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INDEPENDENT REGULATORY
REVIEW COMMISSION

Independent Regulatory Review Commission
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, PA 17101

Environmental Quality Board
Post Office Box 8477
Harrisburg, PA 17105-8477

Re: Environmental Quality Board
Proposed Rulemaking, July 11, 2009
Chapter 302, Administration of the Water and Wastewater Systems Operators
Certification Program
Regulation I.D. # 7-433

Dear Commissioners and Board Members:

I am writing to express my concerns regarding the referenced rulemaking. I am a professional certified operator, a trainer and exam provider. I have practiced in this field for over 35 years.

My specific concerns focus on charges for training and examining operators.

First, I would like to address course approvals fees. I understand that it takes time and money to review a new course (either full or brief). At this point there is no charge for this service. Fees of \$115- 300 will discourage the creation of new courses that reflect changes to the industry. It also will discourage training professionals from adding courses that are similar to those already offered. The result is that the training providers menu will not grow. In both cases the educational opportunities for the operator will be reduced and new technology or approaches may not reach them quickly.

In all cases, any increases will have to be passed onto the operator receiving the training. Whether the operator pays for the training out-of-pocket or their municipality sponsors them, costs increases can lead to a reduction in the number of operators trained.

Knowing full well that costs must be covered, I suggest a phasing approach. Over a five year period, consider ramping up to the costs to process new courses. In the interim, continue to seek grants to cover the shortfall.

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The rule making calls for a \$1 fee per student to process their contact hours. This is a small cost and will not impact the training providers or the students. The added cost will somehow be placed on the student.

My second concern relates to exam fees. As an industry, we consistently have encouraged training and certification. These two activities increase our professionalism and help to maintain environmental standards. Qualified operators are now in short supply. In the next ten years a large percentage of operators will retire. This will further increase the shortage of qualified operators. Exams are our only way to try to replenish the supply.

DEP has chosen to let the private sector handle a large portion of the certification exam process. I believe this has worked well. At this point the exam providers are not charged any fee. I provide exams as a service mostly to my students. It is not a real money maker. Any costs will have to be passed onto the examinee. Presently the \$75 charge per examinee covers all administration, rental of the room and furniture. In my situation (provide 2 exams per year 30 at each sitting) charges to the examinee would have to increase to \$85. We are having great difficulty obtaining the minimum number of examinees per session and have been close to canceling an exam. This adds more costs and now and no revenues! Raising certification fees for the provider has the following impacts:

A reduction in those taking the exams

A reduction in the number of exam providers.

If the fees are enacted, I will strongly consider not providing exams. The aggravation and work required is not worth the few dollars gained.

We need more qualified operators and should do everything we can not to throw more obstacles in their path. These fees to the exam providers are another obstacle.

Earlier in my letter, I proposed a phasing approach for course approvals. I believe a 5 year phasing would lessen the impact for the exam provider as well. Other solutions could be:

Increase the cost per exam ultimately paid by the operator when he/she applies for their license. This would not discourage the operator from becoming certified and usually these costs will be covered by the municipality.

Phase the individual exam provider out over five years. Fully implement state-wide, the automated testing program. The vendors supplying this service can spread the additional costs over a larger base than the individual exam provider.

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I urge the Board and the Commission to consider these comments. Working together we can find a way to cover or reduce costs without interfering with the important goal of having adequately trained and certified operators in our Commonwealth.

Sincerely,



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