

Operator Certification Rules Stakeholder Workgroup Meeting Summary January 18, 2005

- A. Introductions
- B. Andy Barienbrock presented the general results of the early involvement review period. He provided an overview of the seven major themes that were observed in the comments, including:
 - 1. Overall increased stringency of the rules
 - 2. Definition of “full time” operator
 - 3. Prohibition of an operator operating more than one Class III or IV facility
 - 4. Entire “duties of an operator” rule
 - 5. Minimum staffing times
 - 6. Sequential test-taking, and
 - 7. The elimination of the Operator in Training (OIT) status for all but Class I operators.
- C. Andy then provided information on the internal discussions held and identified the justification that Ohio EPA has for the changes made regarding the above referenced items. Ohio EPA feels strongly that duties of an operator, minimum staffing requirements, sequential testing and the elimination of OIT status for all but the Class I examination should be included in any new rules. However, Ohio EPA has already made some changes to the duties of an operator and minimum staffing requirements in the rules based on the comments that were received. Ohio EPA is open to additional rule changes during the stakeholders’ meeting process.
- D. Andy then reviewed a few of the changes that have already been made:
 - 1. The definition of “full time” has been eliminated from 3745-7-01.
 - 2. The paragraphs indicating that a Class III or IV operator may not operate more than one Class III or IV facility have been removed. However, it should be noted that once minimum staffing times are established, operation of more than one of these facilities may not be feasible.
- E. The workgroup then began reviewing 3745-02. The workgroup members suggested several revisions.
 - 1. 3745-7-02 (A)(1) & (2): Make “direct supervision” and “responsibility” consistent in both. In order to deal with this we are eliminating both “direct supervision” and “responsibility” see February draft of revision.

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2. 3745-7-02 (A)(1) & (2): The words “and maintenance” will be removed after “technical operations.”
 3. 3745-7-02 (D)(2): Replace entire paragraph with “A copy of the contract is maintained onsite at the public water system, treatment works, or wastewater collection system.”
- F. The January 10, 2005 drafts of 3745-7-03 and 04 were then discussed. The initial discussion focused on the “classification of facilities” portion of the rules. The workgroup voiced no opposition to the classification systems as they were presented in the January 10, 2005 draft version of the rules.
- Andy then reviewed the minimum staffing time requirements in 3745-7-03. Based on comments from the early involvement review process, the minimum staffing times were revised and put into a tabular format. Andy also discussed new paragraphs that were added to both 3745-7-03 and 04 which address the ability of an operator with a certification of one classification less than the facility to be in responsible charge of the facility for up to 30 consecutive days and the ability to request approval from the divisions to be in responsible charge for extended periods. Discussions were held regarding the need for minimum staffing, the ability to reduce staffing based on facility automation, etc. Andy indicated that Ohio EPA is willing to work with the stakeholders to resolve these issues.
- G. The meeting was adjourned and the workgroup agreed to schedule a follow-up meeting in February.