

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 76-121

AUTHORIZING THE EXECUTIVE OFFICER TO  
DETERMINE WHETHER A HEARING SHOULD BE  
HELD WITH RESPECT TO ANY APPEAL CONCERNING  
THE MUNICIPAL WASTEWATER TREATMENT PLANT  
OPERATORS CERTIFICATION PROGRAM

WHEREAS:

1. Water Code Section 13626 provides that the State Board shall classify types of municipal wastewater treatment plants for the purpose of determining the levels of competence necessary to operate them.
2. Water Code Section 13627(a) provides that each supervisor or operator of municipal wastewater treatment plants shall possess a certificate of appropriate grade in accordance with regulations adopted by the State Board.
3. Section 2474, Title 23, California Administrative Code provides in pertinent part that:  

"The board on its own motion or upon the request of any aggrieved party may hold a hearing or designate a hearing officer to obtain evidence to assist in deciding upon any matter protested or appealed."
4. The determination of whether a hearing is necessary with respect to any appeal should proceed expeditiously without the necessity of awaiting Board action.
5. If a hearing is necessary to obtain further factual evidence regarding the issues in an appeal, selection of a hearing officer should proceed expeditiously without the necessity of awaiting Board action, to permit resolution of the matter at the earliest convenient regular meeting of the Board.

THEREFORE BE IT RESOLVED:

1. The Board authorize the Executive Officer, or any person delegated by the Executive Officer, to determine on behalf of the Board whether a hearing is necessary with respect to any appeal concerning the Municipal Wastewater Treatment Plant Operators Certification Program and to notify the petitioner of his determination.
2. The Board authorize the Executive Officer, any Board member, or any of the following designated persons to act as hearing officer on behalf of the Board in any appeal in which a hearing is necessary: the Executive Officer, the Deputy Executive Officer, the Division Chiefs.

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CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 16, 1976.

*Bill B. Dendy*

Bill B. Dendy  
Executive Officer