



Early Stakeholder Outreach — Operator Certification

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What does the proposed rules package cover?

DDAGW has reviewed several rules in Chapter 3745-7 of the Ohio Administrative Code (OAC) to satisfy the five-year rule review requirements of section 106.03 and 106.031 of the Ohio Revised Code. OAC Chapter 3745-7 sets forth the requirement for public water systems (PWS), treatment plant and distribution system within the PWS, and treatment works or sewerage system, or wastewater treatment facility to designate one or more operator of record. The rules within the Chapter also establish the requirements the operators are to meet in order to be certified to oversee the technical operation of the facility in which they work.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to Executive Order 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency. **This early stakeholder outreach notification replaces the May 2015 notice covering OAC Chapter 3745-7.**

What changes are being considered?

Amendments DDAGW is considering making to OAC Chapter 3745-7 include the following:

- Amend language so that operators are referred to as “professional operators”.
- Clarify requirements for contract operators.
- Clarify the types of experience that qualify as operating experience.
- Clarify the distribution system staffing requirements.
- Add charts to demonstrate the hierarchy of water and wastewater certificates.
- Clarify recordkeeping requirements.
- Adjust the grace period for certification expiration.
- Require electronic submission of exam applications, contact hour requests and training provider applications.
- Clarify the requirements for approved contact hour training providers.
- Adjust the fee language to remove the application fee and add a certification fee and a reciprocity fee.

How can I provide input?

The Agency is seeking stakeholder input on the operator certification rule package. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business May 9, 2016. Please submit input to:

DDAGW_RULECOMMENTS@epa.ohio.gov.

Please include, “Operator Certification 2016” in the subject line of the email.

What if I have questions?

Questions on this rules package and the process for submitting comments may be forwarded by email to

Corin.Bonnett@epa.ohio.gov or by phone at (614) 644-2752. You can find the most current draft and proposed rules, as well as currently effective rules on DDAGW’s rulemaking web page at www.epa.ohio.gov/ddagw/rules.aspx.

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DDAGW is considering all of the following rules to be filed with amendments or no changes:

- [3745-7-01, Operator certification definitions](#)
- [3745-7-02, Certified operators required](#)
- [3745-7-03, Public water system classification and staffing requirements](#)
- [3745-7-04, Treatment works and sewerage system classification and staffing requirements](#)
- [3745-7-05, Classification of operator certification](#)
- [3745-7-06, Certification of operators](#)
- [3745-7-07, Operator in training](#)
- [3745-7-09, Recordkeeping requirements and responsibilities of a certified operator](#)
- [3745-7-10, Operator certification advisory council](#)
- [3745-7-11, Duties of the council](#)
- [3745-7-12, Suspension or revocation of certification](#)
- [3745-7-13, Reciprocity](#)
- [3745-7-15, Expiration and renewal of operator certification](#)
- [3745-7-17, Operator certification fees](#)
- [3745-7-18, Conduct during the application and examination process](#)
- [3745-7-19, Examination providers](#)
- [3745-7-20, Certification of operators who pass an examination from an approved examination provider](#)

(Click on a rule number to view the currently effective rule or visit the web page at <http://epa.ohio.gov/ddagw/rules.aspx> and click on the “effective rules” tab.)

Who will be regulated by these rules?

Owners and operators of the facilities covered under OAC Chapter 3745-7 will be regulated by these rules.

What is the rulemaking schedule?

This rule will be filed with the Joint Committee on Agency Rule Review (JCARR) no later than May 2017. Prior to filing with JCARR, a draft proposal to file some or all of these rules with amendments will be sent out for Interested Party Comment.

What input is the Agency seeking?

DDAGW wants to hear from interested stakeholders who may be impacted by these rules. The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept?
- Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted.

- Would this regulatory program have a positive impact on your business? Please explain how.
- Would this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).

Contact

There is not an official written response to input received during the early stakeholder outreach phase of rule development. However, your input is very important to Ohio EPA and it will be considered when rules are being drafted. There will be additional opportunities to comment on specific rule language later in the process.

For more information, contact Corin Bonnett at Corin.Bonnett@epa.ohio.gov or (614) 644-2752.