

---

## State Water Resources Control Board

July 30, 2024

Stephanie Hung  
Operator Certification Program Coordinator  
U.S. EPA. Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

RE: CALIFORNIA STATE WATER RESOURCES CONTROL BOARD DRINKING  
WATER OPERATOR CERTIFICATION ANNUAL REPORT FOR STATE FISCAL  
YEAR (SFY) 2023-2024

Dear Ms. Hung:

Enclosed is the California State Water Resources Control Board Drinking Water  
Operator Certification Annual Report for SFY 2023-2024.

Please contact Keisha Kelley at (916) 341-5665, or [Keisha.Kelley@waterboards.ca.gov](mailto:Keisha.Kelley@waterboards.ca.gov)  
if you have any questions.

Sincerely,

---

Darrin Polhemus, Deputy Director  
Division of Drinking Water

---

Joseph Karkoski, Deputy Director  
Division of Financial Assistance

Enclosure (1):

1. Drinking Water Operator Certification Program Annual Report, SFY 2023-2024

**California State Water Resources Control Board**

**Drinking Water Operator Certification Program  
2023 Annual Report**

**State Fiscal Year 2023 – 2024  
(July 1, 2023 to June 30, 2024)**

## TABLE OF CONTENTS

Introduction .....	3
1. Authorization .....	3
2. Classification of Systems, Facilities, and Operators (CCR, title 22, sections 64413.1, 64413.2, 64413.5, & 64413.7).....	4
3. Operator Qualifications .....	6
4. Enforcement.....	8
5. Certification Renewal .....	14
6. Resources Needed to Implement the Program .....	16
7. Recertification.....	16
8. Stakeholder Involvement .....	17
9. Program Review .....	17
10. Conclusion .....	17

### Attachments

1. Attorney General Certification
2. Electronic Annual Report (eAR)
3. Treatment Plant Classification(s)
4. Distribution System Classification(s)
5. Drinking Water Treatment Minimum Qualifications for Examinations and Eligibility Criteria for Certification
6. Drinking Water Distribution Minimum Qualifications for Examinations and Eligibility Criteria for Certification
7. Joint Stakeholder Meeting Minutes – August 29, 2023
8. Stakeholder Meeting Minutes – April 5, 2024

# **Drinking Water Operator Certification Program Annual Report (July 1, 2023 to June 30, 2024)**

## **Introduction**

The California Drinking Water Operator Certification Program's (DWOCP) Annual Report for the State Fiscal Year (SFY) 2023-2024 (July 1, 2023 to June 30, 2024) is submitted to the United States Environmental Protection Agency (USEPA) to meet the requirements of the Final Guidelines for the Certification and Recertification of Operators of Community and Non-transient Non-community Public Water Systems. The activities of the DWOCP to ensure certification of treatment and distribution operators in California are an important component of compliance with the Federal Safe Drinking Water Act (42 U.S.C., chapter 6A, subchapter XII (commencing with section 300f)), the California Safe Drinking Water Act (Health and Safety Code (H&SC), division 104, part 12, chapter 4 (commencing with section 116270)), and all implementing regulations (collectively the SDWA). The format and content of this report follow the recommendations provided by the USEPA's Office of Ground Water and Drinking Water Protection Division in a Desk Guide for Reviewing State Operator Certification Annual Reports issued in July 2018.

The DWOCP's goal is to ensure that skilled professionals are overseeing the treatment and distribution of safe drinking water that meets public health objectives. The State Water Board affirms that the state of California ensures the public health objectives are met by the DWOCP, Division of Drinking Water (DDW), and Office of Enforcement (OE).

The DWOCP is substantially the same and any procedural changes made have been done to improve administrative efficiency and oversight – i.e., there has been no “backsliding” or reduction in requirements through any change in policy, regulations, or statute. The State Water Board's DWOCP, DDW, and OE work together to continue to institute procedures and protocols to increase enforcement efforts to ensure the integrity of certification examinations and ensure properly certified operators are operating drinking water systems.

## **1. Authorization**

The California Department of Public Health adopted regulations concerning the DWOCP in 2001 to meet federal guidelines and requirements, as well as H&SC, division 104, part 1, chapter 4, article 3 (commencing with section 106875). These regulations, referred to as the DWOCP Regulations, are codified at California Code of Regulations (CCR), title 22, division 4, chapter 13 (commencing with section 63750.10). Prior to 2001, California had a program to certify water treatment operators for public water systems, but the program did not include certification of distribution system operators. In 2001, the certification program was broadened to include certification of operators of distribution systems serving community and non-transient non-community public water systems. In addition, the regulations contain provisions to ensure that all treatment facilities and distribution systems are classified consistent with federal

guidance.

On February 17, 2023, the California Attorney General's Office certified that the statutes establishing the DWOCP and the regulations implementing those statutes were lawfully created and are consistent with California law. The California Attorney General's Office further certified that subdivisions (a)(4), (a)(5), (b)(1), and (b)(2) of section 116555 of the H&SC require the use of certified water treatment and water distribution system operators consistent with federal law (Attachment 1).

## **2. Classification of Systems, Facilities, and Operators (CCR, title 22, sections 64413.1, 64413.2, 64413.5, & 64413.7)**

As of June 20, 2024, there are 7,261 public water systems (PWSs) in California. Of these PWS, 2,843 are classified as community water systems; 2,943 are transient non-community systems; and 1,475 are non-transient, non-community systems. The number of active PWSs varies regularly, as new PWSs are added and existing PWSs are inactivated. The State Water Board's DDW District Offices and Local Primacy Agencies (LPAs) classify water treatment facilities and distribution systems statewide in accordance with sections 64413.1 and 64413.3 of title 22 of the CCR. These classifications are maintained in the Safe Drinking Water Information System (SDWIS), DDW's database of record for water system inventory, compliance tracking, and reporting to USEPA. The SDWIS data system, specifically the fields used for storing treatment and distribution facility classifications, is not capable of tracking historical classification changes. Some PWSs have multiple treatment systems which results in approximately 8,000 treatment plants documented in SDWIS that are serving California water systems.

The State Water Board uses a five-level classification system, established in regulations for water distribution systems and water treatment facilities. Water distribution systems are classified into classes D1 through D5, according to population served and the complexity of the distribution system. Water treatment facilities are classified into classes T1 through T5, using a point system based upon source water characteristics, maximum capacity, and treatment techniques utilized. The DWOCP Regulations require operators to be certified at the appropriate grade for the specific classification of distribution system or treatment facility at which they are employed. In SFY 2023-2024, there were a total of 35,802 valid certificates. Of these certificates, 14,493 are valid water treatment operator certificates and 21,309 are valid water distribution operator certificates. The certificates are held by 25,680 water operators. Of the operators, 10,122 individuals hold both water treatment and water distribution operator certificates. There are 11,187 certified operators that hold only a water distribution operator certificate and 4,371 operators that hold only a water treatment operator certificate.

Number of Certificate Holders by Grade As of Jun 30, 2024			
Water Treatment		Water Distribution	
Grade	Quantity	Grade	Quantity
T1	2,422	D1	3,984
T2	8,520	D2	9,837
T3	1,964	D3	4,308
T4	1,065	D4	1,921
T5	522	D5	1,259
Total	14,493	Total	21,309
Combined Total: 35,802			

The State Water Board does not implement a temporary operator certification or licensing program.

DDW acquires information on a statewide basis via the electronic Annual Report (eAR) on the certification levels of operators, and whether the operator certification satisfies the requirements for their water system facilities based on the classifications assigned by DDW staff in SDWIS. Submittal of the eAR is required annually for all PWSs and includes reporting on many aspects of the water system operations for the prior calendar year. Starting in calendar year 2022 (for reporting to DDW in early 2023), DDW revised the operator certification section to ask that a box be checked if the PWS does not have a designated chief treatment / distribution operator. If the box is checked, the fields in the eAR for chief operator are hidden. Evaluation of operator certification information from prior year eARs has been difficult due to the way in which the survey question was built as a nested table. Other than the eAR data collection effort, each District Office or LPA maintains information related to operator certification for each water system in disparate formats in their own offices. Assembly of all this information would require a prohibitive amount of staff time to collect and organize. The State Water Board will continue to work on improving the data collection effort within the constraints of available resources and data management systems.

The specific 2023 eAR questions related to operator certification are shown in Attachment 2.

In accordance with section 116555 of the H&SC, PWS owners are required to employ or utilize only water treatment operators that have been certified at the appropriate grade. This section further specifies that owners of community or non-transient, non-community water systems shall employ or utilize distribution operators certified at the appropriate grade for positions in responsible charge of the distribution system. Operators in responsible charge are required to hold a valid certification equal to or greater than the classification of each treatment or distribution facility under their charge.

Section 64413.5 of title 22 of the CCR specifies that each water supplier shall designate at least one chief operator and one shift operator that meets the requirements specified for each water treatment facility utilized by the water system for each operating shift. This section further specifies that a chief or shift operator shall be on-site at all times that the facility is in operation unless the water supplier's Operations Plan demonstrates an equal degree of operational oversight and reliability with either unmanned operation or operation under reduced operator certification requirements. If approved by the DDW for such operations, the chief or shift operator shall be available within one hour.

The current total classifications of water treatment and water distribution facilities is tabulated in Attachments 3 and 4, by PWS classification. Water treatment and distribution classifications are determined on a point-based classification scheme. Treatment classification is determined based on source water type, source water quality, treatment type, and maximum treatment facility flow rate.

Distribution classification is determined based on population served and system characteristics.

### **3. Operator Qualifications**

Requirements for water treatment operators and distribution operators are specified in sections 63800 and 63805 of the DWOCF Regulations. All operators must submit an examination application to the State Water Board. The applicant must meet the education requirements for the level of the examination. After successful completion of the examination, the State Water Board verifies that the applicant meets all applicable experience requirements. The required knowledge, skills, and abilities of each certification level were developed based on job analyses conducted by Subject Matter Experts (SMEs), who are typically water system operators and managers with extensive field experience. The State Water Board has an ongoing validation process to ensure that examination questions are representative of operator duties and responsibilities.

The State Water Board administers the drinking water treatment (T1- T4) and drinking water distribution (D1- D5) examinations via a computer-based testing (CBT) contract with the vendor Prometric. Computer-based examinations are held year-round at 33 Prometric testing centers statewide. CBT began in February 2021. Benefits of CBT include no application deadlines, year-round testing opportunities, more testing locations, and faster examination results. No notable differences in outcomes using CBT have been identified at this time. A year-over-year comparison of computer-based examination results for SFY 2022-2023 and 2023-2024 are provided below.

**SFY 2022-2023 (reporting period: July 1, 2022 – June 30, 2023)**

Grade	Examinees	Pass	Fail	No Show	Pass Percentage
D1	1,074	624	359	91	63%
D2	1,783	1097	590	96	65%
D3	718	425	264	29	62%
D4	333	179	132	22	58%
D5	145	78	58	9	57%
Totals	4,053	2,403	1,403	247	63%
Grade	Examinees	Pass	Fail	No Show	Pass Percentage
T1	487	274	173	40	61%
T2	1,161	724	377	60	66%
T3	334	205	107	22	66%
T4	141	81	55	5	60%
Totals	2,123	1,284	712	127	64%

**SFY 2023-2024 (reporting period: July 1, 2023 – June 30, 2024)**

Grade	Examinees	Pass	Fail	No Show	Pass Percentage
D1	1,119	612	405	102	54%
D2	1,857	1,145	630	82	61%
D3	791	482	276	33	60%
D4	340	178	139	23	52%
D5	172	104	66	2	60%
Totals	4,279	2,521	1,516	242	59%
Grade	Examinees	Pass	Fail	No Show	Pass Percentage
T1	555	317	188	50	57%
T2	1,313	748	479	86	56%
T3	396	252	124	20	63%
T4	147	92	49	6	62%
Totals	2,411	1,409	840	162	58%

The drinking water treatment grade 5 examination is not conducted via CBT. In SFY 2022-2023, thirty-five (35) T5 oral examinations were conducted in July 2022 and February 2023 with a 29% pass rate. In SFY 2023-2024, forty-nine (49) T5 oral examinations were conducted in August 2023 with a 35% pass rate and thirty-eight (38) T5 oral examinations were conducted in February 2024 with a 42% pass rate.

The State Water Board uses Subject Matter Experts (SMEs) to review and validate new questions when regulation changes occur. The SMEs determine if a question is valid for the industry, link it to a Knowledge, Skill, or Ability, (KSA) listed on the Expected Range



of Knowledge and determine the difficulty of the question for each level of operator using a modified Angoff method. There were no questions added during the time of this report.

The CBT examination results are reported on score reports that do not give the specifics of any particular examination question. Examinees have the option to provide comments on each examination question. The State Water Board reviews comments periodically to identify commonalities in comments on specific questions. If commonalities are identified the applicable question would be analyzed to consider revising the question, changing the distractors, or eliminating the question altogether from the item bank.

All operators must meet the DWOCP examination and certification requirements for drinking water treatment and distribution which are listed in Attachments 5 and 6.

The State of California certified water treatment operators prior to the 2001 USEPA requirements. Therefore, grandparenting was not offered to water treatment operators. Section 63840 of the DWOCP Regulations provided for grandparenting water distribution operators who were certified by California-Nevada American Water Works Association on December 31, 2000, and then allows for renewal. For water distribution operators grandparenting was offered to 6,433 operators. Grandparenting of operators ceased in 2003. Currently there are 1,045 operators that are considered grandparented. The words grandparenting or grand-parented are not in the DWOCP Regulations, but operators who obtained an initial operator certificate via grandparenting may renew their certificates indefinitely is they the same renewal requirements as all other operators.

The State Water Board currently offers reciprocity to operators holding a valid, unexpired water treatment or water distribution certificate issued by another state, the United States, a territory, or tribal government that has been designated as the primacy agency by the USEPA, or a unit of any of these. The State Water Board verifies the validity of the certificate and compares the certification requirements of the issuing agency to those of the State Water Board for experience and training to determine the appropriate level of certification. In SFY 2023-2024, there were 29 certificates issued via reciprocity: 13 distribution operator certificates and 16 water treatment operator certificates.

#### **4. Enforcement**

Under the applicable sections of the H&SC and the CCR, the State Water Board may take enforcement actions against a certified individual or the PWS for violating any applicable section of the statutes or regulation. The State Water Board's Office of Enforcement Special Investigation Unit (SIU) accepts operator certification program complaints (via email, phone referral, etc.) and performs follow-up investigations. In the event there is fraudulent activity or other wrongdoing, the State Water Board may suspend, revoke, or refuse to grant or renew any water distribution or treatment

operator certificate, place on probation, or reprimand the certificate holder, impose administrative civil liability, or refer the matter to the appropriate District Attorney's Office.

During the time-period covered by this report (SFY 2023-2024), the SIU closed 14 drinking water operator certification complaint cases with 5 cases resulting in enforcement actions:

- One (1) operator was reprimanded for submitting false or misleading information via an Experience Verification Letter.
- One (1) operator certificate was suspended for submittal of false or misleading information, failure to ensure the proper treatment of the water distribution system, and employment of a water distribution operator who did not hold a valid, unexpired water distribution operator certificate of the appropriate grade level.
- One (1) operator certificate was revoked for submittal of false or misleading information, failure to use care and good judgment, and use of fraud or deception in the operation of a water treatment plant.
- Two (2) operators were issued Staff Enforcement Letters for operating drinking water systems without a valid/unexpired certificate of the appropriate grade level, or operator misconduct.

The SIU continues to investigate 7 individual drinking water operator certification complaints covering both treatment and distribution operators, two of which have pending enforcement actions. For water systems found in violation of operator certification requirements and the SDWA, the DDW's Field Office Branch (FOB) District office or county LPA also may take enforcement actions appropriate to the specifics of the situation, considering such factors as:

- Potential threat to public health.
- Type and complexity of water treatment processes.
- Water quality issues that could result from operator error.
- Interim action that is proposed by the system to address the problem.

When the DDW reviews operator certification compliance, typical enforcement actions consist of the issuance of a citation, compliance order, or corrective action letter. In most cases, the enforcement action includes a requirement for the water system to submit a plan for bringing the water system into compliance with the operator certification requirements. Most commonly, the enforcement actions are a result of a finding that the PWS is utilizing non-certified operators to perform duties specified in subdivision (b) of section 63770 of the DWOCP Regulations.

Enforcement actions often occur in cases where the lack of a certified operator is a contributing factor to a violation or potential violation of a drinking water standard or treatment technique. In SFY 2023-2024, there were 8 violations that involved 8 water systems reported in SDWIS for failure to maintain an adequately certified operator. There were 8 enforcement actions taken by a District or LPA for these violations, in the form of a Citation or Compliance Order. All enforcement actions included specific

corrective actions required and a time schedule for the water system to return to compliance. The specific list of water systems that had enforcement issued for lack of adequately certified operator is provided below. DDW has found that most violations in California PWSs are incurred by small water systems. Note that 4 of these water systems have returned to compliance or became inactive and are asterisked in the table.

#### Enforcement Actions for Operator Certification Violations

System Number	System Name	PWS Classification	Number of Connections	Population	Number of Violations**
CA0400021*	ROBINSON'S CORNER MHP	CWS	20	20	1
CA1300616	PALO VERDE CWD	CWS	134	410	1
CA1610700	LEMOORE NAVAL AIR STATION	CWS	1396	6000	1
CA3200186*	UC BERKELEY FORESTRY CAMP	TNC	1	100	1
CA3600157	LUCERNE VISTA MWC	CWS	70	224	1
CA3700933*	PALOMAR MOUNTAIN MUTUAL WATER CO.	CWS	197	560	1
CA3610017*	LAKE HAVASU WC	CWS	229	361	1
CA3700962	OAKVALE PARK	CWS	88	190	1

\*Violation has been resolved

\*\* Some PWSs have multiple enforcement actions associated with the violations.

CWS: Community Water System

NTNC: Non-transient, Non-community Water System

TNC: Transient, Non-community Water System

The table below shows a comparison of operator certification violations between the current and previous SFY.

#### Operator Certification Violations Over Time

System Type	Count of SFY 2022-2023 Violations	Count of SFY 2023-2024 Violations	Percent Change
CWS	5*	7	40%
NTNC	8	0	-100%
TNC	1	1	0%
<b>Total</b>	<b>13</b>	<b>8</b>	<b>-38%</b>

\*Amending SFY 2022-2023 adding LITTLE VALLEY CSD because the violation occurred in the SFY, but the enforcement was issued and entered into SDWIS after the SFY.

In SFY 2023-2024, the DDW is taking steps to improve the use of the compliance data generated via the eAR by generating annual compliance status reports for the Districts and LPAs to use in following up with data gaps and compliance problems. In addition,

these reports help identify potential compliance violations with the intention of providing compliance decision support and accountability. To support use and understanding of eAR data, the DDW hosted five staff reviewer office hour sessions for the 2023 Reporting Year (RY) eAR. The DDW will continue to provide reviewer office hour sessions to support collection of useful data. The DDW also supplemented this effort with four reporter brown bag trainings for the 2023 RY eAR to better support PWSs accurate and timely completion of the eAR.

As part of the improvement of the overall enforcement of operator certification requirements during FY 2018-2019, the DDW established that all enforcement actions for failure to comply with the operator certification requirements set forth in regulation would be addressed with a formal enforcement action, primarily through citation issuance. A template citation was developed for use by all DDW Districts and LPAs and made available in January 2019. Annually, DDW Districts and LPAs are provided information on the public water systems that did not indicate that they maintain an adequately certified operator, based on eAR responses. Districts and LPAs should reach out to the public water system to confirm each situation, and if appropriate, issue a citation with time schedule to return to compliance.

During the annual evaluation of the LPA programs, the DDW reviews a select number of water system files to evaluate the compliance of these systems with operator certification requirements. The results of the review showed that the LPAs are adequately enforcing and following up on Operator Certification requirements. In addition, the DDW reviews the overall work of the LPAs in enforcing regulatory requirements including operator certification requirements. Any questions or issues related to the enforcement of the operator certification requirements are brought to the attention of the LPA.

The State Water Board estimates compliance with the operator certification regulations using information submitted by water systems on the eAR. For the 2023 eAR, the following information has been reported, although data accuracy has not been verified (based on those systems reporting as of July 2024).

- To date, 94 percent of CWSs have filed a 2023 eAR.
- To date, 6 CWSs self-reported in the 2023 eAR that they are not in compliance with the distribution operator requirements and 45 self-reported that they are not in compliance with the treatment operator requirements.
- To date, 95 percent of NTNCs have filed a 2023 eAR.
- To date, 0 NTNCs self-reported in the 2023 eAR that they are not in compliance with the distribution operator requirements and 11 self-reported that they are not in compliance with the treatment operator requirements.

### 2023 eAR Results

<b>CWS - Total Count = 2,843*</b>				
	<b>Size Category</b>			
<b># of service connections</b>	<b>&lt;200</b>	<b>200 – 999</b>	<b>&gt;1,000</b>	<b>Totals</b>
# Systems	1,765	403	675	<b>2,843</b>
# Filing the 2023 eAR as of 6/2024**	1,628	388	666	<b>2,682</b>
# Required to have a certified WT operator	958	299	575	<b>1,832</b>
# Reporting a certified WT operator	1,170	330	574	<b>2,074</b>
# Required to have a certified WD operator	1,595	388	665	<b>2,648</b>
# Reporting a certified WD operator	1,560	383	657	<b>2,600</b>

\*Based on the number of active PWSs existing in the SDWIS database as of June 2024.

\*\*Some CWSs reported WT Operators that are not required to have WT Operators.

<b>NTNC – Total Count = 1,475*</b>	
# Filing a 2023 eAR as of June 2024	1,399
# Required to have a certified WT operator	811
# Reporting a Certified WT Operator	740
# Required to have a certified WD operator	1,344
# Reporting a Certified WD Operator	1,281

\*Based on the number of active PWS existing in the SDWIS database as of June 2024.

\*\*Some NTNCs reported WT Operators that are not required to have WT Operators.

During December 2019, the DDW engaged a focused effort to correct water system classifications in SDWIS to ensure the information that identifies the requirements for water systems is currently correct. In the past, there was a lack of clear guidance to staff on how to correctly code classifications to treatment and distribution facilities in SDWIS. The DDW has been making progress to make corrections in SDWIS to accurately classify treatment and distribution facilities. The reported numbers of water systems required to have a certified operator are significantly different than those reported last year. The DDW runs an 'error report' for lack of appropriate classifications in SDWIS, which is intended to facilitate timely corrections of errors. As of June 2024, there are about 24 errors for distribution classification, and 82 errors for treatment classification. DDW management reviews this error report monthly.

The eAR allows the State Water Boards' DDW District Office field staff to cross-check

their current information on operator certification status by verifying the names of certified operators reported by water systems against their records and the database of certified operators. This information is used to evaluate compliance with regulatory requirements for operator certification and to develop reports of systems not complying with these certifications requirements for potential enforcement.

The State Water Board DDW has developed a standardized schedule recommended for DDW District and LPAs for the annual eAR process. The 2023 eAR schedule is as follows:

#### **2023 Electronic Annual Report Tasks/Dates**

<b>Task</b>	<b>Date</b>
2023 eAR Released. Issued technical reporting orders to all water systems through GovDelivery and posted on the eAR website	2/1/2024
Deadline for water systems to submit eAR	4/1/2024
Issue reminders to delinquent water systems	4/3/2024
DDW LPA Review & Approve / Accept eARs	4/29/2024
Enforcement for delinquent PWSs	5/1/2024

For the 2023 Reporting Year (RY) eAR, under the advice of the Office of Chief Counsel, the DDW issued technical reporting orders to all PWS. The intent of the technical reporting orders was to require submission of the eAR under the authority of section 116577 of the H&SC and provide authority for issuing enforcement to those PWS that fail to complete an eAR.

Additionally, it has been recognized that the degree of reporting from some water systems is not adequate to fully identify compliance with the operator certification requirements.

The DDW has identified many fields within the eAR as mandatory and a water system cannot submit the eAR without those fields completed. The DDW has made the operator certification portion mandatory for those water systems that have a regulatory or permit requirement to maintain a distribution or treatment operator. Additionally, the DDW will take steps to ensure staff reviewing submitted eARs return them for additional information if they do not appear to be complete.

The DDW, USEPA, and DWOCP have agreed to discuss the status of DWOCP compliance and enforcement on a quarterly basis in conjunction with the regular program status meetings held between the USEPA and the DDW. The DDW agrees to provide updates on enforcement actions by both DDW District Office and LPAs against water systems for violations of DWOCP requirements. As part of those quarterly updates, the DDW will provide updates on progress made by the DDW in further

developing and aligning data systems and reporting tools to facilitate evaluation of compliance by the Districts and LPAs. Specifically, the DDW will seek to provide reporting and analysis tools that combine the data from the EAR, SDWIS, and the DWOCP database. Such reports will better serve to evaluate consistency statewide and identify compliance problems that require the attention of the Districts and LPAs.

## 5. Certification Renewal

Operators are required to renew their certificates every three years. To be eligible for certificate renewal, certified operators must complete a specified number of continuing education contact hours after the previous renewal or issuance of certificate pursuant to section 63840 of the DWOCP Regulations. Grand-parented operators must meet the same renewal requirements as operators that have passed an examination. The State Water Board's website has a list of continuing education providers who offer acceptable courses throughout the state as well as online courses for operators in remote areas. To ensure compliance with renewal requirements; the State Water Board reviews continuing education courses for subject matter content and verifies the operator completed the course within the renewal period.

### Required Continuing Education Contact Hours for Certificate Renewal

<b>Treatment Operators</b>	Contact Hours Required	Number of Operators Renewing
Grade T1	12	468
Grade T2	16	2,057
Grade T3	24	419
Grade T4	36	263
Grade T5	36	139
<b>Distribution Operators</b>		
Grade D1	12	735
Grade D2	16	2,460
Grade D3	24	1,172
Grade D4	36	540
Grade D5	36	400

In SFY 2023-2024, a total of 8,653 certifications were renewed. This includes 3,346 certified water treatment certificates and 5,307 certified water distribution certificates. Due to the COVID-19 pandemic impacts, no examinations were conducted in 2020. Any certifications issued after passing an examination in 2020 would have been due for renewal in 2023. Since there were no examinations conducted in 2020, very few certifications were issued which caused a significant drop in the number of certifications renewed in SFY 2022-2023. Examinations resumed in 2021. Any certifications issued after passing an examination in 2021 were due for renewal in 2024, which has caused a significant increase in the number of certificates renewed in SFY 2023-2024.

The State Water Board has, for many years, used part of the DWSRF set-aside to fund

technical assistance providers that provide training, including classroom, online and one-on-one assistance, to water systems and water system operators. The training programs are a significant resource for operators to obtain Continuing Education Units (CEUs) to qualify for certification renewal. These programs are popular primarily because they are free and are easily accessible at locations throughout California or online.

California Technical Assistance Providers Stakeholders Group Training assistance to small systems operators is provided through a stakeholder's group called California Technical Assistance Providers (CalTAP). The group includes State Water Board personnel and representatives from California Rural Water Association, Rural Community Assistance Corporation, University of California - Davis, Sacramento State University, the California- Nevada Section of the American Water Works Association (CA/NV AWWA), and USEPA. In SFY 2023-2024, CalTAP held 2 events on September 14, 2023, in Redding, California and March 14, 2024, in Fresno, California, respectively. These events benefit small water systems in the local areas.



## 6. Resources Needed to Implement the Program

The State has a dedicated fund established in which all fees/revenue are deposited. This revenue is generated through examination, certification, and renewal fees. These fees fully fund the operation of the program, including the \$849,958 contract with Prometric to administer CBT examinations. The DWOCP currently consists of 11.2 staff positions, administering a program of 35,802 certificates.

Position Description		Personnel-Years*
Administration		
	Assistant Deputy Director	0.2
	Manager II	0.5
	Manager I	0.7
	Manager I	0.7
	Clerical Support	0.7
	Clerical Support	0.7
	Clerical Support	0.7
	Analyst	0.3
	Analyst	0.5
	Analyst	0.5
	Analyst	0.7
	Analyst	1.0
	Analyst	1.0
	Analyst	1.0
	Analyst	1.0
	Technical	0.2
Legal		
	Attorney	0.1
Enforcement		
	Engineer	0.5
	Senior Engineer	0.2
<b>TOTAL</b>		<b>11.2</b>

\*Personnel-years are equivalent to a Full-Time Employee (FTE)

Personnel Services	\$2,219,164
SFY 2023-2024 Prometric Contract	\$849,958
<b>TOTAL</b>	<b>\$3,069,122</b>

## **7. Recertification**

Pursuant to section 63845 of the DWOCP Regulations, the DWOCP may reinstate an expired certificate if the certificate has been expired for no more than one year. Individuals who wish to be recertified after the one-year reinstatement period must re-apply for the examination and meet all the examination and certification requirements to be recertified. The State Water Board reviews the applicant's education and experience to ensure all examination and certification can count toward the experience requirements for the current certificate application. In SFY 2023-2024, there were 195 certificates that required the operator to re-test in order to be re-certified. This included 100 distribution operator certificates and 95 water treatment operator certificates.

## **8. Stakeholder Involvement**

### DWOCP Advisory Committee

The State Water Board's ten-member DWOCP Advisory Committee met on August 29, 2023 and April 5, 2024. The DWOCP Advisory Committee meetings are public and are held twice a year but may be held more often if necessary. The meeting minutes are in Attachments 7 and 8.

### DWOCP Community Outreach

DWOCP continues to participate in community outreach. Conference participation provides operators the opportunity to receive CEUs, engage in discussion on program issues/concerns, and gain information on the program. Below is a list of seminars/symposiums that DWOCP staff has attended:

-CA-NV AWWA Spring Operator Symposium and Conference 2024

## **9. Program Review**

Program review is provided on an on-going basis by the State Water Board appointed DWOCP Advisory Committee and the Office of Operator Certification management team. As part of the internal State Water Board review, management evaluates processes and/or procedures for the examination, certification, and the certificate renewal. Procedures and processes are changed, as needed, to realize efficiency gains.

## **10. Conclusion**

Although California's DWOCP is faced with many challenges due to increasing demands and interests of the program, continuous improvement efforts are being implemented to meet the public and stakeholders needs.

On August 29, 2023, at a joint meeting, the DWOCP provided feedback on the DWOCP and WWOCP Advisory Committees Sub Workgroups recommendations presented in

SFY 2022-2023. Pertaining to DWOC, the feedback covered: 1) utilizing a guidance document on reporting drinking water operator certification experience; 2) amending experience requirements for certified drinking water treatment operators at advanced treatment facilities; and 3) establishing clear processes and procedures in implementing Assembly Bill 1588, in recognizing military experience. The meeting minutes are in Attachment 7.

In SFY 2023-2024, in consideration of the DWOC and WWO Advisory Committees Sub Workgroups recommendations, the DWOC: 1) developed a drinking water operator experience guidance document (the anticipated rollout date is September 2024); 2) initiated internal meetings to begin discussing and drafting a regulation update package; and 3) continued making progress towards establishing clear processes and procedures in implementing Assembly Bill 1588.

The program has continued the customer service survey, launched in SFY 2022-2023, to survey active and potential operators on program satisfaction. Survey responses are assessed bi-annually and used to improve customer service and identify any emerging issues.

The DWOC has continued development of an interactive online application portal to allow applicants the ability to submit applications, review, resolve application deficiencies online, and track application status which will increase efficiency in application review and improve processing times. Grades 1 and 2 online examination applications were released to the public September 2023. Since its release the DWOC has received 1,040 water treatment operator and 1, 677 water distribution operator online examination applications. The anticipated rollout date for Grades 3, 4, and 5 online examination applications is Fall 2024. Online renewal applications are anticipated in a future rollout, followed by certification applications.

Communication with the operators has improved using an email subscription service in which operators are notified of upcoming deadlines, Advisory Committee notifications, and potential regulation changes. California's DWOC is increasing efforts with community outreach and meeting requirements that are important for the SDWA.

CERTIFICATION FOR CLEAN WATER STATE REVOLVING FUND<sup>1</sup> PROGRAM;  
DRINKING WATER STATE REVOLVING FUND<sup>2</sup> PROGRAM; AND PUBLIC WATER  
SYSTEM OPERATOR CERTIFICATION PROGRAM

I am Tracy L. Winsor, Senior Assistant Attorney General of the Natural Resources Law Section, California Department of Justice, Office of the Attorney General. Under my general direction, the Natural Resources Law Section represents the California State Water Resources Control Board (State Water Board). After consultation with the State Water Board, and independent review by this office of the statutes and regulations pertaining to the programs addressed by this Certification, the Attorney General has designated me to certify, and I do certify, on behalf of the California Attorney General, the following pursuant to 40 Code of Federal Regulations part 35.3110(d) and part 35.3545(d):

Clean Water State Revolving Fund

1. The State Water Pollution Control Revolving Fund program for California (Wat. Code, div. 7, ch. 6.5, §§ 13475–13485) was lawfully created and is consistent with California law.
2. Water Code section 13477 authorizes the State Water Board to administer the State Water Pollution Control Revolving Fund.
3. Water Code section 13478, subdivision (a)(1), authorizes the State Water Board to enter into agreements with the federal government to accept federal contributions to the State Water Pollution Control Revolving Fund. These federal contributions may be referred to as “capitalization grants.”
4. Water Code section 13478, subdivision (a)(2), authorizes the State Water Board to accept federal contributions to the State Water Pollution Control Revolving Fund.
5. Water Code section 13478, subdivision (a)(4), authorizes the State Water Board to use moneys in the State Water Pollution Control Revolving Fund for the purposes permitted by the federal Clean Water Act (33 U.S.C. §§ 1251 et seq.).
6. Water Code section 13478, subdivision (a)(13) authorizes the State Water Board to engage in the transfer of capitalization grant funds as authorized by Section 35.3530(c) of Title 40 of the Code of Federal Regulations and reauthorized by Public Law 109-54, to the extent set forth in an Intended Use Plan that shall be subject to approval by the State Water Board.

---

<sup>1</sup> Referred to in the California Water Code as the State Water Pollution Control State Revolving Fund.

<sup>2</sup> Referred to in the California Health and Safety Code as the Safe Drinking Water State Revolving Fund.

7. Water Code section 13478, subdivision (a)(14) authorizes the State Water Board to cross-collateralize revenue bonds issued for the purposes of the Safe Drinking Water State Revolving Fund created pursuant to Section 116760.30 of the Health and Safety Code, as authorized by Section 35.3530(d) of Title 40 of the Code of Federal Regulations.
8. California's qualifications-based requirements set forth in Government Code sections 4525–4528 for negotiation of architectural and engineering services by a state agency head are equivalent to the requirements set forth in chapter 11 of title 40 of the United States Code for purposes of compliance with 33 U.S.C. section 1382(b)(14).

#### Drinking Water State Revolving Fund

1. The Safe Drinking Water State Revolving Fund program for California (Health & Saf. Code, div. 104, part 12, ch. 4.5, §§ 116760–116762.60) was lawfully created and is consistent with California law.
2. Health & Safety Code section 116760.30, subdivision (a), authorizes the State Water Board to administer the Safe Drinking Water State Revolving Fund.
3. Health & Safety Code section 116760.40, subdivision (a)(1), authorizes the State Water Board to enter into agreements with the federal government for federal contributions to the Safe Drinking Water State Revolving Fund. These federal contributions may be referred to as “capitalization grants.”
4. Health & Safety Code section 116760.40, subdivision (a)(2), authorizes the State Water Board to accept federal contributions to the Safe Drinking Water State Revolving Fund.
5. Health & Safety Code section 116760.40, subdivision (a)(3), authorizes the State Water Board to use moneys in the fund for the purposes permitted by the federal Safe Drinking Water Act.
6. Health and Safety Code, section 116760.40, subdivision (a)(17) authorizes the State Water Board to engage in the transfer of capitalization grant funds as authorized by Section 35.3530(c) of Title 40 of the Code of Federal Regulations and reauthorized by Public Law 109-54, to the extent set forth in an Intended Use Plan that shall be subject to approval by the State Water Board.
7. Health and Safety Code section 116760.40, subdivision (a)(18), authorizes the State Water Board to cross-collateralize revenue bonds issued for the purposes of the State Water Pollution Control Revolving Fund created pursuant to Section 13477 of the Water Code, as authorized by Section 35.3530(d) of Title 40 of the Code of Federal Regulations.

#### Public Water System Operator Certification

1. The Public Water System Operator Certification program for California (Health & Saf. Code, div. 104, part 1, ch. 4, art. 3, §§ 106875–106910) was lawfully created and is consistent with California law.

2. The regulations implementing the Public Water System Operator Certification program (Cal. Code Regs., tit. 22, §§ 63750.10–63850 and 64413.1–64413.7) were lawfully adopted.
3. Health & Safety Code section 116555, subdivision (a)(4), requires all public water systems to employ or utilize only certified water treatment operators that have been certified at the appropriate grade.
4. Health & Safety Code section 116555, subdivision (a)(5), requires all public water systems to comply with the appropriate requirements of the Public Water System Operator Certification program.
5. Health and Safety Code section 116555, subdivision (b)(1), requires community and nontransient noncommunity water systems to employ or utilize only water distribution system operators who have been certified at the appropriate grade for positions in responsible charge of the distribution system.
6. Health & Safety Code section 116555, subdivision (b)(2), requires community and nontransient noncommunity water systems to place the direct supervision of the water system, including water treatment plants, under the responsible charge of an operator or operators holding a valid certification equal to or greater than the classification of the treatment plant.
7. Health & Safety Code section 116555, subdivision (b)(2), requires community and nontransient noncommunity water systems to place the direct supervision of the water system, including water distribution systems, under the responsible charge of an operator or operators holding a valid certification equal to or greater than the classification of the distribution system.

Date: February 16, 2024

  
\_\_\_\_\_  
TRACY L. WINSOR

Senior Assistant Attorney General  
Public Rights Division,  
Natural Resources Law Section  
California Department of Justice  
Office of the California Attorney General

For: ROB BONTA  
California Attorney General

Attachment 2  
California State Water Resources Control Board  
Drinking Water Operator Certification Program  
2023 Annual Report

## Electronic Annual Report (eAR)

### 11. Operator Certification

Please list the **State Certified Drinking Water Operators** employed by your water system that supervise and direct the operation of your distribution system and water treatment plants where applicable in the reporting year of this report.

#### A. DISTRIBUTION SYSTEM CERTIFIED OPERATORS

Your Distribution System Classification is:  

Do your Chief and Shift Distribution System Operators have the minimum level required? --Pick one--

☐ Check this box if your public water system does not have a designated Chief Distribution Operator.

Name of Chief Distribution Operator (First name Last name):  

Grade of Chief Distribution Operator (1, 2, 3, 4 or 5): --Pick one--

Distribution Operator Number (3, 4 or 5 digits):  

Distribution Certification Expiration Date (MM/DD/YYYY):  

If your public water system has additional certified distribution system operators, enter the information in the table below.

[\\*Click here](#) to download, update, and/or upload an Excel spreadsheet of your water system's certified distribution operators.\*

Distribution Operator Name (First name Last name)	Grade of Distribution Operator (1, 2, 3, 4, or 5)	Chief, Shift or Neither <sup>1</sup> (C, S or X)	Distribution Operator Number (3, 4 or 5 digits)	Distribution Certification Expiration Date (MM/DD/YYYY)
Nothing Reported				

<sup>1</sup>Use "C" for Chief Operator and "S" for Shift Operator. If neither, put an "X". Do not leave blank.

#### B. TREATMENT PLANT CERTIFIED OPERATORS

Your Highest Treatment System Classification is: **There are no facilities subject to the Certified Treatment Plant Operator requirements**

Do your Chief and Shift Treatment Plant Operators have the minimum level required? --Pick one--

☐ Check this box if your public water system does not have a designated Chief Treatment Operator.

Name of Chief Treatment Operator (First name Last name):  

Grade of Chief Treatment Operator (1, 2, 3, 4 or 5): --Pick one--

Treatment Operator Number (3, 4 or 5 digits):  

Treatment Certification Expiration Date (MM/DD/YYYY):  

If your public water system has additional certified treatment plant operators, enter their information in the table below.

[\\*Click here](#) to download, update, and/or upload an Excel spreadsheet of your water system's certified water treatment operators.\*

Treatment Operator Name (First name Last name)	Grade of Treatment Operator (1, 2, 3, 4, or 5)	Chief, Shift or Neither <sup>1</sup> (C, S or X)	Treatment Operator Number (3, 4 or 5 digits)	Treatment Certification Expiration Date (MM/DD/YYYY)
Nothing Reported				

<sup>1</sup>Use "C" for Chief Operator and "S" for Shift Operator. If neither, put an "X". Do not leave blank.

COMMENTS (Note: Comments will be made publicly available):

Attachment 3  
California State Water Resources Control Board  
Drinking Water Operator Certification Program  
2023 Annual Report

Treatment Plant Classification(s)

PWS Class	Count of Treatment Facilities by PWS Class	Total Count of WS with TP Requirements	Count by Treatment Classification					
			T1	T2	T3	T4	T5	TD
C	6,973	1,932	358	553	189	50	89	693
TNC	1,177	1,002	276	216	7	0	0	503
NTNC	1,284	856	262	194	26	1	0	373
<b>Total</b>	<b>9,434</b>	<b>3,790</b>	<b>896</b>	<b>963</b>	<b>222</b>	<b>51</b>	<b>89</b>	<b>1,569</b>

CWS: Community Water System

NTNC: Non-Transient, Non-Community

TNC: Transient Non-Community

PWS: Public Water System



### Distribution System Classification(s)

PWS Class	Count of Distribution System Facilities by PWS Class	Total Count of Assigned Distribution Classes	Count by Distribution System Classification					
			D1	D2	D3	D4	D5	NR
C	2,843	2,839	1,837	444	222	174	139	23
TNC	2,943	2,921	490	18	0	0	0	2,413
NTNC	1,475	1,469	1,371	43	2	2	0	51
<b>Total</b>	<b>7,261</b>	<b>7,229</b>	<b>3,698</b>	<b>505</b>	<b>224</b>	<b>176</b>	<b>139</b>	<b>2,487</b>

CWS: Community Water System

NTNC: Non-Transient, Non-Community

TNC: Transient Non-Community

PWS: Public Water System



## Drinking Water Treatment Minimum Qualifications for Examination and Eligibility Criteria for Certification

Grade	Minimum Qualifications for Examination	Eligibility Criteria for Certification
<b>T1</b>	High School Diploma / GED Equivalency*.	Successful completion of the <b>Grade T1</b> examination within the three years prior to submitting certification application.
<b>T2</b>	High School Diploma / GED Equivalency* <b>AND</b> <b>One</b> 3-unit (or 36-hour) course of specialized training covering the fundamentals of drinking water treatment.	Successful completion of the <b>Grade T2</b> examination within the three years prior to submitting certification application.
<b>T3</b>	High School Diploma / GED Equivalency* <b>AND</b> <b>Two</b> 3-unit (or 36-hour) courses of specialized training that include at least one course in drinking water treatment and a second course in either drinking water treatment, distribution, or wastewater treatment.	Successful completion of the <b>Grade T3</b> examination within the three years prior to submitting certification application <b>AND</b> At least <b>one year</b> of operator experience working as a certified T2 operator at a T2 facility or higher. This may be substituted with (3) below. <b>AND</b> At least <b>one additional year</b> of operator experience working as a certified treatment operator. This may be substituted with (1), (2), or (4) below.
<b>T4</b>	Current T3 certification <b>AND</b> <b>Three</b> 3-unit (or 36-hour) courses of specialized training that include at least two courses in the fundamentals of drinking water treatment and a third course in either drinking water treatment, distribution, or wastewater treatment.	Successful completion of the <b>Grade T4</b> examination within the three years prior to submitting the application for certification <b>AND</b> At least <b>one year</b> of operator experience working as shift or chief operator, while a certified T3 operator at a T3 facility or higher. This may be substituted with (3) below. <b>AND</b> At least <b>three additional years</b> of operator experience working as a certified treatment operator. This may be substituted with (1) or (4) below.
<b>T5</b>	Current T4 certification <b>AND</b> <b>Four</b> 3-unit (or 36-hour) courses of specialized training that include at least two courses in drinking water treatment and two additional courses in either drinking water treatment, distribution, or wastewater treatment.	Successful completion of the <b>Grade T5</b> examination within the three years prior to submitting the application for certification <b>AND</b> At least <b>two years</b> of operator experience working as a shift or chief operator, while a certified T4 operator at a T4 facility or higher. There are no substitutions. <b>AND</b> At least <b>three additional years</b> of operator experience working as a certified treatment operator. This may be substituted with (1) or (4) below.

\*High School Diploma/GED equivalency for **Grades 1 and 2 ONLY** can be fulfilled with either successful completion of **Basic Small Water Systems Operations** course provided by the Department **OR 1 year** as an operator of a facility that required an understanding of a chemical feeds, hydraulic systems, and pumps.

Experience substitutions for certification, as referenced above.

- 1) A relevant degree earned at an accredited academic institution may be substituted as follows:
  - a) Associate's Degree or Certificate in Water or Wastewater Technology that includes at least 15 units of physical, chemical, or biological science may be used to fulfill **1 year of operator experience**.
  - b) Bachelor's Degree in engineering or in physical, chemical, or biological sciences (e.g Biology, Chemical Engineering, Chemistry, Civil Engineering, Environmental Engineering, Microbiology, Public Health, or Sanitary Engineering) may be used to fulfill **1.5 years of operator experience**.
  - c) Master's Degree in the above mentioned fields in (b) may be used to fulfill **2 years of operator experience**.
- 2) A certified operator may substitute, on a day-for-day basis, experience gained while working with lead responsibility for water quality related projects of research (e.g. pilot plant).
- 3) If an applicant has a Bachelor's or Master's of Science degree, completion of a comprehensive operator training program, pursuant to Section 63800(h), may be substituted for the required experience.
- 4) Experience gained as a certified wastewater treatment operator may be used to substitute up to 2 years of the experience requirement. Wastewater treatment operator experience is credited on a two-for-one basis (i.e. 2 months in wastewater=1 month in drinking water).



## Drinking Water Distribution

### Minimum Qualifications for Examination and Eligibility Criteria for Certification

Grade	Minimum Qualifications for Examination	Eligibility Criteria for Certification
D1	High School Diploma / GED Equivalency*	Successful completion of the <b>Grade D1</b> examination within the three years prior to submitting certification application.
D2	High School Diploma / GED Equivalency* <b>AND</b> <b>One</b> 3-unit (or 36-hour) course of specialized training covering the fundamentals of water supply principles.	Successful completion of the <b>Grade D2</b> examination within the three years prior to submitting certification application.
D3	Current D2 certification <b>AND</b> <b>Two</b> 3-unit (or 36-hour) courses of specialized training that includes at least one course in the fundamentals of water supply principles and a second course in either drinking water distribution, treatment, or wastewater treatment.	Successful completion of the <b>Grade D3</b> examination within the three years prior to submitting certification application <b>AND</b> At least <b>one year</b> of operator experience working as a certified D2 operator for a D2 system or higher <b>AND</b> At least <b>one additional year</b> of operator experience working as a certified distribution operator. This may be substituted with (1) or (2) below.
D4	Current D3 certification <b>AND</b> <b>Three</b> 3-unit (or 36-hour) courses of specialized training that includes at least two courses in the fundamentals of water supply principles and a third course in either drinking water distribution, treatment, or wastewater treatment.	Successful completion of the <b>Grade D4</b> examination within the three years prior to submitting the application for certification <b>AND</b> At least <b>one year</b> of operator experience working as a certified D3 operator for a D3 system or higher <b>AND</b> At least <b>three additional years</b> of operator experience working as a certified distribution operator. This may be substituted with (1) or (2) below.
D5	Current D4 certification <b>AND</b> <b>Four</b> 3-unit (or 36-hour) courses of specialized training that includes at least two courses in the fundamentals of water supply principles and two additional courses in either drinking water distribution, treatment, or wastewater treatment.	Successful completion of the <b>Grade D5</b> examination within the three years prior to submitting the application for certification <b>AND</b> At least <b>two years</b> of operator experience working as a certified D4 operator for a D4 or D5 system <b>AND</b> At least <b>three additional years</b> of operator experience working as a certified distribution operator. This may be substituted with (1) or (2) below.

\*High School Diploma/GED equivalency for **Grades 1 and 2 ONLY** can be fulfilled with either successful completion of **Basic Small Water Systems Operations** course provided by the Department **OR 1 year** as an operator of a facility that required an understanding of a piping system that included pumps, valves, and storage tanks.

Experience substitutions for certification, as referenced above.

- 1) A relevant degree earned at an accredited academic institution may be substituted as follows:
  - a) Associate's Degree or Certificate in Water or Wastewater Technology that includes at least 15 units of physical, chemical, or biological science may be used to fulfill **1 year of operator experience**.
  - b) Bachelor's Degree in engineering or in physical, chemical, or biological sciences (e.g. Biology, Chemical Engineering, Chemistry, Civil Engineering, Environmental Engineering, Microbiology, Public Health, or Sanitary Engineering) may be used to fulfill **1.5 years of operator experience**.
  - c) Master's Degree in the above mentioned fields in (b) may be used to fulfill **2 years of operator experience**.
- 2) A certified operator may substitute, on a day-for-day basis, **1 additional year of operator experience** working as a certified distribution operator with experience gained while working with lead responsibility for water quality or quantity related projects or research.

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

**Meeting Date:** Tuesday, August 29, 2023

**Attendees:** Advisory Committee Members

Steve Krai, Ben Carver, Josh Vieira, Louis Sun, Monte Hamamoto, Steven Garner, Jose Martinez, John Brady, Mike Maestas, Ian Tillery, Bryan Miller, Stacey Harrington, Dan DeMoss

**State Water Resources Control Board (State Water Board)**

Christine Gordon, Keisha Kelley, Julie Osborn, Valerie Gregory, Jaime Marotte, Sarah Miller, Tomas Eggers, Brian Elder, Jamie Johnson

**Public**

Sue Mosburg, Norah Duffy, Yan Zhang, Stacy Preve, Larry Lyford, Christopher Tapia, Bill Cardinal, Tim Lewis, Octavio Navarrete, Richard Vierra, Steve Molina, Spencer Saks, David DeJesus, Jeremy Strickland, Rebekah Sorensen, Sue Murphy, Carla James, Ananda Ana

---

**Item 1 – Introductions**

- Keisha Kelley, Office of Operator Certification Program Manager, acted as moderator for this meeting. The meeting was held via Video/Teleconference and in person at the CalEPA building.

**Item 2 – Agenda Review**

- Keisha Kelley reviewed the agenda. There were no comments and the agenda proceeded as scheduled. It was explained that the meeting is being recorded and public comments will be limited to 3 minutes per speaker.

**Item 3 – Public Comments**

- There was a public comment that was cut-off because the comment was regarding specific test questions. which are confidential. Christine advised the commenter to direct the comment to the Office of Operator Certification.

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

**Item 4 – Program Updates**

- Keisha Kelley provided an update on the newly appointed Drinking Water Advisory Committee Members. They are welcomed and thanked in advance for their time, contribution, and partnership.
  - Stacey Harrington - Statewide Organization Representing Local Primacy Agencies
  - Bryan Miller – Member of an Organized Labor Union Representing Water Treatment and Distribution Operators
  - Ian Tillery – Employee of a Water Recycling Treatment Plant
  - John Hamner - Statewide Organization Representing Small Water Systems
  - Jose Martinez – Educational Institution’s School or Division of Engineering
  - Michael Maestas – Statewide Organization Representing Medium to Large Water Systems
- March 2023 – Customer Survey launched to gain insight on how Office of Operator Certification is doing in serving customers. Results will be on a semiannual basis, with the first coming in September.
- Online Application Portal launch is near. IT is wrapping things up this week and we are working through some unanticipated encryption requirements. We look forward to possibly launching in mid-September.
- Office of Operator Certification staffing update – 5 vacancies, 3 clerical and 2 analyst positions. Recently promoted 2 clerical staff to 2 analyst positions and we are working on staffing the current vacancies. Bonnie Sutherland and Doug Wilson are retiring.

**Item 5 – Drinking Water and Wastewater Operator Certification Programs**  
**Advisory Committee Sub Workgroup Recommendations**

- Keisha Kelley and Christine Gordon presented the Sub-Workgroup Recommendations. See **Attachment 1** for recommendations presented. After presenting for each sub-workgroup, it was asked if there are any questions (see below).

**Guidelines on Reporting Drinking Water Operator Experience**

- Larry Lyford: Is there any way you can give us an example of the issues you find?
  - Christine Gordon: The guidance document listed experience credit earned by a chief operator and a shift operator allowed for the gaining of the same

**Office of Operator Certification (OOC)  
Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee  
Meeting Minutes – August 29, 2023**

experience in the 5 scenarios that were given. There needs to be more discussion on that to understand and clarify how we currently evaluate and what is in the guidance document based on looking at the level of responsibility in terms of the experience credit that's given. Look at the correlation between the scenarios provided and what is currently being done and clarify.

- Sue Mosberg: Might it be a discussion back to the sub-workgroup of the sections that did not have any questions and could move forward and holding the sections that did have questions or further work to be done holding those back?
  - Christine Gordon: I think that this will be a deeper discussion with the sub-workgroups. Once we reconvene with the sub-workgroups and get that clarification, we can determine which ones to move forward with and which ones we need to make modifications to.
  - Sue Mosberg: Thank you, I understand regulatory changes don't happen overnight. I think there are some that the industry could use.
  - Julie Osborn: Some of the things that we need to change are little, such as I need a disclaimer. Things that will make it more consistent with Water Boards document requirements can take some time.
  - Sue Mosberg: Thank you for the clarity.
- Christine Gordon: I want to clarify, when you look at regulations in section 63830A4 requires an employer verification to have a signature of a chief operator or a shift operator. It looks as though this recommendation would require a signature from a chief operator, and the sub-work group will need to clarify. Is that something that we want to go forward with? If so, that will be a regulation change. Or if we are at a point where we have a consensus to keep as is but looking at best practices.

**WW Operator In Training (OIT) Requirements and Experience**

**One Water Regime**

- Sue Mosberg: Is the limit of the regulatory change considerations to certification and the certification program regulations or is it anticipated to hit other regulations?
  - Christine Gordon: We are focused on regulations for Office of Operator Certification regulations. Anything outside of those regulations, I cannot speak on. Any changes would only address Office of Operator Certification regulations.
  - Larry Lyford: Just to clarify on this, there was a presentation by staff at the Spring Conference which said they were looking into considering

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

advanced treatment operators hours counting because of the level of disinfection required exceeds any that is in the current regulations. Has that been given further consideration or is it a total rewrite of regulations?

- Christine: I think we are in the early stage of this, I think we really need to go back to the sub-workgroups to really understand and clarify what we are looking at. Are we looking at defining the processes in our regulations clarifying some advanced treatment processes? I can't answer this because we are early in the process.
- Julie Osborn: Also, Larry, one of the things that might not have been known by the sub-workgroup at the time that you were working on this. Direct potable reuse: those facilities will be water treatment and they will only be allowed to have water treatment operators. There may be some changes in light of this.
- Larry: If I am hearing you correctly, the advanced treatment facilities will end up being permitted as a drinking water facility and not a wastewater facility?
- Julie: If it is a direct potable reuse facility.
- Larry: Yes, it does sound like we need to go back to the sub-workgroup to hash this out.
- Christine: The DPR regulations have not been adopted by the board yet.
- Julie: They are under the comment period right now. They have a hearing next week.
- Keisha: Any other questions or comments?

**Assembly Bill 1588**

- Jose Martinez: To understand, it sounds like there are still some outstanding questions and clarifications, so does that mean this is coming back to the sub-workgroup soon? So that we can identify those and move the things that don't require regulatory changes?
  - Keisha: Correct. I will go over a preliminary timeline that we have developed which includes the sub-workgroups reconvening. Any other questions?
  - Steven Garner: Thankful for the clarity in your response and eager to reconvene and get at it.
- Steve Krai: A few of those you mentioned, you were in agreement with and will move forward with the regulation change. Are you going to discuss what the timeline would be for that regulation change?
  - Christine: Yes, Keisha will go over that next. More to come soon.

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

- Christine: I want to take the time to speak on behalf of the Office of Operator Certification. We truly appreciate all the time and commitment that you all have made to these sub-workgroups. You have made tremendous progress and we want to continue that. Thank you from the Office of Operator Certification for all this hard work that you are doing and have done. Thank you!
- Larry: Thank you for this opportunity. Would it be possible, or are you planning to post the minutes of this meeting of your recommendations so that folks can see it prior to these committees starting up again?
  - Christine: Yes, we will have the notes posted in the next 2 weeks and will make sure that we send those out to you all.
  - Larry: Thank you so much.
- Sue: I want to say thank you. We spent a whole meeting weeks ago, when all of these were presented and there was a lot of work that went into that, and then to really have taken those recommendations and compared them against regulations, resource availability, that wasn't a small task for staff. In appreciation of that, I think everyone is looking forward to the opportunity to now get back to work. Thanks, and appreciation for the work that got us to the point of now there are some actionable items. Question, will we be regrouping the sub-workgroups now or is that in the timeline?
  - Christine: I think the timeline is that we will be reconvening the same sub-workgroups. I think what I'm hearing is that we would like to open it up to invite new members to the sub-workgroups? We will send this out to all the current sub-workgroup members, and to Advisory Committee members.
  - Steven Garner: Particularly because we have new Advisory Committee members and they might be able to share some good insights for us.
  - Christine: If you are interested in one of the sub-workgroups, we will send out some of the original purpose and objectives of the sub-workgroups and really where we are now. So, if you are interested in being one of the new Advisory Committee members, yes, we will have you join the group.
  - Sue: Thank you. That was my question, because some of the sub-workgroups had Advisory Committee members on them that are no longer Advisory Committee members, so there will be some change. Thank you.
  - Christine: I also want to say that those that are no longer Advisory Committee members, I speak for the group when I say, they put a lot of work into this effort and if they can continue on these groups I think it would be very beneficial to not only the existing groups, but also to the new members that are joining to give their perspective. If those members



**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

still have the commitment and time if they can remain on the sub-workgroups.

- Keisha: I put together a very preliminary timeline for the sub-workgroups to reconvene and for preparing an update to our regulations. From September to December 2023, the sub-workgroups will reconvene to clarify and/or modify the applicable recommendations for a presentation to the Advisory Committee Members in meeting, email, etc. and inclusion in regulation packages if a regulation change is applicable. The sub-workgroups will submit a timeline for clarification/modifications to recommendations no later than October 31, 2023. Any recommendations that require a regulation change prior to implementation that have not been clarified or modified in time to be included in regulation scoping most likely will not be included in upcoming regulation packages. Items not included in upcoming regulation packages will be included in subsequent packages. From January to June 2024, the Office of Operator Certification will begin regulation scoping as separate packages for Wastewater and Drinking Water beginning in January 2024. Emergency Fee regulations will take place in the spring. There will be a Joint Advisory Committee Meeting in June 2024 to provide tentative regulation timelines for both the Wastewater and Drinking Water upcoming regulation packages. The tentative regulation timelines will consider not just the time to draft both Wastewater and Drinking Water regulation packages, but also for the supporting documents (e.g., experience guidance document) and meeting with the Advisory Committee and potentially other stakeholders prior to routing the packages internally and going to public notice. From here, the regulation process can take up to a year. The overall timeline is for the sub-workgroups to reconvene to clarify or modify as applicable. We would like a timeline for how long that would take no longer than October 31, 2023, that way we can begin scoping and plan for what will be done in time for both regulation packages. Anything that will not be done to be included in those packages will be included in the subsequent packages. Any questions?
  - Larry: What is an emergency regulation and what is the difference?
    - Christine: Emergency regulations are needed if we need to have any changes to our fees. Those regulations are separate and distinct from the regular regulation process.
    - Julie: We have a statutory provision in WW and DW statutes that declare it to be subject to the emergency regulations when it's a fee, and so because of that statutory exemption we don't have to go through the entire regulation process. We go through a 10-day process. It may be longer because we are a Board, but the Office of Administrative Law process is 10 days.

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

- Christine: I think I heard what you said Larry if this could be considered an emergency. These are different, so it has to go through the normal regulation change process, and the fact that we have some changes that need to be made, and that wouldn't be considered an emergency.
- Jule: It is very hard to consider anything an emergency.
- Larry: If we reversed these two, the government would be a lot better. Make it harder to get more money and easier to fix things.
- John Brady: I am trying to understand the timeline better. You are saying the sub-workgroups will reconvene and develop a timeline by October 31, 2023, and then present by June 2024 meeting. I am trying to understand. Are there milestones, deadlines that we need to meet in order to maybe help the sub-workgroups along?
  - Keisha: Sub-workgroups will reconvene beginning in September, and the goal would be to create a timeline for modifications or revised recommendations no later than October 31, 2023. That way we can consider that when we begin scoping to determine what recommendations, specifically the ones that require regulation changes are going to make it in the first regulation package. That being said, the sub-workgroups are going to continue to work for however long their timeline expands for. That could be January or longer, depending on if they are going to be done modifying the recommendations in time for the first regulation package. The Joint Advisory Committee meeting in June 2024 would be for us to provide a tentative timeline for regulations for both packages. We have received your timeline and completed scoping on our end and now we will have a better tentative timeline for how long regulation changes are going to take and implementation for the recommendations that have been considered.
  - John: Thank you, I think I'll begin to understand more once we begin to meet and determine what the real deliverables need to be.
  - Christine: In September we are expecting the sub-workgroups to meet again, but I don't know how frequently they are meeting. Let's say they are meeting every two weeks, so before October 31, 2023, they are going to determine how long it will take them to produce those changes or modifications. It may not take until June 2024; it really depends on the timeline that sub-group is going to determine to produce the clarifications or modifications and determine what's going to go forward for regulation changes. As a parallel, we have

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

from January to June 2024. Let's say for instance one of the sub-groups says they are going to meet every two weeks, and by October 31<sup>st</sup> we have determined that by December we will have the clarifying recommendations that we have. We know that this is what we are going to have moving forward in terms of the package for regulation changes and they bring that over to the office. And so, the Office of Operator Certification, we have a better idea of what we are going to go forward with. This is what the package is going to look like. And then in June 2024, we will come forward to Advisory Committee Members, this is what we have from all the sub-workgroups. This is what the package is going to look like. There may also be some other things outside of what has come from sub workgroups that we are changing in that package. So, you will have more of a preliminary look at what we are moving forward with at that June 2024 meeting. So, it is not going to be only what is coming from the sub-workgroup, it will be what we have determined and what needs to change as well.

- John: I see, okay.
- Christine: I think you will have a clearer understanding when the sub-workgroups get back together to determine when they can produce those documents. If a sub-workgroup can only meet once a month, that may take longer. We do not want to set a timeline for the groups because we do not know what effort they can put in and how frequently they can meet. We want to make sure that we are aware of the time for the workgroup members as well.
- Julie: To be clear we are not asking for anyone to draft regulations. What we are looking for are concepts, and once we have all those different ideas, concepts, subject matters that people want to touch, we will decide what can go in this package; what is feasible. For those of you that remember the last wastewater regulation package, it was so big that it took a long time. Our hope is that if we piece it out into manageable pieces we can move forward at a faster rate.
- Christine: I think I mentioned that at the last meeting too. We want to make sure that we are identifying the priorities that we want to set forth. So, if we have experience and we know that is a priority for us to make changes and regulations, then that's the one that we will go forward with. Just identifying what the priorities are going to be in that package.

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

- John: Thank you.
- Jose Martinez: Just to build on some of what you just said and thank you for the clarification that did answer some of my questions. So as a sub-committee we will reconvene in September, and the priority will be to develop a timeline and figure out when we can complete these clarifications. So, it sounds like essentially, we will have 3 different buckets and that's what we are going to work on as a subcommittee. Once we have clarified and solidified things it goes forward in three different manners. One without regulatory changes. Second being, this is worthwhile, and we would like to move forward with it. However, this may require regulatory changes and may have a little bit different timeline, but still moving forward. Third would be, maybe at this time isn't feasible and may get put on hold.
  - Christine: You have summed it up correctly Jose. And I think specifically for your workgroup there are a lot of clarifications, and you may come out of this after you reconvene, that maybe some of the things that you recommended may not need to move forward. We really want to focus on things that are a priority in terms of the regulation changes. And you may continue to meet even after December to flush out some of the things that could go in a subsequent package.
  - Jose: Thank you, yeah, I think we were already going four hours last time we presented.
  - Larry: Thank you very much. That clarified some of my questions as well. My question to staff and legal would be what do you think about the possibility of cross connection of the pamphlet guidebook? It is put up so that it is not in the regulations. Can we include parts of it in the operator experience guidebook? Is that a concept that can be considered.
    - Julie: We do not have the legal exemption to do that for this program.
    - Larry: We don't know, but if we could. Would that get any support from staff?
    - Julie: The Board cannot discuss any statutory potential changes with the public. We must get the Governor's Office approval on anything like that. We cannot discuss it publicly.
    - Larry: Okay, thank you. Maybe Jose and I can get together later.

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

- Sue Mosberg: One more clarifying question for me. Did I hear correctly that there were a couple of items that would require a statutory legislative change?
  - Julie: Depending on what happens with the AB 1588 workgroup and answering the question about certification and whether the U.S. certifies, and if it can fit somehow within the public health code provision on reciprocity, there may be an issue. We don't know enough to tell you that right now.
  - Sue: Okay, I thought I heard three items. Was there something to do with the guidance document?
  - Christine: No, it's more regulatory, not a legislative change.
  - Sue: Advanced Water Treatment?
  - Christine: No, that's a regulatory change.
  - Sue: So, the only legislative or statutory potential might be 1588.
  - Christine: Yes. We will send this to you.
  - Jose: Will you send this to us with the level of issues? That will help us as a sub-workgroup to understand what the potential concerns are.
  - Christine: Yes, we will.
- Steve Krai: At our last advisory meeting the committee members voted to move some of these proposals forward but with modifications, and I am wondering what the mechanism is for the members to vote again. Would that be at our June 2024 meeting, or would that be in our separate wastewater and drinking water meetings? To decide if we agreed with the modifications or not.
  - Christine: What you're saying is would there be another meeting or joint meeting to bring these modifications back to the committee to vote on? Is that what you're asking?
  - Steve: Yes, essentially to make sure we are in agreement with the modifications the sub-group came up with.
  - Christine: Okay, I think that if a meeting is warranted and we need it, we will. But I'm not sure and I think I'll have to warrant that over to Julie. I think notifying this group and the members of what the modified recommendations are; do we need to come back to a formal meeting?
  - Julie: I think it depends on which one. Some of these recommendations are far enough along that you may not want to see it again. If there is one that only affects drinking water, we bring it back to Drinking Water Advisory Committee meeting earlier than

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

June. Definitely, if there is any significant change, a desire by the members to meet and talk about it again. We want to let you meet and talk about it.

- Steve: Sounds good, thanks!
- Christine: Are there any other questions in terms of the timeline? We will kind of tie that down. We'll send you out the notes from this meeting. But then, also, I think we'll get more of a definitive timeline in terms of the sub-workgroups, and when they can produce the modifications or clarifications of the recommendations, so does that sound good to all? Okay we will move on.

**Item 6 – Translation of Examinations**

- Keisha: Moving on to last item of agenda for the day. In July of this year the SWRCB received a request from the City of Long Beach to provide our examinations in Spanish. With us today is Marina Perez and Alisha O'Loughlin from our Office of Public Participation to lead us in the discussion on this agenda topic.
- Marina Perez: I am a program manager with the language access program and with the Office of Public Participation (OPP).
- Alisha O'Loughlin: I am an engagement coordinator for the waterboards OPP.
- Adriana Renteria: Director of OPP, our office is within the waterboards communication office. We focus on four primary areas. First is safer drinking water program, where we work closely with our Department of Financial Assistance and Division of Drinking Water. Second is Tribal Affairs Program. Third, is public participation, environmental justice. And the fourth program is language access. Today's discussion is a combination of several of the programs within our office. Looking forward to hearing from you all.
- Alisha: Thank you again for having us today. We're here because the Water Boards has been asked to develop a Spanish version of the water operator certification exam. We'd like to explore that possibility today. And we'd like to hear from you about what some of the challenges and opportunities to offering that exam in Spanish may be.
  - We're committed to equity, and we diligently assess the racial equity implications of potential decisions. And that's again, what brings us here today. We're here to gain insight into what creating a multilingual operator certification program could entail.
- Marina: By expanding the Office of Operator Certification program through multilingual, we're removing the language access barrier and potentially enhancing opportunities for more individuals to join the drinking water and wastewater workforce. It's important to note the State Water Board sets a state

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

standard and what is expected of operators and systems and develops the tests. The State Water Board does not administer the exam or training, because we must remain impartial. To establish a fully multilingual program, we need to examine language needs at every step of the operator pipeline, including some of the following.

- informational resources and marketing materials. For example, website content, instructional videos, guidance documents.
- training programs and curriculums.
- certification exam and exam taking experience.
- career paths such as apprenticeships, internships, growth, retention
- placement in districts where they could support multilingual employees.
- Translation of water system, manuals, and instructions.

There's a lot that needs to be considered. So, although the State Water Board does not lead or control most of the areas of the Operator Certification program. We would be interested in helping bring parties together. the right partners to help address this in a more holistic manner. To be clear, we have not taken on this project. There are several considerations that will need to be discussed and get your feedback on to inform our path forward.

- Sue Mosburg: The Water Boards does not administer the exam?
- Christine Gordon: Yes, we do administer the exam. Recently we switched to a computer-based test, but we are still the administrators of the exam.
  - Marina Perez: Thank you for the clarification.
- Steven Garner: One thing that was not mentioned in the broad spectrum of what would be included was standard operating procedures.
- Josh Vierra: Is there a big demand for this? Is it for different languages? What languages do you choose? At what cost to the state? Are they employable after they pass an exam?
- Larry Lyford: Every state and federal regulation, every technical manual would need to be translated. We may be better off putting the effort into classes to learn English, which is the issue. Rather than converting an entire industry.
- John Brady: Almost half of the population in CA speaks Spanish versus other languages. In the profession there is great importance in hands on experience. We may want to limit the impediments between a written test for those that might be very good operators but understand a written test better in Spanish. I think that's a fair thing to do to be more inclusive. I think the test is where it will need to stop.
- Marina: Questions to keep the conversation going are:
  - If a limited English proficiency speaker were to become certified and go into the water operator field. What would success look like for them?

## Office of Operator Certification (OOC)

### Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee Meeting Minutes – August 29, 2023

- What may the language accessibility impact be on recruitment, apprenticeship, internships, crew, advancement, and retention?
- Do you foresee any specific challenges or opportunities in placing multilingual operators in districts that could support them?
- And what strategies could possibly be implemented to ensure their success?
  - Sue Mosburg: Success for the lower levels looks like getting an entry level position based on definitions and processes. There are opportunities at large level facilities that have the capacity to support an operator who English may be challenging. If we are setting up a workforce to move up to become managers over the years, we may be setting up for some serious challenges. In an emergency situation, to be able to dive into all available resources industry has to offer, web, regulations, industry, regulators, manuals, research papers. This is where someone would be set up for failure at those higher levels. We are looking at an opportunity to fill the pipeline. Learning the English language would allow for concepts to be understood rather than just the definitions. Currently the industry has Spanish classes to help with small system, entry level. Success today would be if the exams were converted to Spanish.
  - Steve Krai: First comment is multilingual is for someone who is fluent in multiple languages. This seems to be for someone to pass a test in Spanish because they are not fluent in English. Second is, English is the regulation standard. Does this plan to change in regulations? Third, setting industry up for failure unless planned out ahead of time. Communication in English in a state of emergency is very important.
  - Josh Vierra: Multilevel response in an emergency response, having one language is the way to go. There are a lot of possibilities for mistakes.
  - Larry Lyford: I am for getting more people in the industry. However, having one universal language is necessary for safety. How can we get people trained to be in the universal language?
- Alisha: If we were going to move forward with this, it would require a very holistic and collaborative approach. How could the water districts and organizations, you think, support this potential effort? And are there specific organizations or entities you think should be involved in developing a fully holistic multilingual program?



## Office of Operator Certification (OOC)

### Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee Meeting Minutes – August 29, 2023

- Steve Garner: Institute for credentialing excellence currently offers exams in multiple languages and may have insight on how other industries transitioned.
- Michael Maestas: Does this go to Advisory Committee or maybe to sub-groups for vetting this out?
- Christine: this is something we can discuss to see if we want to branch out to a sub-group. We are just meeting to get your thoughts and feedback on the topic.
- Louis Sun: I'd comment to look into universities and community colleges, even Sac State that already offers training. They would be a great partner because training books should be offered in the language that you are going to have the test in.
- Steve Krai: Does the state have funding available to provide to prospective operators?
  - Christine: We do not, currently, but that would be an internal conversation.
  - Adriana: Currently the workforce development board is looking at Operator Certification, so it could be they do have funding for a three-year pilot and training and education could be in the scope.
- Adriana: We have been brainstorming and we have had conversations with both workforce development boards, universities, community colleges and employee training and development programs. A lot of the concerns are the same as discussed today. Brainstorm focusing approach of a multilingual program on a D1 only due to some of the following concerns:
  - Requirements for managers/supervisors
  - Emergency responding
  - Requirements of knowing all state regulations
  - If we begin with D1 only, it will address the target audience.
  - Through scoping, we have learned, that the target audience is limited English proficient speakers, meaning they do know some English, but it may not be their first language.
  - Vocational, English as a second language training program. Other workforce developments have been used.
  - Brings in industry terms and training along with English as a second language development.
  - Most D1 folks are already in the industry and speak English. However, they are more comfortable taking a test in their primary language in Spanish.

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

- Sue Mosburg: Has the relationship of the lower levels of certification and the complexities of a smaller facility been taken into consideration? Are there other industries that are public health focused that have incorporated ESL in their certification?
  - Adriana: Thank you, we will research more with that feedback.
- Walter Pease: I think changing the test is great without bringing in all the background. As long as they are functional in English. Technical terms can be difficult when translated.
- Christine: I want to clarify; we are looking at lower-level exams and training being translated in Spanish because it is more in demand. Technical terms, English and processes at the plant will need to be known. We will have to regroup and determine if we need a sub-workgroup focus on this area.
- Marina: Translations would be from a professional service for those purposes.
- Bryan Miller: How would we reach out to those communities for recruitment?
- Dan DeMoss: I've done training with a Spanish interpreter and that is challenging. We are now looking into putting out an apprenticeship program with Spanish translation. All the challenges are valid, but we must figure out how to move them forward. Starting at a smaller utility might be a better way to go, with even D2 levels. Possibly doing this on a regional level, possibly in the southern part of the state. We need more people in the industry and right now that is a challenge.
- Larry Lyford: Additional financial and staff resources required. Requirement of state regulations and plant permit is to have an operator manual available to the operator in the control room. This would be a huge lift.
- Christine: We have been talking about Drinking Water, how would this effect the Wastewater? Would there be any different barriers?
- Josh Vierra: Passing the test in a different language but they can still communicate, then it can be done. But communication is very important and one thing going wrong even at the entry level can cause extreme situations gone wrong.

**Item 7 – Meeting Recap and Next Steps**

- Keisha Kelley wrapped up the meeting, next steps are for meeting minutes to be sent out with the clarifications.
- Late October or early November via email we will determine if we need to meet again and schedule.

**Office of Operator Certification (OOC)**  
**Wastewater & Drinking Water Operator Certification Program Joint Advisory Committee**  
**Meeting Minutes – August 29, 2023**

- Advisory Committee members can reach out to Keisha or Christine at any time to request a meeting.

## OOO Response to Sub Workgroup Recommendations

			OOO FEEDBACK
Guidelines on Reporting Drinking Water Operator Experience			
	1.	Approve and adopt the Drinking Water Operator Experience Guidance as a supplemental document.	<ul style="list-style-type: none"> <li>• Recommendation considered with modifications.</li> <li>• Document requires modifications and further discussion with the Sub Workgroup. The document has 6 sections, OOC will focus on one (1) section at a time with the Sub Workgroup.</li> <li>• Document outlines experience credit for dual certificate holders. While the OOC does have some flexibility in this area under current regulations, formalizing experience credit as proposed would require regulation changes. Other issues regarding experience credit also have been raised in the past. Making significant changes to experience requirements in the regulations will require substantial effort, however, OOC recognizes the importance of experience credit to operators and wants to address these concerns in the first regulation package.</li> </ul>
		Requires regulation Change: <b>YES</b>	
		Further Discussion by Sub Workgroup: <b>YES</b>	

OOO FEEDBACK			
			Development of the changes to experience credit requires further discussion with the Sub Workgroup.
2.	OOO to include links to the guidance document on the OOO website.		<ul style="list-style-type: none"><li>Recommendation considered, contingent upon recommendation one (1).</li></ul>
	Requires regulation Change: <b>NO</b>	Further Discussion by Sub Workgroup: <b>NO</b>	
3.	Include the following additions to the Supervisor Letter: <ul style="list-style-type: none"><li>Chief Drinking Water (D/T) Operator authorization and information:<ul style="list-style-type: none"><li>Name, Position, Distribution/Treatment License Number(s), and Signature</li></ul></li><li>Drinking Water System information:<ul style="list-style-type: none"><li>Classification and Number</li></ul></li></ul>		<ul style="list-style-type: none"><li>Recommendation considered with modifications to be discussed further with the Sub Workgroup.</li><li>The DWOCF Regulations (63830(a)(4)) requires employer verification to have either the signature of the chief operator or supervisor of each employer. The OOO cannot require anything beyond the regulatory requirement.</li><li>Is there a desire to change the regulatory requirement to make it stricter or is this a best practice recommendation? Are there recommendations for any other change to this regulation?</li></ul>
	Requires regulation Change: ?	Further Discussion by Sub Workgroup: <b>YES</b>	

			OOC FEEDBACK
	4.	Adopt an annual review and approval of the Drinking Water Operator Certification Experience Guidance document.	<ul style="list-style-type: none"><li>Recommendation considered, with modifications.</li><li>The guidance document shall be reviewed and updated as necessary when regulations are amended.</li><li>The Advisory Committee and stakeholders may raise concerns about needing to update something in the guidance document whenever needed.</li></ul>
	Requires regulation Change: <b>NO</b>		
	Further Discussion by Sub Workgroup: <b>NO</b>		
Wastewater Operator-in-Training (OIT) Requirement & Experience			
	1.	Change the education requirement so that the six (6) education points can be earned after the OIT certificate is obtained but before the certificate's expiration date. This would allow three (3) years to earn the education points and experience hours concurrently.	<ul style="list-style-type: none"><li>Recommendation considered.</li><li>Implementation is contingent upon the WW regulation timeline.</li></ul>
	Requires regulation Change: <b>YES</b>		
	Further Discussion by Sub Workgroup: <b>NO</b>		
	2.	Allow agencies the option to establish a formal onboarding OIT apprenticeship program in lieu of the OIT certification requirement.	<ul style="list-style-type: none"><li>Recommendation not considered.</li><li>Recommendation not fully developed and interest in this option appears limited.</li><li>Recommendation would require regulatory changes and additional staffing resources to be implemented.</li></ul>
	Requires regulation Change: <b>YES</b>		
	Further Discussion by Sub Workgroup: <b>NO</b>		
One Water Regime			

			OOC FEEDBACK
1.	Consider, update, and adopt draft language to Title 22 CCR; Article 4, §63800 that would allow certified treatment operators to fulfill experience requirements while working at facilities that utilize Advanced Treatment processes to meet regulatory standards for water quality. <ul style="list-style-type: none"> <li>“A certified operator may substitute on a day-for-day basis the experience requirements in (c)(2) with experience gained while working at treatment facilities that utilize Advanced Water Technology (AWT) processes to meet regulatory water quality standards.”</li> <li>“Advanced Water Technology Treatment processes include Membrane Filtration, Membrane Desalination, Biological Filtration, Iron and Manganese Removal, Advanced Oxidation, Disinfection by Ozone and Ultraviolet light, Membrane Bioreactors, Adsorption/Exchange through ion exchange.”</li> </ul>		<ul style="list-style-type: none"> <li>Recommendation considered with clarification/modifications.</li> <li>Recommendation would require regulatory changes. Development of these changes requires further discussion with the Sub Workgroup.</li> </ul>
	Requires regulation Change: <b>YES</b>	Further Discussion by Sub Workgroup: <b>YES</b>	
2.	Consider putting in place an annual or biannual Joint Advisory Committee meeting of the Drinking Water Operator Advisory Committee and the Wastewater Operator Advisory Committee, with a One Water focus. The Joint Operator Advisory Committee will have a cross sector focus and commitment to ongoing engagement that is reflected through its organization, structure, work group participation, and Advisory committee membership.		<ul style="list-style-type: none"> <li>Recommendation considered.</li> <li>Development of the meeting purpose, structure, frequency, and roles and responsibilities requires further discussion with the Sub Workgroup.</li> </ul>
	Requires regulation Change: <b>NO</b>	Further Discussion by Sub Workgroup: <b>YES</b>	

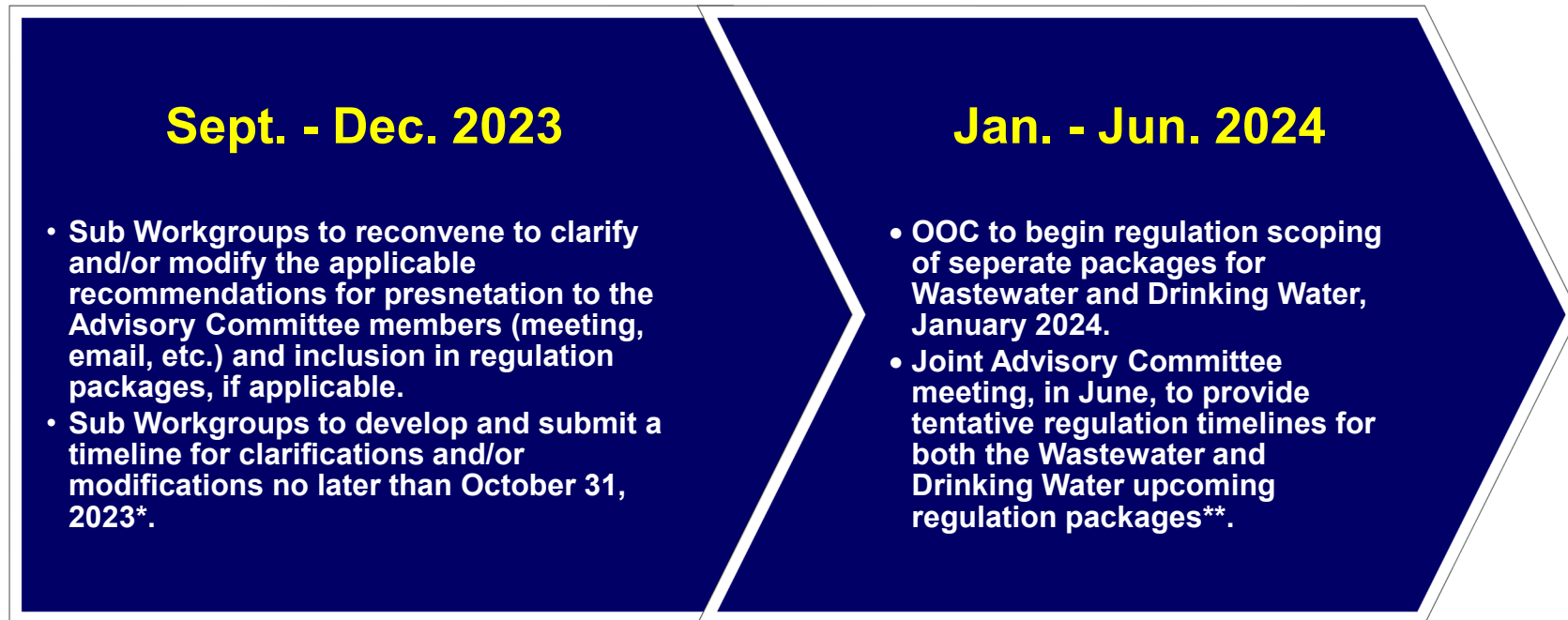
			OOO FEEDBACK
	3.	That the Wastewater Operator Certification program commit to making it a part of their regular process to conduct a Job Task Analysis of the Wastewater Operator job role every 5-7 years and publish “Need to Know” criteria for candidates.	<ul style="list-style-type: none"><li>• Recommendation considered.</li><li>• OOC to determine if we have the ability and funding to contract this out and then include in the final scoping and implementation timeline.</li></ul>
		Requires regulation Change: <b>NO</b>	
Assembly Bill 1588			
	1.	Revised guidelines for application reviews.	<ul style="list-style-type: none"><li>• Recommendations are not developed enough for the OOC to consider. The Sub Workgroup shall reconvene to clarify the recommendations or develop new recommendations keeping the current laws in mind. Work product shall be produced with any recommendations, as applicable.</li><li>• Regulatory/statutory changes may be required:</li></ul> DW: H&SC allows reciprocity under H&SC sec. 106897 – OOC may provide reciprocity to an individual with a comparable certificate issued
	2.	Update to general operator application form and possibly a supplemental form for veterans.	
	3.	Coordination with the output from the other sub workgroup efforts.	
	4.	Active participation with the Office of Operator Certification (OOO) staff exercising application review enhancements during pilot phase evaluation of guidelines.	
	5.	Continue using pilot experiences to evaluate recommended form and procedural adjustments. <ul style="list-style-type: none"><li>• Develop tailored workflow for OOC staff</li></ul>	
	6.	New forms and procedures will be compliant with the Americans with Disabilities Act (ADA).	
	7.	A standing agenda item for advisory group meetings to address potential regulatory changes.	



			OOO FEEDBACK
	8.	Message management processes to promote awareness of current wave and future shifts in forms/procedures.	<p>by the U.S. Do individuals in the military have such a certificate?</p> <p>WW: Section 3689 of the regulations allows for examination waiver but does not allow for the U.S. to be a certifying body.</p> <ul style="list-style-type: none"> <li>• Changes to applications would require regulatory changes and creating special applications for special circumstances is not recommended or desired.</li> <li>• Pursuant to legal requirements OOC already ensures that all forms are ADA compliant before being posted on the OOC website.</li> <li>• Potential regulatory changes are always discussed, a standing item will result in times where there is nothing to discuss.</li> <li>• OOC is open to meeting more frequently, as needed, if necessary and if the Advisory Committee members are able and will attend. This recommendation does not make clear a need or reason to meet more frequently.</li> </ul>
	9.	Sunset the AB 1588 Sub Workgroup and transition to work to the existing Advisory Groups (including military representative position).	
	10.	Advisory Groups meet more frequently, quarterly suggested.	
	11.	Continue with Joint Advisory Group meetings.	

			OOB FEEDBACK
		Requires regulation Change: ?	Further Discussion by Sub Workgroup: <b>YES</b>

### Preliminary Timeline



\*Any recommendations that require a regulation change prior to implementation that have not been clarified and/or modified in time to be included in regulation scoping, most likely will not be included in the upcoming regulation packages. Items not included in the upcoming regulation packages will be included in subsequent packages.

\*\*The tentative regulation timelines will consider not just the time to draft both Wastewater and Drinking Water regulation packages but also the supporting documents (Ex. Experience Guidance Document), meeting with the Advisory Committees and potentially other stakeholders prior to routing the packages internally, and then going to public notice. From here the regulation process can take up to a year.

**Office of Operator Certification (OOC)  
Drinking Water Operator Certification Program (DWOCP) Advisory Committee  
Meeting Minutes – April 5, 2024**

**Meeting Date:** Friday, April 5, 2024

**Attendees:** Advisory Committee Members

Jose Martinez, John Brady, Mike Maestas, Ian Tillery, Bryan Miller, Dan DeMoss, John Hamner, Chris Castaing

**State Water Resources Control Board (State Water Board)**

Christine Gordon, Keisha Kelley, Julie Osborn, Valerie Gregory, Tomas Eggers, Daniel Freed, Jon Hermison, Sarah Miller, Sahand Rastegarpour, Jamie Johnson, German Myers

**Public**

Sue Mosburg, Larry Lyford, Sharon Wong, Richard Souza, Felicia James, Dimas Reyes, Jeffrey Potte, Jesse Bartlett-May, Sue Murphy, Ignacio Rodriguez, Adam Watchel

---

**Item 1 – Introductions**

- Keisha Kelley, OOC Program Manager, acted as moderator for this meeting. The meeting was held via Video/Teleconference and in person at the California Environmental Protection Agency (CalEPA) building located at 1001 I Street, Sacramento, CA 95814.

**Item 2 – Agenda Review**

- Keisha Kelley reviewed the agenda. There were no comments and the agenda proceeded as scheduled. It was explained that the meeting is being recorded and public comments will be limited to 3 minutes per speaker.

**Item 3 – Public Comments**

- There were no public comments.

**Item 4 – Office of Enforcement (OE) Update**

- Tomas Eggers of the OE, Special Investigations Unit, presented updates on Drinking Water Operator Certification (DWOC) matters. Tomas Eggers thanked

**Office of Operator Certification (OOC)**  
**Drinking Water Operator Certification Program (DWOCP) Advisory Committee**  
**Meeting Minutes – April 5, 2024**

his staff for catching up on the case backlog and thanked OOC staff for gathering information and supporting OE.

- Case Updates: There are currently six open/action-pending cases. The four open cases include two operator misconduct cases and two expired certification cases, and the two action-pending cases are certification revocation cases.
  - OE closed eight cases of various categories from June 2023 to present.
- OE stated that systems have a duty to report operator disciplinary actions that are taken.
- In the last six months OE has seen an uptick in the number of operators working without valid certifications; this includes operators working with expired certificates that they have not renewed.
  - A discussion began concerning the responsibility of the operator, chief operator, and water system. The renewal period for certification, small water systems, and when to submit disciplinary actions to OE were discussed.

**Item 5 – Program Updates**

- Keisha Kelley provided the following updates:
  - Staffing Update
    - The OOC program currently has two vacancies:
      - First level manager over Unit 2 - became vacant at the end of December 2023. DWOCP is currently in the recruitment process and anticipates that interviews will take place in late April 2024.
      - Certification analyst position in Unit 2 – vacant as of April 1, 2024. A recruitment package to backfill the position was submitted earlier in April 2024.
  - Program statistics (reference document was displayed on screen).
    - Certifications – number of certificate holders by grade and type as of December 2023.
    - Examinations – pass/fail statistics for July 2023 – December 2023.
      - The timing of the next T5 exams was brought into question and program staff proposed that they take place in August/September 2024.
      - Advisory Committee members and the public suggested that DWOCP provide additional statistics for individual operators.
    - Processing times – due to implementing the DWOCP's reorganization and reducing its high vacancy rate, processing times

**Office of Operator Certification (OOC)**  
**Drinking Water Operator Certification Program (DWOCP) Advisory Committee**  
**Meeting Minutes – April 5, 2024**

have consistently been well within the required regulatory 45-day processing time frame.

- Renewal applications – generally within 30 days.
  - Certification and Examination applications – Generally within 2-3 weeks.
- Online application portal
  - DWOCP staff have been diligently working with State Water Board Information Technology (IT) staff to address unanticipated bugs since the launch of phase 1 in September 2023.
  - The go-live date for the higher grade level of examination applications is projected to be late summer/early fall 2024.
  - After higher grade level examinations are live on the portal, DWOCP staff intend for the next phase of the portal to include electronic submission of renewal applications. Drinking Water (DW) renewals have the highest volume of submissions; launching the ability to submit renewals electronically will benefit DW operators tremendously.
- Operator certification customer service survey
  - Semiannual customer service survey results were provided to Advisory Committee members and stakeholders via email in March 2024.
  - The survey results cover the 6-month period from September 2023 – February 2024.
  - There were 18 respondents total for this survey period and the weighted average score for overall experience with the OOC program was 3.6 out of 5.
  - Respondents are not required to provide a response to every question; they may skip questions, are given the option to provide additional comments or suggestions to improve the program, and are given the option to provide their contact information. Respondents that provide contact information are typically contacted by OOC staff to address and resolve issues, if applicable.
  - Survey results covering the 6-month period from March 2024 – August 2024 will be provided to Advisory Committee members and stakeholders via email in September 2024.
- Renewals Reminder
  - The renewal reminder notices, including notices of expiration, are generally sent out by the OOC as a courtesy to assist operators.
  - It is ultimately the operator's responsibility to renew their certificate before it expires regardless of whether the operator received a notice from OOC.
  - Operators cannot legally operate with an expired certificate.
  - Any person operating without an appropriate, valid, unexpired certificate is violating the law and enforcement action may be taken against the operator, chief operator, and the owner of the facility.

**Office of Operator Certification (OOC)**  
**Drinking Water Operator Certification Program (DWOCP) Advisory Committee**  
**Meeting Minutes – April 5, 2024**

- A discussion concerning the communication between OOC, Division of Drinking Water (DDW) and OE on expired operators began. OOC informed the attendees that the OOC website maintains a list of current operators.
  - It was suggested that a representative from DDW attend the next Advisory Committee meeting.
- Sub-workgroup recommendations and regulation scoping
  - Regular internal meetings conducting regulation scoping will begin shortly. The Advisory Committee will be informed of all proposed changes once they have been identified.
  - The following sub-workgroup recommendations have been identified as requiring a regulation change to implement and identified as changes to be included in the first regulation package for the DWOCP:
    - Additional experience credit for chief/shift operator designations.
    - Update regulation 63830(a)(4) regarding employer verification to also require the chief operator or supervisor name, position, Distribution/Treatment (D/T) certification number of chief operator or supervisor, water system classification, and water system number.
    - Update Water Treatment experience requirements to allow certified treatment operators to fulfill experience requirements with experience gained while working at water recycling treatment plants.
  - Comments were made on the possible timeline and suggestion period for the revised regulations.

**Item 5 – Meeting Recap**

- Keisha Kelley informed the attendees that the OOC will reach out via email in August 2024 regarding the Fall 2024 Advisory Committee Meeting, which may take place in October 2024.

# Certifications

Number of Certificate Holders by Grade and Type As of December 2023					
Wastewater Treatment*		Drinking Water Treatment*		Drinking Water Distribution*	
Grade	Qty	Grade	Qty	Grade	Qty
OIT**	627	T1	2,171	D1	3,463
I	790	T2	8,273	D2	9,256
II	1,471	T3	1,819	D3	4,079
III	1,791	T4	1,032	D4	1,870
IV	432	T5	519	D5	1,237
V	1,078	Total	13,814	Total	19,905
Total:	6,189	Drinking Water Combined Total: 33,719			

\*Operators can hold multiple types of certificates

\*\*Operator-in-Training



# Examinations

COMPUTER-BASED TESTING PASS/FAIL				
Reporting Period 7/1/2023- 12/31/2023				
Grade	Examinees	Pass Count	Fail Count	Pass Percent
Dist. Grade 1	396	247	149	62%
Dist. Grade 2	747	503	244	67%
Dist. Grade 3	290	191	99	66%
Dist. Grade 4	142	82	60	58%
Dist. Grade 5	65	40	25	62%
Treat. Grade 1	184	122	62	66%
Treat. Grade 2	487	318	169	65%
Treat. Grade 3	148	103	45	70%
Treat. Grade 4	63	43	20	68%
Treat. Grade 5	Treatment Grade 5 examinations are oral exams and not conducted via CBT			
WW Grade 1	148	84	64	57%
WW Grade 2	164	97	67	59%
WW Grade 3	164	60	104	37%
WW Grade 4	54	14	40	26%
WW Grade 5	79	18	61	23%