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# New York State's Operator Certification Program

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## Introduction

Recently, there has been a change in the laws that regulate public water supplies. One of the changes is that many water systems that were not required to have a certified operator in the past, will now have to have a certified operator running the system. The systems most impacted by this change are nontransient noncommunity water systems (e.g. schools, businesses) and community systems that do not treat the water before distribution.

## Overview of New York's Operator Certification and Recertification Program

Since the 1930's, New York State has had a Water Treatment Operator Certification Program for Community Water Systems that treat their water supplies. The qualifications of operators of water treatment plants are defined in Subpart 5-4 of the State Sanitary Code. The State Sanitary Code also establishes the requirements for certification and recertification of operators at these plants.

There are six grades of certification, based on the size and complexity of the different water systems. Each operator is required to meet certain education, training and experience requirements to be certified.

The 1996 Amendments to the federal Safe Drinking Water Act required every state to develop a program to certify and recertify operators of community and nontransient noncommunity public water supplies. While New York State already had an operator certification program in place, revisions were needed to meet the federal mandate. These changes also were a unique opportunity to update Subpart 5-4 of the State Sanitary Code and address the changing technology and demands of operating a drinking water system today.

The Department convened a committee of stakeholders to help develop the changes. The committee was comprised of representatives from organizations and groups that were interested and/or impacted by the operator certification program. The committee's work significantly assisted the Department with the revisions. The new revised program went into effect on February 14, 2001.

**NOTE: All COMMUNITY AND NONTRANSIENT NONCOMMUNITY WATER SYSTEMS MUST HAVE THE APPROPRIATE OPERATOR(S) IN PLACE AND CERTIFIED, BY FEBRUARY 14, 2003, OR THE SYSTEM WILL BE IN VIOLATION OF THE STATE SANITARY CODE.**

## Questions and Answers

### Why was the law changed?

The 1996 Amendments to the federal Safe Drinking Water Act were created to improve the protection of drinking water. Qualified, trained and certified operators can assure the effective operation of water plant and the delivery of safe drinking water. The Act established minimums for a certification program, including certification of operators of nontransient noncommunity water systems as well as community water systems that do not treat their water.

### What types of water systems are impacted the most by the change?

Nontransient noncommunity water systems (e.g. schools, businesses) and community systems that do not have to treat the water before distribution are the types of systems that in the past did not have to have a certified operator. Under the new law these systems will have to have a certified operator on staff by **February 14, 2003**.

### What does a system do if the current operator is not certified?

Option 1: Hire a certified operator. You may either outright hire someone who is a certified operator or you may employ a qualified consultant (certified operator) to act as your certified operator in responsible charge. The certified operator must be hired by **February 14, 2003**. If you choose this option, we recommend that you start the process of hiring a certified operator as soon as possible. Within 90 days of putting the person on your staff, you must send the Department a

form designating them as the operator in responsible charge.

Option 2: Send your currently uncertified operator to operator training and have them become certified. To become certified, a person must have a certain amount of experience as an operator, fulfill general education requirements and successfully complete the water treatment operator initial training course. The specific requirements for each grade level are listed in the State Sanitary Code, which is available from your local health department.

If you send your current uncertified operator to training, they must become certified by **February 14, 2003**. If you choose this option, we recommend that your operator start the certification application and training process as soon as possible. Once they are certified, you have 90 days to send the Department a form designating them as the operator in responsible charge.

Option 3: Apply to have the person (or people) who currently runs the system as the operator in responsible charge grandparented as the certified operator in responsible charge. Once your application for a grandparented operator has been approved, you will have 90 days to send the Department the form formally designating the grandparented operator as the operator in responsible charge. If your grandparented operator leaves your system the grandparenting allowance ends. You must then get a

certified operator to act as the operator in responsible charge.

**What is grandparenting?**

Grandparenting is an exemption of the water operator certification regulation for people who *currently* are operating a water system as the operator in responsible charge but are not certified. Grandparenting exempts these existing water system operators in responsible charge from meeting the initial education and examination requirements that are required to become certified.

**Who is eligible for grandparenting?**

Operator(s) in responsible charge of a properly operated water treatment or distribution system at the time of the February 14, 2001, changes are eligible for grandparenting. Such operators must demonstrate adequate skill levels and knowledge of their system and have a good work history at the site.

**How does an operator become grandparented?**

The owner of the water system must file an application with their local health department. The information requested on the application must come from both the owner of the system and the operator.

Once the application is filed with the local health department, they will review it and conduct an on-site visit to interview the operator. Following satisfactory completion of the first step, the application will be sent to the State Health Department for final review and approval.

**When does the grandparenting application have to be filed?**

*Grandparenting is a one-time opportunity. The option of grandparenting an operator is only available until February 14, 2003.*

*After that date, no operator will be grandparented into the program.*

All grandparenting applications must be *approved* by February 14, 2003. We encourage you to submit your application as soon as possible.

**What if we do not receive approval by the 2003 deadline?**

The law states that systems must have a certified operator by February 14, 2003. If your operator is not grandparented by the deadline then you lose the opportunity to have them grandparented into the program. You will need to hire a certified operator and provide the Department with the proper documentation.

**Once certified, is there anything special a grandparented operator needs to do to stay certified?**

As with all certified operators, grandparented operators will need to complete the required number of Continuing Education Credits (CEUs) during the three year renewal period to stay certified. The State Sanitary Code specifies the types of training that should be completed during the three years between renewals. A copy of the State Sanitary Code is available from your local health department.

**Why should someone become a fully certified operator rather than stay a grandparented operator?**

We are encouraging all grandparented operators to go through the training to become fully certified operators. The training will make you a better operator, giving you valuable experience and training and a broader depth of knowledge about your system. This will help you do a better job of keeping safe drinking water flowing to your customers.

Additionally, as you will read in the next section of the fact sheet, there are many restrictions on the grandparented certification that make it impossible to operate a water system in addition to or instead of the system you are currently operating.

You can go through the training to become fully certified at any point in time. Attending and completing the initial training course is independent of your grandparenting application approval. Full certification supercedes a grandparented certification and is not subject to the restrictions of a grandparented certification.

## **Grandparented Certification Restrictions**

The State Health Department and the federal government are aware that many water systems, which have not previously been required to have certified operators, have competent operators with adequate skills and knowledge and experience to effectively operate their water systems. These people have and should be able to continue to run their systems. However, because all the initial education and experience requirements for certification are being waived there are a number of restrictions put on this type of certification.

Below is a list of restriction for the grandparented certification.

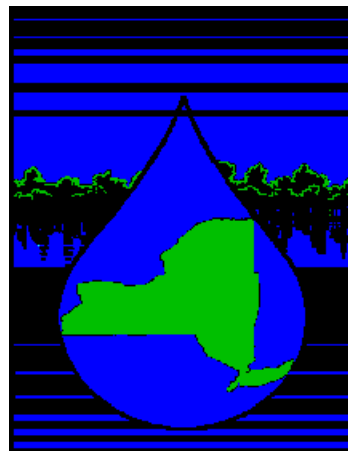
- The grandparented operator can only work at the system that applied to have them grandparented as a certified operator.
- If the operator leaves that system they can not take their grandparented certification with them, and the grandparented certification can not be

transferred to another operator at the system.

- If the grandparented operator chooses to work at a different water system then they are no longer a certified operator. They must meet the initial certification requirements for that type of system.
- The grandparented certification is not valid if the classification of the system were to change (for example go from a Grade C system to a Grade IIB system).
- If the grandparented operator does not fulfill the renewal requirements and/or their certification lapses, then the operator loses their grandparented status. They must apply for certification as a new operator and fulfill the work experience and education requirements and successfully complete the water treatment operator initial training course.

## **Who to call for more info**

You can contact your County or District Health Department for a copy of Subpart 5-4 of the State Sanitary Code.



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