class I water distribution		Class I water distribution
Limited class A water supply			

Wastewater Certificate Hierarchy Table

Class IV wastewater treatment			
Class III wastewater treatment			
Class II wastewater treatment			
Class I wastewater treatment			Class II wastewater collection
Class A wastewater treatment	Class I wastewater collection		Class I wastewater collection
Limited class A wastewater treatment			

3745-7-03 Public water system classification and staffing requirements.

Staffing with OIT

Table 3. Reductions in minimum professional operator of record staffing based on facility staffing levels

	Professional operator of record staffing may be reduced by 5 hours per week if:	Professional operator of record staffing may be reduced by 10 hours per week if:	Professional operator of record staffing may be reduced by 15 hours per week if:	Professional operator of record staffing may be reduced by 20 hours per week if:
Plant staffing at class III or IV water treatment plants	There is another professional operator certified at a level no more than 2 classes below that of the public water system onsite at the water treatment plant 2 hours per day 5 days per week	There is another professional operator certified at a level no more than 2 classes below that of the public water system onsite at the water treatment plant 4 hours per day 5 days per week	There is another professional operator certified at a level no more than 2 classes below that of the public water system onsite at the water treatment plant 6 hours per day 5 days per week	There is another professional operator certified at a level no more than 2 classes below that of the public water system onsite at the water treatment plant 8 hours per day 5 days per week
Plant staffing at class II water treatment plants	There is a class I professional operator onsite at the water treatment plant 3 hours per day 5 days per week	There is a class I professional operator onsite at the water treatment plant 4 hours per day 5 days per week	Not applicable	Not applicable
Plant staffing at class II water treatment plants	There is a Class 1 professional operator in training onsite at the water treatment plant for 6 hours a day 5 days per week	There is a Class 1 professional operator in training onsite at the water treatment plant for 8 hours a day 5 days per week	Not applicable	Not applicable

3745-7-03 Public water system classification and staffing requirements.

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Plant staffing at class II water treatment plants	There is a class I professional operator onsite at the water treatment plant 3 hours per day 5 days per week	There is a class I professional operator onsite at the water treatment plant 4 hours per day 5 days per week	Not applicable	Not applicable
Plant staffing at class II water treatment plants	There is a Class 1 professional operator in training onsite at the water treatment plant for 6 hours a day 5 days per week	There is a Class 1 professional operator in training onsite at the water treatment plant for 8 hours a day 5 days per week	Not applicable	Not applicable

3745-7-04 Treatment works and sewerage system classification and staffing requirements

Table 3. Reductions in minimum professional operator of record staffing based on facility staffing levels

	Professional operator of record staffing may be reduced by 5 hours per week if:	Professional operator of record staffing may be reduced by 10 hours per week if:	Professional operator of record staffing may be reduced by 15 hours per week if:	Professional operator of record staffing may be reduced by 20 hours per week if:
Plant staffing at class II wastewater treatment facilities	There is a class I professional operator in training onsite at the wastewater treatment facility 6 hours per day 5 days per week	There is a class I professional operator in training onsite at the wastewater treatment facility 8 hours per day 5 days per week	Not applicable	Not applicable

3745-7-04 Treatment works and sewerage system classification and staffing requirements

Table 3. Reductions in minimum professional operator of record staffing based on facility staffing levels

	Professional operator of record staffing may be reduced by 5 hours per week if:	Professional operator of record staffing may be reduced by 10 hours per week if:	Professional operator of record staffing may be reduced by 15 hours per week if:	Professional operator of record staffing may be reduced by 20 hours per week if:
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circumvent the minimum staffing requirements.

(ii) In the case of class II systems which utilize an established flex work schedule of two eight hour days and a four hour day, the use of a professional operator with a certificate one classification less than the facility or an operator in training who has passed the class I examination to staff the facility on the fourth and fifth day of the week shall not be considered an attempt to circumvent the minimum staffing requirements.

AT A CLASS II WWTP, IF THIS HAPPENS...

- DAY 1 CLASS II FOR 8 HOURS**
- DAY 2 CLASS II FOR 8 HOURS**
- DAY 3 CLASS II FOR 4 HOURS**

20 HOUR MINIMUM REQUIRED IS MET, THEN...

- DAY 4 CAN BE AN OIT A FOR THE LENGTH OF A VISIT**
- DAY 5 CAN BE AN OIT A FOR THE LENGTH OF A VISIT**