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10-15-12

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ELECTRONIC MAIL: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

Chairman Charles R. Hoppin and Members of the Board  
State Water Resource Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Attention: Jeanine Townsend, Clerk to the Board

Dear Chairman Hoppin and Members of the Board,

## COMMENT LETTER – PROPOSED OPERATOR CERTIFICATION REGULATIONS

The City of Los Angeles Bureau of Sanitation (Bureau) appreciates the opportunity to comment on the proposed revisions to the regulations governing Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration (WWTP Operator Regulations).

While the Bureau commends the State Water Resources Control Board staff for their attempt to clarify existing ambiguities, there are aspects of the proposed changes that require further clarification or modification. The Bureau hopes that these comments will result in a more effective operator certification program with resulting improvements to public health and the environment.

Please consider the following comments discussed below:

### 1. Section 3671: Definitions

#### Full Time

The Bureau requests the following changes to the definition of "Full Time"

- less than an average of 40 hours worked per week by an operator or provisional operator at a wastewater treatment plant if the operator or provisional operator is solely responsible for the operation of a wastewater treatment plant; or*
- less than an average of 40 hours worked per week by an operator-in-training at a wastewater treatment plant if the operator-in-training works as the only operator-in-training under the*



~~direct supervision of an operator who is solely responsible for the operation of the wastewater treatment plant and who is working less than an average of 40 hours per week.”~~

The definition of “Full Time” under number (2) needs revision. Delete “Operator”, but keep “Provisional Operator” in the language.

The proposed definition, “Less than an average of 40 hours per week” could result in less than adequately trained staff attaining higher grade operator certification levels without the desired amount of hands-on experience in a very short time frame.

The Bureau would also like the definition under (3) to be deleted completely.

### **Designated operator-in-charge**

The Bureau requests the deletion of the definition of “Designated operator-in-charge”

~~“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 report to the chief plant operator.”~~

All Chief Plant Operators (CPOs) at the Bureau must designate a “designated operator in charge” as part of normal operation procedures when the CPO is unavailable. The Bureau believes that this definition is not needed.

### **Lone Operator**

The Bureau requests that this definition be clarified to include how many grade levels lower are permissible.

### **Shift Supervisor**

A definition of “Shift Supervisor” was removed from the proposed regulations. The “Shift Superintendent” on duty is the shift supervisor at Hyperion Treatment Plant; thus, the Bureau requests that this definition be retained.

### **Satellite Plant**

Per the new definition of “Satellite Plant”, the Bureau’s Donald C. Tillman Water Reclamation Plant (DCTWRP) and Los Angeles Glendale Water Reclamation Plant (LAGWRP) are satellite plants to Hyperion Treatment Plant (HTP). However, HTP, DCTWRP and LAGWRP have never been considered and classified as “one” wastewater treatment plant, and each plant has its own “Chief Plant Operator.” The HTP Chief Plant Operator is not responsible for the overall operation of the satellite and main treatment plants. The Bureau requests that this definition be removed or modified to incorporate situations with multiple satellite plants with independent Chief Plant Operators.

### **Wastewater Treatment Plant**

The Bureau requests the following changes to the definition of “Wastewater Treatment Plant”

*(3) A privately owned facility used primarily in the treatment or reclamation of sewage, and for which the State Water Board or a Regional Water Board has issued waste discharge requirements.*

*“Wastewater treatment plant” includes water recycling treatment plants. The term, “wastewater treatment plant” does not include onsite sewage treatment systems as defined in section 13290 of the Water Code.”*

The Bureau requests that the whole sentence “the term ‘wastewater treatment plant’ does not include onsite sewage treatment systems as defined in section 13290 of the Water Code” be removed in its entirety. The reason for the request is that a localized treatment system may not be considered a Wastewater Treatment Plant, then the operator working on the site cannot receive experience credits toward WWT Operator certification. This would be an issue if the Bureau operates the system and staff has to be assigned or included as part of their rotation.

## **2. Section 3675: Classification of Wastewater Treatment Plants,**

The Bureau has four large treatment plants: Hyperion Treatment Plant (HTP), Donald C Tillman Water Reclamation Plant (DCTWRP), Los Angeles Glendale Water Reclamation Plant (LAGWRP), and Terminal Island Water Reclamation Plant (TIWRP). According to the definition, DCTWRP and LAGWRP are the satellite plants to HTP. However, the processes, operational requirement, personnel, effluent limitations, responsibilities, end-uses, and other permitting requirements are different and unique for each plant. The Bureau believes these differences make each plant unique; thus, the Bureau requests that this language be removed completely.

## **3. Section 3681: Lone Operator**

The entire 2681 Section was added to the proposed regulations and requires approval of a written plan before assigning an operator as a lone operator. This creates an unnecessary burden. The owner and operator of the treatment plant bears responsibility for violations of permit requirements caused by human operator error. Avoidance of these effluent liabilities and associated liabilities is enough incentive to ensure that “lone operators” receive the necessary knowledge and experience prior to being assigned the task of performing basic duties and minimal tasks with competency.

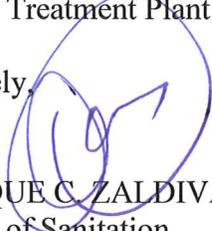
The Bureau requests that all the requirements in this section be removed except Section (e) which prohibits an operator-in-training being assigned as a “lone operator.”

## **4. Section 3709: Administrative Civil Liability, Disciplinary Action, Appeal, and Petition Process**

The new language was added to Section 3709 pertaining to imposition of administrative liabilities is unnecessary, duplicative, and has the potential to become inconsistent with changes to existing California Water Code law. The Bureau requests that this language be taken out in its entirety.

The Bureau is looking forward to working with State Water Resource Control Board staff to ensure compliance with all operator certification requirements. If you need additional information or have any questions, please call Mr. Steven Fan, Hyperion Treatment Plant Manager, at 310-648-5168.

Sincerely,



ENRIQUE C. ZALDIVAR, Director  
Bureau of Sanitation

MB/EZ:pc

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