

Rulemaking Advisory Committee Meeting

Wastewater Operator Certification Program

April 19, 2024
Virtual Zoom Meeting

Today's Agenda

| Time | Topic |
|------------|--|
| 10:30 a.m. | Welcome, logistics, agenda review |
| 10:35 a.m. | Introductions |
| 10:45 a.m. | Rulemaking overview |
| 11:05 a.m. | Fiscal and economic impacts discussion |
| 11:35 a.m. | Racial Equity Statement |
| 11:40 a.m. | Public Input Period |
| 12 p.m. | Meeting adjourned |

Advisory Committee Membership

| NAME | TITLE | AFFILIATION |
|----------------|---|---------------------------------------|
| Justine Abrook | Senior Operations Analyst, Durham AWTF | Clean Water Services |
| Jim Baird | General Manager | Roseburg Urban Sanitary Authority |
| Nathan Dryden | Project Manager, Wilsonville WWTP | Jacobs |
| Matt Etzel | Assistant Public Works Director | City of Aumsville |
| Matt LaForce | Dept. Chair Engineering Science, Water and Environmental Technology Program | Clackamas Community College |
| Marcus Nichols | Natural Resources Faculty | Treasure Valley Community College |
| Monty Norris | Wastewater Technician | Oregon Association of Water Utilities |
| Tom Stow | Plant Superintendent, Rock Creek Facility | Clean Water Services |
| Kim Symons | Public Works Supervisor | Culver Public Works |
| Amy Willman | Lead Operator | Clackamas County WES |
| Justin Young | Collection Systems Supervisor | City of Bend |

Operator Certification Program Overview

- Oregon Revised Statutes 448.405 through 448.430 and 448.992 - Operator Certification: grant authority and dictate whether rules may be proposed
- Statewide program: ~1400 operators, ~400 systems
- Two full-time employees: coordinator and assistant
- Your DEQ Online: went live March 2023
 - Agency-wide online data management system
 - Capability limitations

Rulemaking Timeline

Advisory
Committee
Meeting
April 2024

2nd Advisory
Committee
Meeting?
May 2024

Public Notice
July 2024

Public
Hearing
August 2024

EQC
Meeting
November
2024

Rules
Effective
(if adopted)
January 2025

Meeting Purpose

This committee is convened to provide input on:

- Draft Fiscal and Economic Impact Statement
- Racial Equity Statement
- Proposed rules
 - Defining full-time and part-time
 - Facilitating operator reciprocity among states
 - Updating pathways to certification
 - Including an OIT option for SWWS operators
 - Simplifying the way WWT systems are classified
 - Adding a compliance extension request option for systems whose classification increases

Proposed Rules: Definitions

- Currently undefined
 - (24) “**Part-time**” – in regards to the Designated Supervisory Operator requirement ([340-049-0015\(1\) and \(3\)](#)) means less than 30hrs/wk if employed by system owner or city, and if under contract supervision, it will be determined by the signers (Designated Supervisory Operator and owner/authorized representative).
 - (25) “**Full-time**” – in regards to the Designated Supervisory Operator requirement ([340-049-0015\(1\) and \(3\)](#)) means at least 30hrs/wk if employed by system owner or city, and if under contract supervision, it will be determined by the signers (Designated Supervisory Operator and owner/authorized representative).

Proposed Rules: Reciprocity

- Currently we can only accept exam results from an applicant that is certified by another state or province
- “Professional Operators” certified by Water Professionals International (formerly ABC) take the **same exam** required by DEQ (nationally standardized).
 - Over 40 U.S. States and Canada utilize WPI exams for certification
- Proposing to add “DEQ-approved certifying entity”
- Applicant still needs to meet education and experience requirements



Proposed Rules: Pathways to Certification

| Certificate Level and Qualifications | Path A | | | Path B | | | Path C | | | Path D | | | Path E | | |
|--------------------------------------|--------|-----------------|----------------------|--------|----------------|--------------|--------|------|--------------|--------|------|--------------|--------|-------|--------------|
| | Ed | Exp* | System Class | Ed | Exp* | System Class | Ed | Exp* | System Class | Ed | Exp* | System Class | Ed | Exp* | System Class |
| SWWS | HS | 1 | any | | | | | | | | | | 4 | 6mos. | |
| Grade I | HS | 1 | any | WET | 6mos. | | | | | | | | 4 | 6mos. | |
| Provisional I | HS | any | any | | | | | | | | | | | | |
| Grade II | HS | 3 | any | 1 | 2 | any | | | | | | | 4 | 1 | |
| Grade III | HS | 8 6 | 3 4 ≥ II | 1 | 5 | 2.5 ≥ II | 2 | 4 | 2 ≥ II | 3 | 3 | 1.5 ≥ II | 4 | 2 | 1 ≥ II |
| Grade IV | HS | 10 8 | 4 5 ≥ III | 1 | 8 7 | 4 ≥ III | 2 | 6 | 3 ≥ III | 3 | 5 | 2.5 ≥ III | 4 | 4 | 2 ≥ III |

* Years of experience

3.5

| Certificate Level and Qualifications | Path A | | | Path B | | | Path C | | | Path D | | | Path E | | |
|--------------------------------------|--------|-----------------|----------------------|--------|-------|--------------|--------|------|--------------|--------|------|--------------|--------|-------|--------------|
| | Ed | Exp* | System Class | Ed | Exp* | System Class | Ed | Exp* | System Class | Ed | Exp* | System Class | Ed | Exp* | System Class |
| SWWS | HS | 1 | any | | | | | | | | | | 4 | 6mos. | |
| Grade I | HS | 1 | any | WET | 6mos. | | | | | | | | 4 | 6mos. | |
| Provisional I | HS | any | any | | | | | | | | | | | | |
| Grade II | HS | 3 | any | 1 | 2 | any | | | | | | | 4 | 1 | |
| Grade III | HS | 8 6 | 3 4 ≥ II | 1 | 5 | 2.5 ≥ II | 2 | 4 | 2 ≥ II | 3 | 3 | 1.5 ≥ II | 4 | 2 | 1 ≥ II |
| Grade IV | HS+1 | 10 8 | 4 5 ≥ III | 2 | 6 | 3 ≥ III | 3 | 5 | 2.5 ≥ III | 4 | 4 | 2 ≥ III | MS/PHD | 3 | 1.5 ≥ III |

- Degrees must be in:
- Engineering
 - Chemistry
 - Water/wastewater technology
 - Physical/biological science

Proposed Rules: SWWS Operator-in-Training

- Currently only for Collection/Treatment Grade I
- Waiver for experience
- Must:
 - Have high school diploma/GED
 - Enroll in DEQ-approved training
- After passing the exam, applicant has three years to gain required experience and submit post-exam application with affidavit for full certification

Proposed Rules: Treatment System Classification

Current:

| <i>Primary Treatment</i> | |
|--|------|
| <input type="checkbox"/> Community Septic Tank(s) (STEP, STEG, etc.) | 2.0 |
| <input type="checkbox"/> Clarifier(s) | 5.0 |
| <input type="checkbox"/> Flotation Clarifier(s) | 7.0 |
| <input type="checkbox"/> Chemical Addition System | 2.0 |
| <input type="checkbox"/> Imhoff Tanks (large septic tank or similar sedimentation & digestion) | 3.0 |
| <i>Secondary, Advanced, and Tertiary Treatment</i> | |
| <input type="checkbox"/> Low Rate Trickling Filter(s) (no recirculation) | 7.0 |
| <input type="checkbox"/> High Rate Trickling Filter(s) (recirculating) | 10.0 |
| <input type="checkbox"/> Trickling Filter - Solids Contact System | 12.0 |
| <input checked="" type="checkbox"/> Activated Sludge (includes SBR & basic MBR process) | 15.0 |
| <input type="checkbox"/> Pure Oxygen Activated Sludge | 20.0 |
| <input type="checkbox"/> Activated Bio Filter Tower (less than 0.1 MGD) | 6.0 |
| <input type="checkbox"/> Activated Bio Filter Tower (greater than 0.1 MGD) | 12.0 |
| <input type="checkbox"/> Rotating Biological Contactors (1 to 4 shafts) | 7.0 |
| <input type="checkbox"/> Rotating Biological Contactors (5 or more shafts) | 12.0 |
| <input type="checkbox"/> Stabilization Lagoons (1 to 3 cells without aeration) | 5.0 |
| <input type="checkbox"/> Stabilization Lagoons (1 or more cells with primary aeration) | 7.0 |
| <input type="checkbox"/> Stabilization Lagoons (2 or more cells with full aeration) | 9.0 |
| <input type="checkbox"/> Recirculating Gravel Filter (or recirculating textile filters) | 7.0 |

Wastewater Treatment Systems (WWTs)

Class I: 30 total points or less

Class II: 31-55 total points

Class III: 56-75 total points

Class IV: 76 or more points

Small Wastewater System: 30 points or less, AND <500 design pop. OR <150 connections

Proposed Rules: System Classification continued...

| Table A Criteria for Classifying Wastewater Treatment Systems | | | | |
|---|---------------------------------------|---------|----------|------|
| Treatment Type | Classification | | | |
| | Design Average Dry Weather Flow (MGD) | | | |
| | ≤ 1 | > 1 ≤ 5 | > 5 ≤ 10 | > 10 |
| Lagoon (Non-aerated) | I | I | I | I |
| Lagoon (Aerated) | I | II | II | II |
| Wetlands (following lagoon) | I | II | III | III |
| Biofiltration (Trickling Filter, biotower) | II | II | III | III |
| Extended Aeration (Biolac, Bioworks) | II | II | III | III |
| Conventional Activated Sludge (AS) | II | II | III | IV |
| Membrane Bioreactor | II | II | III | IV |
| AS with separate fixed film | III | III | IV | IV |
| Sequencing Batch Reactor (SBR), Moving Bed Biofilm Reactor (MBBR), Integrated Fixed Film Activated Sludge (IFAS), Oxidation Ditch, Other Suspended Growth Media | III | III | IV | IV |
| AS with tertiary filtration (includes chemical phosphorus removal) | III | III | IV | IV |
| AS with biological nutrient removal | III | IV | IV | IV |

Small Wastewater System: Class I
Treatment Type AND <500 design pop. OR <150 connections

If more than one treatment type is used, the highest rated treatment type will determine the classification. Plants may be classified differently than indicated in Table A if:

- (a) They have characteristics (e.g. anaerobic digestion, biosolids land application) that make operation more or less complex or difficult than other similar plants with the same flow range.
- (b) The conditions of flow or the use of the receiving waters require an unusually high degree of plant operational control.
- (c) They use an approved method of wastewater treatment that is not included in this section.

Proposed Rules: Compliance Extension

- Currently: up to 120-days
- (b) If a wastewater treatment system **classification increases**, and the current supervisory operator has been **employed** at that system for at least **one year** and is **certified at one grade lower** than the new classification of the system, and there have been **no Class I permit violations**, as defined in OAR 340, division 12, the Director may grant **an extension of up to 365 days** to allow that operator additional time to upgrade their certification and the request must include the information listed in 340-049(10)(a).
 - Date of vacancy, time schedule to designate an operator, name/certificate information for interim supervisor

Fiscal Impact Statement

1. Will the rule have a fiscal impact?
2. What will the extent of that impact will be?
3. Will the rule have a significant adverse impact on small businesses?
4. If the draft rules will have a significant adverse impact on small businesses, provide recommendations about how DEQ can comply with ORS 183.540 to reduce the rule's economic impact on those businesses.

Racial Equity

Adoption of the proposed rule would affect wastewater operator certification statewide, across various sectors, both public and private. Since the rules will apply to all certified operators and owners of classified wastewater systems, and there are no expected changes to practical implementation of the program activities as a result of this rule adoption, there is **no major expected impact on racial equity in the state**. Adoption of proposed rules will help maintain program services critical to protecting public health and the environment, which may be particularly important to communities that fish for subsistence, such as indigenous communities.

Thank You

Kimi Grzyb

Wastewater Operator Certification Program Coordinator

503-229-5349

Kimi.Grzyb@deq.oregon.gov

Tiffany Yelton Bram

Water Quality Source Control Manager

503-229-5219

Tiffany.Yelton-Bram@deq.oregon.gov

Title VI and alternative formats

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Contact: 800-452-4011 | TTY: 711 | deqinfo@deq.state.or.us