

SENATE BILL REPORT

SB 6325

As Reported by Senate Committee On:
Energy, Environment & Technology, January 23, 2018

Title: An act relating to wastewater operator certifications.

Brief Description: Concerning wastewater operator certifications.

Sponsors: Senators McCoy, Palumbo, Takko, Hunt, Chase and Sheldon; by request of Department of Ecology.

Brief History:

Committee Activity: Energy, Environment & Technology: 1/23/18 [DPS, DNP].

Brief Summary of First Substitute Bill

- Requires the Department of Ecology (Ecology) to establish and collect fees from wastewater operators to fully recover the costs of administering the program to certify wastewater operators.
- Requires Ecology to conduct a workload analysis and prepare a biennial budget estimate for the program.
- Specifies program element costs.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TECHNOLOGY

Majority Report: That Substitute Senate Bill No. 6325 be substituted therefor, and the substitute bill do pass.

Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Hawkins, Hobbs, McCoy, Ranker, Sheldon and Wellman.

Minority Report: Do not pass.

Signed by Senators Ericksen, Ranking Member; Brown.

Staff: Jan Odano (786-7486)

Background: Ecology implements the Wastewater Operator Certification program (program). To implement the program, Ecology is authorized to categorize wastewater

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.

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.

A wastewater treatment plant must be operated by a certified operator. There are five levels of wastewater certification in Washington. The certification levels range from an operator in training to Group IV. Each level of certification has education and experience requirements. All certification levels require a high school diploma or GED, in addition to specific experience and college credit. An applicant must take and pass an exam to become a certified operator. The application fee is \$50.

A wastewater operator certification is valid for up to three years. Upon certification renewal, the wastewater operator must present satisfactory evidence of professional growth along with a \$30 fee. Wastewater operators who fail to renew their certification must be suspended for 60 days. If the certification is not renewed within the 60 days, Ecology must revoke the certification. Wastewater operators who have had their certification revoked must reapply and meet all requirements as a new applicant.

Ecology is required to collect fees for issuing and renewing certificates sufficient to cover the cost of the certification program.

During the 2017 Legislative Session, the Legislature created the Wastewater Treatment Plant Operator Certification Account for the receipt of all wastewater operator certification fees.

Summary of Bill (First Substitute): Ecology, with the advice of an advisory committee, must establish an initial fee schedule. The fees must be sufficient to fully recover and not to exceed expenses for issuing and renewing wastewater operator certification. Ecology must conduct a workload analysis to determine a biennial budget estimate for the wastewater operator certification program. Ecology must assess and collect fees from all wastewater operators that fully recover the costs identified in the biennial budget. Ecology must submit a report to the Legislature when fee increases due to an expansion of the program are greater than the fiscal growth factor. The report must describe the need for the fee increase.

The program costs include evaluating applications to verify compliance with certification requirements; administering examinations; ensuring operators receive necessary training; education and training of program staff; outreach and technical assistance; enforcement; and supporting program overhead administration expenses.

Ecology must conduct a workload analysis and prepare a biennial budget estimate for the program.

EFFECT OF CHANGES MADE BY ENERGY, ENVIRONMENT & TECHNOLOGY COMMITTEE (First Substitute):

- Requires Ecology to establish an initial fee schedule with the advice of an advisory committee.

- Clarifies that subsequent fees are informed by a workload analysis and biennial budget.
- Directs Ecology to submit a report to the Legislature if the fee increase, due to expansion of the program, is greater than the fiscal growth factor.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Draft Bill: PRO: Wastewater treatment plants are the first line of defense to protect public health and the waters of our state. Certified professional wastewater treatment plant operators are needed to run these plants to ensure the public health and safety. The wastewater operator treatment plant program certifies operators. The fees have been set in statute for the last 36 years and have not kept pace with the costs of the program. The Water Quality program has subsidized the program. This bill will update the fee structure to align with current program costs and ensure the program is fully funded by operator certification fees.

Persons Testifying: PRO: Jason Norberg, Department of Ecology.

Persons Signed In To Testify But Not Testifying: PRO: Bruce Wishart, Puget Sound Keepers.

OTHER: Carl Schroeder, Association of Washington Cities.