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August 04, 2009

Environmental Quality Board
P. O. Box 8477
Harrisburg, PA 17105-8477

ENVIRONMENTAL QUALITY BOARD

Re: Concern and Comments Regarding the proposed rulemaking listed in 39 Pa.B. 3591 dated Saturday, July 11, 2009, regarding the Administration of the Water and Wastewater Systems Operators' Certification Program, 25 PA. Code CHS. 301, 302, 303 and 305

Dear Members of the Environmental Quality Board:

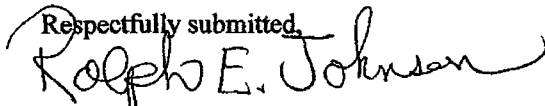
My name is Ralph E. Johnson and I am a PaDEP "master" certified *bioperable operator* with 40 years experience in the industry. Over the years I performed duties ranging from hands-on to upper management, worked in facilities ranging from 10,000 to 30,000,000 gallons per day (gpd), and experienced both municipal and contract operations employment including some circuit riding. I am a past PaDEP trainer and a member of the Operator Outreach program, although inactive at this time. I am also a past president of two professional water and wastewater organizations and a PSU graduate with a 2-year degree in chemical engineering.

As the *operator-in-responsible-charge* of a 28,500,000 gpd facility I am unable to meet some aspects of the proposed certification updates because requirements are outside my job-based authority and the mandates exceed what can reasonably be accomplished within a normal work schedule. It appears that the advisory groups utilized by the Department and Certification Board (Board) have not adequately considered that the proposed program changes place unobtainable mandates on the operators of larger facilities.

I am withholding support of the above concern and comments below due to the limitation of one page responses. In short, reciprocity should not require retesting, and please consider refining fees; Board procedures; certificate renewal; suspension, revocation or modification of an operator's certificate; accelerated certification; and sub-classifications.

Most importantly, additional discussion has to occur regarding Subchapter L, System Operation. There is a need for better checks and balances between operators and owners because the proposed duties are inappropriately distributed. Also, the proposal lacks credential requirements for consultants. Standard operating procedures need to be redefined as standard operating guidelines, and the number of required certified operators needs to be adjusted proportionally. Generally, I purport that these proposed updates create more **certified operator liability** than a **licensed professional engineer**.

In closing, I respectfully request that a few of us *operators-in-responsible-charge* of larger facilities have an opportunity to advise the Department and Board from our perspective, including limitations due to job descriptions and organizational structures. Additionally, if the Department and Board have not already done so, they should consult administrators of other states' operator certification programs. They should compare how others' programs comply with Federal mandates and assure Pennsylvania's proposed changes are aligned and realistic. Please consider these additional steps before finalizing the proposed water and wastewater operator certification updates, thank you.

Respectfully submitted,

Ralph E. Johnson,
PaDEP Water and Wastewater Certified Operator

Pc: Veronica Kasi, Chief, PaDEP Division of Technical and Financial Assistance
Sue Boynton, PWEA, Executive Director
Don Hershey, PA-AWWA, Executive Director
Marykay Steinman, EPWPCOA, Inc., Contract Administrator