

Drips and Drops

Healthy People Through Healthy Environments in WV

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Special



WVDHHR/OEHS

Extra! Extra!

Public Water Systems Operator Regulations Have Changed

By Dawn Newell

Yes, it is true.

The West Virginia Bureau for Public Health (BPH) reviewed and revised the Public Water Systems Operator Regulations (Title 64 Series 4) along with assistance from certified operators, WV Rural Water Association (RWA) staff, WV American Water, and WV Environmental Training Center (ETC). Revisions were submitted to WV State Legislature for consideration during the 2007 session. The revised rule passed March 10, 2007 and became effective April 18, 2007.

BPH revised the current regulations to:

- Meet new needs identified by the committee;
- Improve compliance with minimum federal operator requirements; and,
- Clarify 'gray' areas of existing regulations that often required internal interpretation and handling within the Certification and Training Section.

So what does this mean to operators? Please do not panic. No one likes change but it is necessary to

improve and move forward. Overall, the content has changed minimally. The changes are mostly associated with needed clarifications of existing definitions, rules, and responsibilities. The new regulations will enable operators and systems to do their job better through improved communication and preparation. BPH recognizes the importance of professionals in the drinking water industry and looks forward to working with each and every individual operator and system to successfully implement these new requirements on a reasonable timeframe.

Please note that this article is a summary of the regulation and does not contain all the details of the new requirements. Reading this article is not a substitute for reading the *Public Water Systems Operator Regulations* (Title 64 Series 4) entirely.

You can contact our office at 304-558-2981 to discuss these rules or if you would like a copy of the *Public Water Systems Operator Regulations* (Title 64 Series 4) please contact the WV Secretary of State for a copy or download from <http://www.wvsos.com/csr/verify.asp?TitleSeries=64-04>.



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DROPPING THE



By Phil Martino

A separate fluoride certification is no longer required by operators employed by a PWS that uses fluoridation. The rationale for this change is that fluoride should be treated just like any other chemical that may be used in the treatment process. Information on fluoridation will now be included in the mandatory Class I and II operator training. This change

will help all operators obtain basic knowledge of fluoride treatment for operation at all systems.

Operators who have already become fluoride certified will lose the "F" designation on the end of their certification number upon their next renewal. Although certification numbers will no longer specify fluoridation training, it is important

for operators to keep track of this valuable training in their records.

From now on, there will not be a "F" at the end of your certification number.

New Water Distribution Certification

US Environmental Protection Agency (EPA) guidelines require all PWS operating personnel making process control/system integrity decisions about water quality or quantity that affect public health be done under the direction of a qualified, certified operator. This potential exists in both the treatment facility and distribution system. Therefore, a Water Distribution (WD) operator certification has been added.

Some water utilities have "split" responsibilities, where the water treatment plant may be under the direction of a certified PWS operator but the distribution system is not. This is not allowable under the new state regulation. The WD certification will allow two "chief operators" to be assigned under the above scenario and still meet the federal guidelines. Although a WD system is defined as a PWS that obtains all of its water from another PWS (also known as a purchase system), and is not owned or operated by the supplying PWS, an individual working in the distribution portion of any PWS must hold a WD or higher certifica-

tion to ensure properly certified operator coverage.

Since WD operators collect water quality samples at the distribution system but not provide any treatment, much of the current Class I (and higher) operator certification training is not needed for distribution only systems or related work. Development of a WD training course and exam where only distribution activities are taught and tested, will eliminate the problem of a person having to study unneeded and unnecessary material in order to proficiently perform their job functions. WD certification requires:

- a high school diploma or equivalent;
- attendance at a WD training course approved by BPH;
- 70% on the WD certification exam;
- 1,000 hours of experience at a WD or higher classification PWS; and,
- 6 continuing education hours (CEHs) for renewal every 2 years.

All of these new requirements for WD operator certification are based on current EPA guidelines related to

operator education, examination, experience, and continued training. Any current 1D operator may apply to be reclassified as a WD operator by passing the WD exam and meeting the minimum educational and experience requirements within 2 years from the effective date of the new rule. Any operator collecting samples at a WD or higher system must hold a 1D or higher certification. This provision was added to give existing WD operators a chance to upgrade without going through the Operator-in-Training (OIT) process.

All operator certifications are sequential, except for 1D. Therefore, the WD certification cannot be held in addition to any other current operator certifications. Any certified Class I thru IV operators who have already taken a WD course and exam will obtain CEHs but not certification. Also, all certification training must be approved by BPH. Since a BPH WD course and exam is still being developed, other WD training will be considered by applying for WD certification using the EW-102C form.

New Renewal & Certification Requirements



- All operator certifications now require renewal every 2 years. Although this is not new for all certifications, it adds clarification that OITs are also renewable. The experience requirements for all certifications are now measured in hours instead of years to help improve proper credit with a variety of employment schedules. For example, instead of 1 year (assuming full time) experience, it is listed as 2,000 hours for a Class I operator.
- There are new renewal require-

ments for OITs and WD operators. Both OITs and WD operators are now required to obtain 6 CEHs for renewal. The intent of the new OIT CEH requirement is that if the OIT cannot pass the exam, CEHs may help them pass the next time around.

- OITs are also required to attempt the Class I or WD exam at least once during each 2 year renewal cycle. Federal guidelines require continuing education for all certified operators. The new regulations will require all certified operators (except 1D) continue to receive training related to water treatment and distribution to promote continued learning and professionalism, more efficient operation, and a better understanding of emerging technologies and trends.
- OIT minimum education requirements can now be waived by the Commissioner, in writing, to a minimum age of 16 and completion of the 10th grade with a current school transcript and 2.0/4.0 grade point average. The intent of this change is to allow interested students

to receive water treatment related training earlier in their academic career paths and help promote awareness of the water treatment field.

- The new regulations also clarify that it is the duty of each certified operator to obtain the necessary amount of appropriate CEHs and retain documentation of attendance required for the renewal application. All certified operators must now ensure renewal applications are submitted no earlier than 60 days prior to expiration, in addition to the previous requirements, to facilitate proper data management and timely processing.
- All continuing education units (CEUs) must now be pre-approved by the Commissioner for relevancy so that the applicant knows beforehand the courses are enough, or if additional course work will be needed. 100% credit will be awarded to CEUs deemed directly related to water treatment and distribution otherwise 50% credit will be awarded.

New PWS Owner Requirements

PWS owners must notify the BPH:

- within 10 days of any employment status changes (previous regulation required this information within 5 days);
- within 24 hours if any operator terminates employment for any reason; and,
- by July 15th every year with a personnel status report on an approved form which includes a list of all certified operators, the operator in charge of each shift (if applicable), the Chief Opera-

tor, and any OITs currently employed.

These more specific reporting requirements will increase enforceability and enable the BPH to have more current information. Previously, employment status changes were often discovered during site visits but not necessarily soon after changes occurred.

Additional owner requirements in the new regulation include applying for and renewing OIT certification on behalf of OIT applicants and operators, and posting a copy of the certified operators' renewal card, in

addition to the current certification, in a conspicuous location at the system. Although this has been WV BPH policy, it was not written previously in the regulation.



NEW FORMS

All current forms are available on our website at

<http://www.wvdhhr.org/oehs/eed/swap/training&certification/forms.asp>.

Forms can also be provided by mail or fax upon request. Remember all forms must be complete, legible, signed and dated, and with all required documents attached (copy of diploma, CEH certificates, etc.) for processing.

ES-74
Voluntary Resignation

Use this form when voluntarily terminating employment to ensure proper notification.

EW-102C
Application for WD and Class I-IV Certification and Examination

Use this form when applying for examination or certification as a WD or Class I-IV operator.

EW-102D
Application for Renewal of WD and Class I-IV Certification

Use this form for renewal of WD or Class I-IV operator certifications.

EW-102E
Operator-In-Training (OIT)

Use this form when applying for initial certification or renewal of OIT certification. Renewal of OIT's now require 6 CEHs and taking the WD or Class I Exam.

EW-102F
1D Application

Use this form when applying for examination, initial certification or renewal of 1D operator certification.

EW-104
Public Water System Reporting Form

PWS' must submit this form by July 15th every year to report all certified personnel currently employed.

EW-107
Certified Operator Requirement Waiver

Use this form when applying for a certified operator requirement waiver.

EW-111
Public Water System Employee Status Changes Form

PWS' must submit this form within 10 days of any employment status change (except termination) of the systems certified operators.

New Compliance and Enforcement Methods

The new regulations are more specific on the definitions of suspension and revocation. Suspension is effective for an initial period of less than 1 year, revocation is effective for a period of more than 1 year. Both actions result in operator's certification being invalid. Revocation requires reexamination at the former certification level and fulfillment of CEH requirements. The process for

compliance and enforcement actions is also more clearly defined as notification via certified mail with the action proposed, effective date, reasons and length of time of the proposed action. The new regulations also enable the Commissioner to establish an Advisory Board consisting of at least 5 certified operators and a designated chairman.



Public Water Systems Classification

The classification of PWS has been changed from a point rating table to a descriptive definition based on source, population served, and treatment requirements. In general, the system complexity will continue to determine the required operator clas-

sification. All PWS will be reviewed as part of the sanitary survey conducted by District Office staff. This timeframe enables existing staff to reevaluate each system. Exceptions to this schedule will be made if requested in writing or if other prob-

lems arise. If reclassification occurs, systems must communicate with BPH to ensure proper operator coverage. BPH recommends operators at systems likely to change to start training and working towards the appropriate classification.

New Chief Operator Requirements

The new regulation includes the following definition for chief operator that is more descriptive of responsibility:

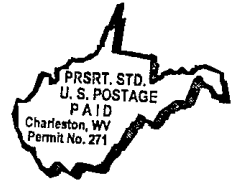
The certified operator whom the owner designates who is responsible for managing the daily operational activities of an entire PWS or a water treatment facility, or a distribution system in a manner that ensures meeting state and federal safe drinking water rules and regulations.

Every PWS owner must employ a chief operator with certification equal to or higher than the system classification. Therefore, all PWS', excluding 1D systems and systems with only 1 certified operator, must designate a chief operator.

To better support and prepare chief operators for their great responsibilities, the new regulation requires:

All new and current chief operators attend a course approved by BPH for training as a chief operator.

Current chief operators must fulfill this training requirement by April, 18, 2009. New chief operators are required to take the next available class unless waived in writing. BPH is currently developing a list of approved courses and arrangements for additional course offerings. Documentation of any chief operator-related courses taken previously may be submitted to be considered as fulfilling this requirement.



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Summary

The new regulation is an amendment to the existing PWS operator rule intended to increase clarity and maintain compliance with changes in federal rules and requirements. Periodic rule review and revision enable West Virginia to retain primary enforcement for the Safe Drinking Water Act. Without the PWS operator regulation and BPH certification program, one of the important barriers to preventing contamination of PWS' has been compromised.

As always, the Certification and Training Section looks forward to working with each of you in implementing these new rules and appreciates all of your good work.

