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Tate, Michele

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From: Edward Heberling [louheb@verizon.net]
Sent: Monday, August 31, 2009 9:58 PM
To: EP, RegComments
Subject: Fw: PWEA E-NEWSLETTER - JULY/AUGUST 2009

2009 SEP -3 PM 4:43

INDEPENDENT REGULATORY
REVIEW COMMISSION

----- Original Message -----

From: Edward Heberling
To: Heb
Sent: Monday, August 31, 2009 9:56 PM
Subject: Fw: PWEA E-NEWSLETTER - JULY/AUGUST 2009

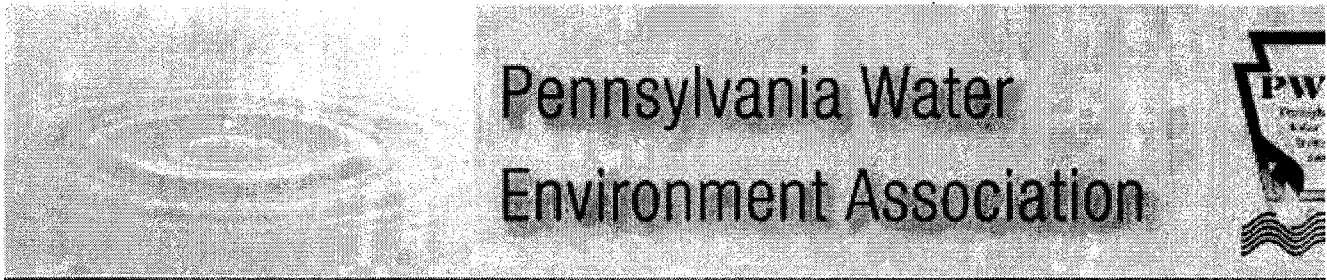
The below E-Newsletter asked for comments on the Chapter 302 - Operator Certification proposals.

Attached are my comments.

Edward D. Heberling
501 Clearfield Street
Clearfield, PA. 16830

----- Original Message -----

From: PA Water Environment Association
To: pwea@pwea.org
Sent: Thursday, August 20, 2009 4:46 PM
Subject: PWEA E-NEWSLETTER - JULY/AUGUST 2009



E-Newsletter

July/August 2009

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COMMENT PERIOD EXTENDED FOR OPERATOR CERTIFICATION

REGULATIONS (CHAPTER 302)

At the request of the PWEA, the PA DEP has granted a 30-day extension of the public comment period to **September 9, 2009** to allow the regulated community, specifically operators, to comment on the proposed regulations. The draft regulations can be found at <http://www.pabulletin.com/secure/data/vol39/39-28/1272.html>. Comments can be electronically submitted to: regcomments@state.pa.us.

FROM THE JULY 11, 2009 PA BULLETIN

Administration of the Water and Wastewater Systems Operators' Certification Program: The Environmental Protection Board (Board) proposes to rescind Chapters 301, 303 and 305 (relating to general provisions; certification of operators and plant requirements) and create a new Chapter 302 (relating to administration of the water and wastewater operators' certification program). These regulations describe the process the State Board for Certification of Wastewater System Operators (Certification Board) will follow to administer the program and identify the duties and responsibilities of DEP and the operators and owners of this Commonwealth's drinking water and wastewater systems. These regulations also establish standards for operator certification, recertification, certification renewal and security training; define the certification renewal period and requirements for certification renewal; establish application fees; and define classifications and subclassifications for certification. Proposed regulations are found at the link: http://www.pabulletin.com/secure/data/vol39/39-28/39_28_p2.pdf

General Permits for Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-07), Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-08) and Beneficial Use of Residential Septage (PAG-09); Public Water Availability: The general permits expired on July 2, 2009, and by this notice are retroactively extended until July 2, 2014 for an additional 5 years. Notice is on page 63 of 116.

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Comments relating the "Proposed New Operator Certification Regulations".

Under Table !. Summary of originally:

License Renewal (3 yr.) Operator \$ 60. This is a four fold increase in the license renewal (originally \$ 15.per 3 year cycle) This with the increased costs of maintaining a license (ie 30 hours of mandated training) is putting a strain on the every day operator. Granted, some larger systems will pay for the operator training and license fees, but most smaller systems just do not have the extra funding needed to do this. In doing so, the operator is the one left to bear the additional costs. That being a three year renewal fee of \$ 60 with a 30 hour mandated training schedule (a recent course of 10.5 hours taken through Penn State was approximately \$ 295 and that is just for 10.5 hours). The added costs are just not in the interest of adding more reliable operators. A large number of operators I know of are within 10 years of retirement. This exodus of certified operators will be adding a large strain on the operator pool in PA.

I understand the intended benefits of these regulations are to protect the environment, etc. but the added cost to the licensee and the system owners are being ignored.

The amount of younger persons applying for and attaining certification is dwindling. Thus the state should be actively recruiting additional operators, not seeking to put added strain on the current license pool.

By not enlisting new blood into the operator pool the health of the Commonwealth's citizens will be in jeopardy.

New License (3 yr.) Operator \$ 150. This is again being placed on the operators, with little thought as to the dwindling operator pool (See Comments Above).

Under section 302.1006 Laboratory supervisor certification. This section seems to ignore the current EXISTING laboratory supervisors, in that there are no provisions to keep them on as supervisors unless they take obtain a passing score on the Part II Laboratory Supervisor for Water and or Wastewater examination. Here again this does not utilize the current workforce and again places the burden of cost upon the operator. The current laboratory workforce needs to be GRAND FATHERED in until they would retire or move to other jobs / positions. If the current laboratory supervisors are not GRAND FATHERED in to the system, the Commonwealth is legislating the independent water and wastewater plant labs out of existence.

Also by not 'GRAND FATHERING' in the all of the current Laboratory personnel, you are losing a great asset. These personnel are well versed in the day to day operations of their labs and their plants. They may not have the formal education in the sciences or micro biology fields but they do have a background in the day to day, hands on operation of their labs. The Laboratory certification system (as operated by the PA Bureau of Laboratories) in place now seems more than adequate to police the individual treatment plant laboratories.

Thanking you for accepting my comments.

Edward D. Heberling
501 Clearfield Street
Clearfield, PA. 16830
August 31, 2009

