



Interested Party Review — Operator Certification Rules

What does Chapter 3745-7 cover?

The rule package covers requirements to have appropriately certified operators, at drinking water and wastewater treatment facilities, minimum staffing requirements for those facilities, criteria for becoming certified and maintaining certifications, oversight by an Advisory Council of subject matter experts, training and exam provider approval and contract operations of facilities.

What step is this in the rulemaking process?

This step in Ohio EPA's rulemaking process, required by Ohio Revised Code (ORC) 121.39, is called Interested Party Review. During this step, the Agency makes available draft rules for interested parties for review and comment. This step occurs after the Early Stakeholder Outreach comment period.

What changes are being considered?

The Division of Drinking and Ground Waters is considering the following changes:

- Defining satellite collection system. Replacing the term "wastewater treatment" with the term "water reclamation".
- Providing flexibility on staffing during weeks with federal holidays and for offsite meetings.
- Clarification on when continuous monitors for fluoride and chlorine are necessary when requesting staffing reductions.
- Adding provisions for classifying satellite collection systems and the minimum staffing requirements.
- Adding a new certificate type termed "facility specific" for applicants who do not meet the operating experience requirements.
- Reducing required operating experience time by 12 months for Class II, III and IV certificates.
- Adding operator in training (OIT) status for Class III certificates.
- Increasing the number of years an operator can be in OIT status from four to five years.
- Requiring an operator of record to be present at inspections.
- Allowing recently retired operators to serve as Advisory Council members.
- Adding flexibility to review an out of state operators work history to determine appropriate classification for reciprocity.
- Adding renewal provisions for facility specific certificates.

Who will be regulated by these rules?

Public water system and wastewater system owners and operators, training providers and contract operating companies.

What is the rulemaking schedule?

At this time, the Agency is soliciting input on these draft rule revisions. Ohio EPA is required by section 121.39(D) of the Revised Code to contact potentially affected parties prior to adopting rule changes.

At the close of the draft rule comment period, the Agency will review the comments and make necessary changes to the rules. The Agency will then file proposed rules with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State.

At that point, another comment period, including one or more public hearings, will be scheduled. After the close of the comment period, the Agency will review the comments, make any necessary changes and then adopt the final rules. Ohio EPA expects to file the proposed rules in summer 2024.

How can I comment on the draft rules?

Please submit your comments by email to: ddagw_rulecomments@epa.ohio.gov

Comments on the draft rules must be received no later than 5 p.m. on April 1, 2024.

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How can I get more information?

Copies of this fact sheet, CSI form and the draft rules are on the DIVISION's website at <https://epa.ohio.gov/divisions-and-offices/drinking-and-ground-waters/regulations/interested-party-review>.

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