
State Water Resources Control Board

Drinking Water Operator Certification Program Frequently Asked Questions regarding Passage of Assembly Bill 2890

On January 1, 2017, the following changes to the Drinking Water Operator Certification Program (DWOCP) will go in effect:

- Civil Liabilities may be imposed for Water Treatment and Water Distribution Operators.
- The Drinking Water Operator Certification Advisory Committee was established in Statue which states the committee will consist of ten members and lays out the organizations they represent.
- Allows for a discount fee for renewals or certifications for Water Treatment or Water Distribution operators that also hold a Wastewater certification.
- Allows operators that hold certification with the United States, a territory or tribal government or a unit of any of these to apply for reciprocity.
- Deleted obsolete language. Deleted Section 106895 Grandfather clause, Section 106896 Evaluation of AWWA distribution operator program.
- Deleted references to the Drinking Water “operator-in-training”.

AB2890 BILL

1. Where can I find a copy of Assembly Bill 2890?

For a complete copy of the bill and its history, go to the California Legislative information webpage at:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2890

2. What happens if there is a conflict between what AB 2890 and the DWOCP Regulations?

AB 2890 is California Law. Statements from AB 2890 supersede current Title 22 Drinking Water Operator Certification Regulation.

CIVIL LIABILITIES

3. What are administrative civil liabilities and will they affect me?

Administrative civil liabilities are fines or other forms of action taken by the State Water Board against entities and/or individuals that commit a violation of the statutes.

4. Who may be subject to administrative civil liabilities?

Anyone who operates a water treatment plant or distribution system is subject to administrative civil liabilities.

5. *What violation do I have to commit to have administrative civil liabilities take effect?*

Violations may include but are not limited to:

- Operate a water treatment plant or water distribution system without a valid or unexpired certification of the appropriate grade.
- In responsible charge and allowing the employment of any person as an operator who does not hold a valid, unexpired certification of the appropriate grade.
- Use of fraud or deception in the course of operating a water distribution system, a water treatment plant or a water recycling plant.
- Failure to use reasonable care or judgment in the operation of a water distribution system, a water treatment plant or a water recycling plant.
- Engaging in dishonest conduct during a water examination.
- Willful or negligent acts that cause or allow the violation of the federal or California Safe Drinking Water Act or the regulations and standards adopted pursuant to either act.
- Submitting false or misleading information on an exam or certification application.

6. *How much are the civil liabilities?*

Penalties range from \$100 per day to \$5,000 for each violation, depending upon the type of violation committed.

ADVISORY COMMITTEE

7. *How does this change the current stakeholders committee?*

Some current members of the committee may not be chosen to serve on the new committee; however the State Water Board does not foresee any substantial change in how the committee has operated.

The advisory committee shall consist of the following members:

- A. Two persons from a statewide organization representing medium to large water systems.
- B. Two persons from a statewide organization representing small water systems.
- C. One person from a local primacy agency.
- D. One person who is employed as an operator at a water recycling treatment plant.
- E. One person from an educational institution's school or division of engineering.
- F. One person who is a member of an organized labor union that represents water treatment operators and water distribution operators.
- G. One person who is employed by an educational institution, professional association, public agency, or private agency to provide water treatment or water distribution courses of instruction.
- H. One person who is a professional engineer specializing in sanitary engineering.

8. *How does one become a member of the committee?*

Interested parties should submit a personal biography which includes the nominee's name, address, phone number and name of employer. The package should also include the committee representation and a letter of acceptance from the nominee. Nominations should be submitted to: State Water Resources Control Board, Drinking Water Operator Certification Unit, P.O. Box 944212, Sacramento, CA 94244-2120. Attn: Michael Rohner, or contact via email at: Michael.Rohner@waterboards.ca.gov

DISCOUNT FOR WASTEWATER CERTIFICATION

9. *When will the discount be available?*

The discount will not become effective until emergency regulations are submitted and approved.

10. *I hold a water certification as well as a wastewater certification. Will I receive a discount for both renewals?*

Yes, as long as both certifications are valid.

11. *How much of a discount will I receive?*

The amount of the discount is still to be determined and must first be approved via emergency change to the current regulations.

12. *How do I apply for the discount?*

You will need to write your Wastewater Operator number on your Drinking Water renewal notice or certification request.

13. *I hold both water distribution and water treatment certifications as well as a wastewater certification; will I get an additional discount on my water renewals?*

No, there is not an additional reduction for holding 3 certifications. You are already receiving the discount for holding both Water certifications.

RECIPROCITY

14. *How does AB2890 affect reciprocity?*

AB 2890 amends the reciprocity provision to allow operators certified by United States, prescribed territories or tribal governments, or any unit thereof, to apply for certification through reciprocity.

DELETED LANGUAGE

Operator-in-training

15. *How does AB2890 affect Operator-in-training?*

AB2890 deletes language regarding Operator-in-training (OIT) from Drinking Water Statutes only. This language was deleted from the Operator Certification Regulations in 2001.

16. *Does this change affect the Wastewater OIT operators?*

No, there is no change to the Wastewater OIT program.

AWWA “Grandfathering”

17. *How does AB2890 affect “grandfathering” of certifications from American Water Works Association (AWWA)?*

When the State of California initiated Distribution operator certification we accepted (“grandfathered”) operators that had held a Distribution certificate issued by AWWA. Grandfathering was completed in December 2003 consequently the AWWA grandfathering section has been deleted.