

Clearinghouse Rule 13-054

**Report to
Legislative Council Rules Clearinghouse
Natural Resources Board Order No. WT-29-09
Revisions to ch. NR 114 subch. I, Wis. Adm. Code**

Wisconsin Statutory Authority

Sections 227.11, 281.17 (3)

Federal Authority

None

Court Decisions Directly Relevant

None

Analysis of the Rule – Rule Effect – Reason for the Rule

Operator certification requirements in Wisconsin originated with Chapter 614, Wisconsin laws of 1965. After passage of the Clean Water Act of 1972, the operator certification program became more solidified with the establishment of wastewater treatment plant classifications (1,2,3,4) and numerous subclasses. Study guides and exams were developed for operators of the different classes and subclasses of treatment plants. The Bureau of Science Services administers the certification program, while the Bureau of Water Quality provides the technical base and support. Examinations are given in each of the regions twice a year in May and November.

The program underwent code revisions in the 1990's and currently has a critical need of revisions with the advent of changes and innovation in computer and wastewater technologies over the past two decades. Wisconsin permits over 1000 industrial and municipal wastewater treatment works and has 2400 certified operators operating these wastewater facilities. In the past 25 years, most treatment plants have more received stringent effluent limitations, and have become more complex and technologically advanced through upgrading and new construction. Well operated and maintained wastewater treatment works (sewer systems and treatment plants) by knowledgeable and skilled operators directly translates into protections of public health and the environment. Increased competency of operators also results in more consistent and improved compliance with Wisconsin Pollutant Discharge Elimination System (WPDES) permit requirements. This then leads to fewer instances of noncompliance and a lowered potential for costs due to enforcement of permit violations by the Department.

Chapter NR 114, Subchapter I – Certification of Waterworks and Wastewater Treatment Plant Operators, Wis. Adm. Code, is being repealed and recreated to achieve five objectives: (1) update and revise treatment plant classifications and subclasses to reflect new and changed technologies; (2) eliminate advanced certification examinations and replace them with an advanced certification point system to allow operators more flexibility and educational options towards advancement; (3) expand certification to include sanitary sewer collection systems; (4) provide more options for a new generation of operators to gain knowledge and competency through on-line classes and apprenticeship opportunities; and (5) separate the certification requirements for waterworks and wastewater works operators for improved readability and understanding.

Chapter NR 114, Wis. Adm. Code, establishes revised plant classification levels (basic or advanced) and subclasses; an advanced certification point system; future certification requirements for sanitary sewer collection systems and a fair conversion (grandfathering) process of transferring existing operators into the new certification system.

Agency Procedures for Promulgation

Public hearings, Natural Resources Board final adoptions and legislative review.

Description of any Forms (attach copies, if available)

None

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