

Technical Brief

ONTARIO WASTEWATER SYSTEMS Licensing of Sewage Works Operators Regulation

On May 14, 2004, the Ministry of the Environment filed Ontario Regulation 129/04 a separate certification regulation for operators of wastewater collection and treatment systems.

This regulation consolidates the wastewater certification provisions from Ontario Regulation 435/93, and revokes O. Reg. 435/93, a regulation that governed the certification and training of both drinking water and wastewater operators.

There are some administrative differences between this separate wastewater operator certification regulation and O. Reg. 435/93. However, the **certification and training requirements for wastewater operators remain largely the same** as under O. Reg. 435/93.

The administrative changes involve:

- Improving the structure of the regulation by creating more headings
- Changing the term 'operator in overall responsibility' to 'overall responsible operator', and having the overall responsible operator formerly designated.
- Consolidating the definition of operator-in-charge in one section, and clarifying that operators-in-training can not be an operator-in-charge; and
- Removing fees from the regulation and instead having fees set through minister's order.

In addition, the Ministry has set new fees for operators of both wastewater and drinking water systems, which take effect August 1, 2004. These new fees reflect that wastewater operator fees have not changed since 1987 and will help to cover the administrative costs of the program.

This Technical Brief summarizes the administrative changes in the separate wastewater operator certification regulation. It is not intended to be a comprehensive review of the consolidated regulation. The wastewater operator certification program guide will be updated in the near future, and made available on the OETC Web site at www.oetc.on.ca

This Technical Brief also provides the new fees wastewater operators will be expected to pay starting August 1, 2004.

Significant Date:

As of August 1, 2004:

- *Licensing of Sewage Works Operators Regulation, O.Reg. 129/04 comes into effect*
- *O. Reg. 435/93 revoked*

1. Structure

The structure of the separate wastewater operator certification regulation has been improved by adding headings, and sub-headings.

Further, a table of contents has been added, making it easier to find a particular provision, or section of the regulation.

2. Overall Responsible Operator

Under O. Reg. 435/93 an owner is required to ensure that responsibility for the overall operation of the facility was placed with an operator who holds a licence that is applicable to that type of facility and that is of the same class as or higher than the class of the facility.

Under the new O. Reg. 129/04, this has been changed to read that “The owner of a facility shall designate as overall responsible operator of the facility an operator who holds a licence that is applicable to that type of facility and that is of the same class as or higher than the class of the facility”.

Thus the two key changes are the introduction of the term ‘overall responsible operator’ (ORO), and that the owner has to designate an ORO.

The term ‘overall responsible operator’ was introduced to be consistent with the new drinking water operator and water quality analyst certification regulation, since the role of overall responsible operator is the same for both sectors.

To ‘designate’ means to appoint an operator as holding the position of overall responsible operator. The expectation is that the overall responsible operator for each shift will be identified either through recording the ORO’s name in the daily log, or through some other means.

3. Definition of Operator-in-Charge

Under O. Reg 435/93, section 1 and section 19 both contain some of the responsibilities of an operator-in-charge. This has been changed in O. Reg. 129/04 to consolidate the responsibilities under one section. This is done by Section 1, the definition, referring to Section 17, the section that describes the responsibilities of the operator-in-charge. Note: the responsibilities of an operator-in-charge remain the same as in O. Reg. 435/93.

In addition, O. Reg. 129/04 clarifies that an operator-in-training can not be an operator-in-charge. (Section 17 (5))

4. Class 1 Operator Qualifications

Under O. Reg. 435/93 one of the qualifying criteria for a Class 1 wastewater operator certificate is that the person must have at least one year of experience as an operator in that type of facility. Under O. Reg. 129/04, this has been clarified to read that the person must have at least one year of experience as an operator-in-training in that type of facility.

5. Fees Through Minister’s Fee Requirement

O. Reg. 129/04 does not contain any operator fees. Fees will be set through a Minister’s fee requirement.

POLICY CLARIFICATION

This is to clarify that the 40 hours of annual training cannot be pro-rated for part-time operators. Part-time operators are to receive the full 40 hours of training.

NEW FEES

Some wastewater operator fees have been increased by approximately 50% to adjust for inflation for the period from 1987 to 2003. The new fees for wastewater and drinking water operators, and water quality analysts are shown on the next page.

Fee	Drinking Water Operator Fee	Operators-in-Training		Wastewater Operator Fee	Water Quality Analyst
		DW OIT	WW OIT		
Exam	\$75	\$30 (all 4 exams)	\$30 (all 4 exams)	\$75	\$75
Certificate	\$115	\$30	N/A	\$115	\$115
Certificate Renewal	\$115	\$115	\$75	\$75	\$75
Late Renewal	\$25	N/A	N/A	N/A	\$25
Replacement Certificate	\$75	\$75	\$75	\$75	\$75
Facility Classification*	\$150	N/A	N/A	N/A	N/A
Course Assessment**	\$50 + \$30 per CEU	N/A	N/A	N/A	\$50 + \$30 per CEU

* Paid by facility owner ** Paid by training provider

FOR COPIES OF THE REGULATION AND FURTHER INQUIRIES

For a copy of the O. Reg. 129/04 visit the ministry's Web site at www.ene.gov.on.ca

For further inquiries contact the Ministry of Environment's Public Information Centre at (416) 325-4000 or 1-800-565-4923.

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