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

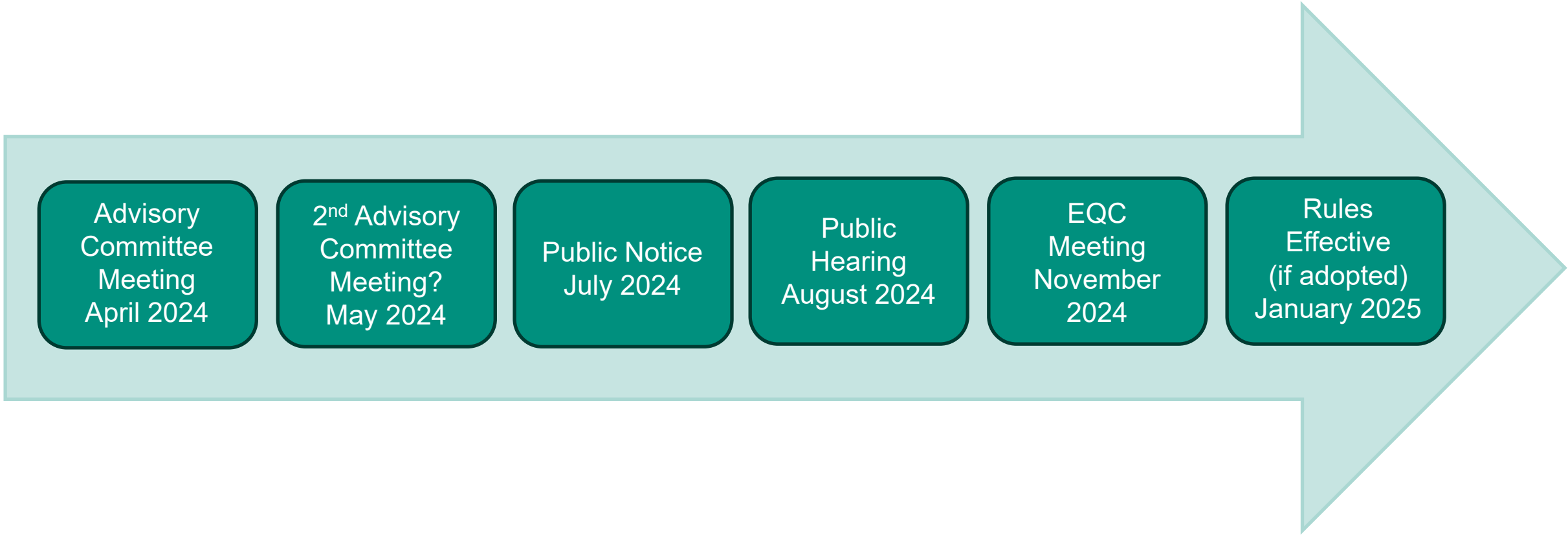
Advisory Committee Membership

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



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: 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:

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

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Title VI and alternative formats

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