

Water and Wastewater Operators' Advisory Council

Purpose: The Water and Wastewater Operators' Advisory Council provides stakeholder review and recommendations for the Department of Environmental Quality's (DEQ) implementation of the Water and Wastewater Operator Certification Program. The council is appointed by the Governor and is composed of seven members.

The Water and Wastewater Advisory Council provides direct input to the Department on the operation and direction of the Operator Certification Program. The Council functions as a sounding board and advisory panel to provide guidance on issues such as classification of operator categories, administrative rule changes, examination requirements, operator performance issues, continuing education training requirements, program budgetary concerns such as fees for certification renewals, and general program direction. The Council meets at least twice annually, the first meeting in the spring and the second meeting takes place at the Annual Fall Water School in Bozeman.

History: The Water and Wastewater Advisory Council in its current form was created by statute (2-15-2105, MCA) in 1967. Governor Babcock appointed the first Council members at that time. In 1997, at the 64th Annual Water School and the 30th Anniversary of the Montana Operator Certification Law, former Governor Babcock stated . . . *"Thirty years ago, I signed into law legislation that accomplished three goals. First, it acknowledged that we who live and work in Montana have an obligation to protect our environment and the public health. Second, because a few do not have the same respect for our environment that the majority of us do, a certain degree of regulation is necessary. Third, and most important, it recognized the competency of the individual to steward our natural resources in a manner and within the framework of reasonable guidelines and modern technology. . . . Simply stated, the Wastewater Operators Certification Law requires the operator of water supply and wastewater systems to pass an extensive examination and be certified by the state of Montana."*

Membership: The Water and Wastewater Advisory Council provides direct input to the Department on the operation and direction of the Operator Certification Program. The members are: water and wastewater operators from different system types and sizes; a representative of a municipality; a faculty member of a university, and a department representative, each of which has a vested interest in assuring and maintaining the professionalism of certified operators.

Status: Currently, there are two vacant positions on the Council. One is the University position, which has been vacant since September 2011. The Department has attempted to raise interest in the position by contacting key university professors that have been involved in the Council in the past and sent a letter to the Office of the Commissioner of Higher Education with the requirements needed for the position. The Department is not aware of any applications for this position being received by the Governor's Office. The second vacant position has had a few interested applicants, which are under review.

for the record

Good Morning, chairman and members of the council my name is Shelley Nolan. I am happy to be here representing the Operator Certification Program today to provide you a little more information on the Water and Wastewater Operator Advisory Council. I would like to begin with a little history.....

"The History of the Water/Wastewater Advisory Council"

From the minutes of the first meeting of the Board of Certification for Water and Wastewater operators, "The earliest mention of an operator certification program was in a letter dated June 26, 1933 from a member of the California Sewage Works to H.B. Foote, Director of the Division of Water and Sewage of the Montana State Board of Health. Mr. Foote was asked for information on discussion that Montana was having on licensing operators of water and sewage treatment plants. The Montana Chapter of the American Waterworks Association had several discussions on this topic at the annual meetings. A similar bill had been introduced at the previous legislature requesting that water and wastewater operators be placed under Civil Service, but the bill had not been enacted." (First Meeting Minutes, Oct. 26, 1967)

In 1967 Governor Tim Babcock signed in to statute, the first operator certification law. Montana was one of 14 states that had a certification program before it became a requirement in the 1996 Amendments to the Safe Drinking

Water Act. Montana currently has approximately 1600 certified operators that hold a total of 3442 certifications in water treatment, distribution, wastewater treatment and industrial wastewater treatment.

The Board of Water and Wastewater Certification was established the same year following the adoption of the certification law when the Governor appointed nine members to the Board. The board nominated officers of Chair, Vice Chair, and Secretary Treasurer. The board was not appropriated any funds by the legislature and it was decided to ask the Montana Section of the American Waterworks Association and the Montana Water Pollution Control Association for \$1,000.00 from each association. It was later noted that the board received \$500.00 from each association. The funds were a loan, which was promptly paid back after receiving fees from the operators for certification.

The Board of Certification for Water and Wastewater operators was created to be the governing board in establishing the office, creating, reviewing and proposing changes to the certification rules, classification of operator levels based on system size, type, and physical conditions affecting treatment plants, distribution systems and wastewater plants. The board also established operator training materials, study guides, exams and performed the grading of exams and

issuing renewal certificates based on annual renewal fee payment. The board also reviewed and approved or disapproved all applications for certification.

According to the statute; operators already working in treatment plants, trailer courts, state and private industry and industry could submit applications for grandfathering within the first year of certification law. Originally, a total of 651 certificates were issued and the first examinations were given November 23, 1968, at the end of the Annual Fall Water School in Bozeman.

In 1983, 15 years later, the board was under a sunset clause. HB207 was proposed and passed unanimously through the legislature which re-established the board as an advisory council. It was expected that the council would function similarly to the previous certification board. At the board meeting in April 1983 it was noted that, "The council may expect to discuss and advise the department on certification fees and Continuing Education Units."

Statute 37-42-203. **Duty to advise and assist the Department.** The council shall advise and assist the department in the administration of the certification program. The council shall serve as an advisory board to the department in actions relating to the qualifications of water and wastewater treatment plant operators.

The advisory council is critical to the operator certification program which co-exists with the public water supply program due to primacy requirements and state and federal regulations which require public drinking water and wastewater systems to retain a certified operator. The council weighs in on all aspects of the operator certification program which employs two full time certification technicians. The council has 7 members with one member from DEQ as ex-officio. All council positions are currently filled. The council currently meets twice a year, once by phone in the spring and once in person at the Annual Fall Water School in Bozeman. The council was meeting four times per year but due to the economic downturn was reduced to twice per year with the idea that more frequent phone or tele-conferencing could occur if there were issues that arose needing immediate discussion.

The board reviews the budget status of the program, advises the program on fee increases and trends that are affecting operators such as economic challenges (loss of grant funding for small systems) or retention of operators. The council also advises the program on department rule changes, evaluating training needs, review exam passing and failure rates and continuing education credit requirements.

There are more challenges facing communities and operators today than 20 or 30 years ago. Regulatory requirements have increased substantially, communities are strapped for funding, the technical assistance and training funds have been cut, the state's federal grant dollars are being reduced and baby boomers retiring have created a need for more operators. There is a great need for trained operators to protect public health and expensive infrastructure by having the proper knowledge in operations and maintenance of technical treatment systems and distribution systems. The council's advisory presence will be very important in these challenging times to keep the program viable and be able to advise the program on how to access training for operator CEC's which are required to remain certified, providing exam prep training currently done by the PWS program and exam availability for new operators entering the field as well as possible fee increases and finding efficient means to streamline the program. As the program manager and a certified operator for 30 years protecting public health, I appeal on behalf of the DEQ, all past board members who had a vision 45 years ago to protect Montana's precious resources and all water and wastewater stewards of Montana to support the continuing existence of the Water and Wastewater Advisory Council. Thank You