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July 30, 2012

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000



Via email to commentletters@waterboards.ca.gov

Sacramento Regional Wastewater
Treatment Plant

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SUBJECT: Comment Letter – Proposed Operator Certification Regulations (SRCSD)

Dear Ms. Townsend:

The Sacramento Regional County Sanitation District (SRCSD) appreciates the opportunity to comment on the proposed revisions to the regulations governing Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration (Proposed Regulation). SRCSD provides wastewater conveyance, treatment and reclamation for over 1.4 million residents in the Sacramento metropolitan area. We appreciate the efforts to improve the rules governing the operator certification program and support the overall goals of the program. However, after reviewing the proposed regulations, we have a few comments that we believe are necessary to provide more clarity. We believe our concerns could be resolved with minor changes that are provided in more detail below. The Proposed Regulation text is shown in black, SRCSD's additions are in green text, and deletions are shown in red strikethrough.

Board of Directors
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- County of Yolo
- City of Citrus Heights
- City of Elk Grove
- City of Folsom
- City of Rancho Cordova
- City of Sacramento
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Comment #1: Article 1. General Provisions - Section §3671Definitions

The proposed language in this section is unclear as to what is meant by “when the chief plant operator is unable to carry out the responsibilities” and when a designated operator in charge must be appointed. “Unable” as used in this section is left open to interpretation and could mean several different things such as being off-shift, being physically off-site, or not being available by phone temporarily. We recommend the following clarifying changes to this section:

“Designated operator-in-charge” means an operator appointed by the chief plant operator pursuant to section 3680(b) to be responsible for the overall operation of a wastewater treatment plant, including compliance with the applicable waste discharge requirements, when the chief plant operator is unable to carry out the responsibilities of the position of “chief plant operator” as defined in this section. The designated operator-in-charge shall be the person(s) that report to the chief plant operator and is assigned responsibility as the lead operator(s) responsible for the operation of the wastewater treatment plant during the various daily work shifts.

- Stan Dean
District Engineer
- Ruben Robles
Director of Operations
- Prabhakar Somavarapu
Director of Policy & Planning
- Karen Stoyanowski
Director of Internal Services
- Joseph Maestretti
Chief Financial Officer
- Claudia Goss
Public Affairs Manager

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We also recommend addition of the term “Unable / Unavailable” as follows to **General Provisions §3671 Definitions:**

Unable / Unavailable

“Not capable of providing a timely assessment and timely control or direction for control of the wastewater treatment facility.”

Comment #2: Article 1. General Provisions - Section §3671 Definitions

SRCSO has concerns that reducing actual full-time experience may lessen the value of the on-the-job training that is part of the minimum qualifications for operator certification. As written, the full-time experience includes vacation hours and sick leave hours which are not actually work hours. We recommend replacement of the term “full-time experience” with a new term called “Qualifying Time” that would be added to the General Provisions § 3671. This revision would require the Provisional Operator to acquire a full 1,800 hours of time to become a Wastewater Treatment Plant Operator. We propose the following added definition:

“Qualifying time” means that one year of full time employment is attained after 1,800 hours of qualifying experience as defined in this section. Qualifying time does not include paid vacation or sick leave or other time off.

Comment #3: Article 1. General Provisions - Section §3671 Definitions

The definition of “operates” is proposed to be expanded to require certification for a person who takes actions or makes decisions that control the performance or outcome of wastewater treatment processes. This could include engineers who work in the operations department for a wastewater treatment plant. The definition of “qualifying experience” is limited to an operator or OIT while operating a wastewater treatment plant. This strict definition precludes engineers working in an operations department from gaining qualifying experience. We recommend that the definition of qualifying experience be changed as follows:

*“Qualifying experience” means experience acquired by an operator, provisional operator, or operator-in-training **or engineer** while operating a wastewater treatment plant as defined in this section. The term may include the performance of minor maintenance related to the servicing, adjustment, or regulation of equipment necessary to maintain reliable operation of wastewater treatment processes.*

Comment #4: Article 1. General Provisions - Section §3671 Definitions

The definition of tertiary treatment should be clarified to remove nutrient removal and replace this term with sequencing batch reactor with filtration as follows:

*“Tertiary treatment” (~~advanced waste treatment~~) means a wastewater treatment process that goes beyond secondary treatment, which may include and includes filtration, coagulation, **and nutrient removal or sequencing batch reactor with filtration.** ~~but excluding disinfection.~~*

Comment #5: Article 2. Classification of Wastewater Treatment Plants, Owner Reporting Requirements, and Criteria for Exemption of a Class I Wastewater Treatment Plant - Section §3675 Classification of Wastewater Treatment Plants

In this section, the term “Sequencing Batch Reactor” is used several times throughout the “Wastewater Treatment Plant Classification Table”. We recommend removing the term “Sequencing Batch Reactor” from this table and replacing it with “Tertiary Treatment” to be consistent with the revised definition proposed in the comment above.

Comment #6: Article 2. Classification of Wastewater Treatment Plants, Owner Reporting Requirements, and Criteria for Exemption of a Class I Wastewater Treatment Plant - Section §3676 Reporting Requirements for Owners of Wastewater Treatment Plants, item (g)

We recommend the following minor revision to this section to clarify that only written reprimands are reportable:

(g) The owner shall notify the Office of Operator Certification in writing within 30 days of any final disciplinary action taken by the owner against an operator, provisional operator, operator-in-training, or contract operator. Disciplinary action includes formal written reprimands ~~reprimanding~~ or placing on probation, suspending, demoting, or discharging an operator, provisional operator, operator-in-training, or contract operator for performing, or allowing or causing another to perform, any act in violation of this chapter. The notice shall include the name of the operator, provisional operator, operator-in-training, or contract operator, the specific violations, and the disciplinary action taken. The notice also shall include the operator’s certificate number or the contract operator’s registration number.

Comment #7: Article 3. Grade Levels of Operator – Section §3680.1(c) Grade Levels of Operators at Privately Owned Wastewater Treatment Plants

This section provides a grandfather clause for an operator that works for a privately operated wastewater treatment plant before the effective date of these regulations with one year of “Experience Credit” for what could potentially be very little time worked. We recommend reconsidering this exemption to account more accurately for the real-time qualifying experience and propose the following revision:

(c) Upon passing a written examination, each person applying for a certificate in accordance with section 3680.1 who is employed at a privately owned wastewater treatment plant before the effective date of section 3680.1, shall be credited with ~~a minimum of one year of full-time~~ an appropriate amount of qualifying experience.

Comment #8: Article 4. Operators-in-Training – Section §3682.1 Application for Operator-in-Training Certification

The changes proposed in this section impose a new requirement for a Grade I Operator in Training (OIT) to complete the educational requirements for certification prior to submitting the application for an OIT Certificate. Based on SRCSD’s experience, one year of qualifying time as an OIT Grade I is

sufficient time to complete the educational requirements to apply for a Grade I Operator. SRCSD recommends allowing the qualifying time and education to be completed simultaneously as allowed in the previous version of this regulation for Grade I. This would mean that the education is NOT required at the time of submittal of the application for a Grade I OIT certificate. A recommended change to the text is provided as follows:

~~(b) An applicant~~ Applicants for ~~an~~ Grade II through Grade V operator-in-training certificates must have completed the minimum amount of education prescribed in section 3687 for certification as an operator at the grade level for which an operator-in-training certification is requested. A Grade I OIT applicant is exempt from meeting the educational requirement at the time of submitting the OIT application (but must meet the requirements of §3700).

Comment #9: Article 6. Minimum Qualifications for Wastewater Treatment Plant Operator Certification - Section §3684 Qualifying Experience Credit (a)(1) and (2)

The phrase “one time credit” as used in these sections is unclear. A recommended change to the text is provided as follows to ensure that experience credits are applied appropriately:

Section 3684(a)(1) An applicant may receive a ~~one-time~~ credit for one year of full-time qualifying experience that ~~that may be applied only once in each Grade Level~~ if the applicant:

And

Section 3684(a)(2) An applicant may receive a ~~one-time~~ credit for one year of full-time qualifying experience ~~that may be applied only once in each Grade Level~~ if the applicant has acquired 3,600 or more hours of experience in one or more of the following areas:

Comment #10: Article 6. Minimum Qualifications for Wastewater Treatment Plant Operator Certification - Section 3684 Qualifying Experience Credit (a)(2)(A) and (a)(2)(B)

These sections include preparation of safety and laboratory procedures manuals as creditable toward full-time qualifying experience. Since these manuals can be developed without significant knowledge of wastewater treatment or operation, we recommend removal of these items as qualifying experience. The recommended changes are as follows:

(2) An applicant may receive a one-time credit for one year of full-time qualifying experience if the applicant has acquired 3,600 or more hours of experience in one or more of the following areas:

(A) developing wastewater treatment plant operations and maintenance, ~~safety, or laboratory procedural~~ manuals;

(B) conducting training in wastewater treatment plant operations, ~~safety, or laboratory procedures~~;

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Comment #11: Article 8. Certification of Wastewater Treatment Plant Operators – Section §3702.3 Issuance of Renewal Certificate

This section adds a new requirement to include the operator's address on the renewal certificate which is typically posted or displayed openly at the workplace. We propose deleting the address from the renewal certificate as indicated below due to privacy issues:

§ 3702.3. Issuance of Renewal Certificate.

(c) A renewal certificate shall include:

(1) the operator's name ~~and address~~;

Comment #12: Article 10. Fees - Section §3717 Operator, Provisional Operator, and Operator-In-Training Fees

This section provides for new proposed fees that vary in cost based on the operator grades. Renewal fees should represent the actual costs and should be equal for all grades of operators assuming there is no difference in processing costs incurred by the Office of Operator Certification. We recommend changing the certification renewal fees to be equal for all operator grades.

SRCSO is supportive in general of the new proposed regulation if the above recommended changes are incorporated. If you have any questions or concerns regarding our comments, please contact me directly at 916-876-6092 or mitchell@sacsewer.com or Lysa Voight at 916-876-6038 or VoightL@sacsewer.com.

Sincerely,



Terrie Mitchell
Manager, Legislative and Regulatory Affairs

cc: Stan Dean, SRCSO District Engineer
Prabhakar Somavarapu, SRCSO Director of Policy and Planning
Ruben Robles, SRCSO Director of Operations
Glenn Bielefelt, SRCSO Treatment Plant O&M Manager II
Michael Berklich, SRCSO Treatment Plant O&M Manager I
Jeff Brewi, SRCSO Treatment Plant O&M Manager I
Kurt Ohlinger, SRCSO Chief Scientist
Mitch Maidrand, SRCSO Principal Civil Engineer