

HOUSE BILL REPORT

HB 2298

As Reported by House Committee On:
Environment

Title: An act relating to wastewater operator certifications.

Brief Description: Concerning wastewater operator certifications.

Sponsors: Representatives Haler, Fitzgibbon, Dolan, Fey, Hudgins, McBride, Stanford and Ormsby; by request of Department of Ecology.

Brief History:

Committee Activity:

Environment: 1/11/18, 1/18/18 [DPS].

Brief Summary of Substitute Bill

- Directs the Department of Ecology (Ecology) to establish wastewater treatment plant operator certification fees, in consultation with an advisory committee, in an amount that recovers the expenses incurred by Ecology in administering the wastewater treatment plant operator certification program.
- Directs Ecology to conduct a workload analysis and prepare a biennial budget estimate for the wastewater treatment plant operator certification program after adopting the initial fee schedule.
- Directs Ecology to submit a report to the Legislature describing the need for any future fee increases that are above the state's fiscal growth factor, due to an expansion of the wastewater treatment plant operator certification program.

HOUSE COMMITTEE ON ENVIRONMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys, Dye and McBride.

Staff: Robert Hatfield (786-7117).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

The Department of Ecology (Ecology) implements the wastewater treatment plant operator certification program (program). To implement the program, Ecology is authorized to categorize wastewater treatment plants by size, type, and complexity to address the experience and skill level needed by a certified operator to protect the public health and the state's waters; determine qualifications and certification of operators for different classification of wastewater treatment plants; and to certify operators.

Certification under the program is achieved through passage of an examination and is available in five levels, each with progressively higher requirements for education and experience. Certification must be renewed every three years. There are currently around 2,000 certified wastewater treatment plant operators in Washington.

The fee for a wastewater treatment plant operator certificate is \$50 for a new certificate and \$30 for a renewed certificate. The fee levels are set in statute and were last amended in 1987, when they were raised from the original amounts of \$10 for a new certificate and \$5 for a renewal. The fee revenue is deposited into the State General Fund.

Summary of Substitute Bill:

The Department of Ecology (Ecology) is directed to establish application fees and renewal fees for the wastewater treatment plant operator certificate, in consultation with an advisory committee.

The fees must be established in an amount that fully recovers, but does not exceed, Ecology's cost to operate the wastewater treatment plant operator certification program (program), as identified in Ecology's biennial operating budget.

Ecology must conduct a workload analysis and prepare a biennial budget estimate for the program after adopting the initial fee schedule.

Ecology must submit a report to the Legislature describing the need for any future fee increases that are above the state's fiscal growth factor, due to an expansion of the program.

Substitute Bill Compared to Original Bill:

The Department of Ecology (Ecology) is required to consult with an advisory committee when it establishes the fee schedule. The point at which Ecology is required to conduct a workload analysis and prepare a biennial budget is changed, to occur after Ecology establishes the initial fee schedule. A requirement is added that Ecology submit a report to the Legislature describing the need for any future fee increases that are above the state's fiscal growth factor, due to an expansion of the wastewater operator certification program.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on January 19, 2018.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The nuclear industry relies on human factor specialists to determine precisely what each job in a nuclear power plant requires. A training program based on that level of rigor ensures that few mistakes can occur. A training program of this caliber is needed to avoid some of the environmental problems that have occurred in the past year. Wastewater treatment plants are the first line of defense for keeping pollution out of the water. The wastewater treatment plant operator program (program) ensures that operators meet certification standards and stay current. The program certifies approximately 2,000 operators at approximately 265 wastewater treatment plants. The fees have been set at a flat rate but they have not kept pace with the costs of administering the program. As a result, the program is currently operating at a deficit of approximately \$345,000 annually. The bill would ensure that the program is fully funded by operator fees, and would end funding the program out of the Water Quality Account.

(Opposed) None.

(Other) There is some concern about the open-ended fee authorization in the current language of the bill. It would be a good idea to adopt some sideboards around the amount of the fee, and to set the fee in statute rather than in rule.

Persons Testifying: (In support) Representative Haler, prime sponsor; and Jason Norberg, Department of Ecology.

(Other) Carl Schroeder, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.