

**STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**WRITTEN PRACTICE REGARDING INTERPRETATION OF THE
October 1985 WASTEWATER TREATMENT FACILITY
OPERATOR CERTIFICATION REGULATIONS**

PURPOSE

This document establishes a common basis for interpretation of the Vermont Wastewater Facility Operator Certification Regulations, dated October 1985. These interpretations together with previous decisions and the regulations define how the Department will conduct the Wastewater Operator Certification Program.

PRACTICES

The following represent the Department's interpretations of portions of the Vermont Wastewater Facility Operator Certification Regulations.

Assistant Chief Operator - Section 3(a). - Industrial Facilities only. The regulations require that an Assistant Chief Operator be certified at a Grade not more than 2 grades below that required for a Chief Operator at that plant. We determined that for industrial facilities, two grades below a Grade 4 is a Grade 1. There is no Grade 3 certificate in the industrial program. There are also no Class III facilities, just I, II, IV. The Department does, however, reserve the right to ask the industry for a certification statement concerning assistant chief operators. In certain cases (very complex facilities), we may ask the chief operator and the authorized representative to send a letter stating that a specific individual with a Grade I certification is qualified to be an assistant chief operator.

Definitions - Regulations Section 2. Chief Operator, Assistant Chief Operator and Operator.

Chief Operator - person stationed on-site, making daily operational decisions concerning the wastewater treatment facility.

Assistant Chief Operator - performs operational duties under supervision of chief operator, and makes operational decisions in the absence of the chief operator.

Operator - 50% of work time is operating process equipment, or valves or performing testing and works under the direct supervision of a chief or assistant chief operator.

Interpretation is: 50% of the work time that is spent at the wastewater treatment facility (WWTF). Example: If an operator is assigned to the treatment facility 8 hours per week, then 4 of that 8 hours must be spent conducting operational activities (turning valves, sampling, tests, etc.) (Decision originated 12/94.)

Direct Supervision - Section 2 - Definitions "Operator" - Regulations state "... works under the direct supervision of a chief or assistant chief operator."

Interpreted as: ... the *ultimate* responsibility *resides* with the person identified by the owner of the facility as the person making daily operating decisions. Not simply being in the organizational supervisory line or within view of a Chief or Assistant Chief.

Education - Regulations Section 4(c), third sentence, "All course work resulting in a degree must be in the field of sanitary engineering, environmental engineering, public health engineering, chemical engineering, chemistry or biology with specific course work resulting in degree."

Civil Engineering will also be considered. School transcript and copy of diploma must be submitted for all educational substitution requests.

Employ a Chief and Assistant Chief Operator - Regulations Section 3(a) "...., shall employ only a chief operator and an assistant chief operator who hold valid certifications....."

Interpretation: Only persons who hold valid certification shall be employed, either directly or by contract with an operations firm, as chief operators and assistant chief operators.

Emergency/Backup operator coverage is sometimes necessary. These persons must be certified if they are expected to provide coverage at the treatment facility in the absence of the chief or assistant chief operator. They can be certified as "operators", provided that the chief or assistant chief operator can be reached for operational decisions.

Operational Activity - Definition: Any activity which directly affects the operations of the wastewater treatment facility (i.e. adjusting valves, performing process control tests, increasing aeration rates, etc.). Only under the oversight of a certified operator, may an uncertified operator perform these activities. (Decision originated 12/94.)

Operational Decisions - Decisions which directly affect the operations of the wastewater treatment facility (determining return rates, wasting rates, chemical feed rates, etc.) An uncertified operator can not make operational decisions. (Decision originated 12/94.)

Qualified Personnel - Regulations Section 1. A certified operator shall be present at a treatment plant when any operational activity is being undertaken.

Municipal and many industrial WWTFs are not required to have 24 hour coverage. If a facility is automated, it will not require 24 hour certified operator coverage. Eight hours is sufficient, providing that a certified operator is on call should any alarms be triggered.

Reciprocity - Regulations Section 5(e). All reciprocity requests are handled on a case by case basis. If VT Wastewater Facility employment is not apparent at the time of application, a letter of determination is issued.

The highest Grades, 5 Domestic and 4 Industrial, are not granted reciprocity. This is a decision made on December 16, 1987 and we chose to keep this decision despite one commenter's feeling that this seems punitive. Other New England State's and New York's programs have differing numbers of grades. We did not want to be in a position of interpreting whether their top grades did or did not meet the requirements for ours.

Training - Regulations Section 6 (b)**(d) Last Paragraph - "Such courses, short courses or seminars must relate directly to the field of wastewater treatment and be approved by the Department".

Courses for First Aid, CPR, Management, Computers, Supervision, etc. are not directly related to wastewater. Recognizing these types of courses are often necessary for operators, courses not related directly to the field of wastewater will be considered when reviewing training hours. Some may receive only partial hours credit. A majority of the training hours taken, however, must be directly related to the field of wastewater. For training hour approval, a certificate of completion, total training hours, instructor name, etc. must be provided. Effective January 1, 1997, First Aid and CPR courses will be credited 100% toward total training hours.

Voluntary Certification for "Operators" - Regulations Section 3(c)

Using the definitions of "operational activity" and "operational decisions", and the "qualified personnel" interpretation, this section of the regulations is not true in all cases. Some "operators" may be required to be certified if that is how an entity chooses to cover the plant.

Canute E. Dalmasse, Commissioner
Department of Environmental Conservation

Marilyn J. Davis /s/

Feb 19, 1997

Marilyn J. Davis, Director
Wastewater Management Division

Date

K:\ADMIN\PROCEDUR\660193\OPCERT\INTRPRTA.WPD