

COMMONWEALTH OF VIRGINIA  
Department of Environmental Quality  
Division of Water Quality  
Larry G. Lawson, P.E., Director

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**Subject:** Guidance Memorandum Number 04-2003  
Certification of Operator Requirements

**To:** Regional Directors

**From:** Larry G. Lawson, P.E., Director



**Date:** January 20, 2004

**Copies:** Regional Office Deputy Directors, Regional Office Permit Managers, Regional Office Compliance and Enforcement Managers, Jon van Soestbergen

**Summary:**

The purpose of this guidance is to establish a procedure to facilitate the process of obtaining a licensed operator when an existing wastewater treatment plant operator requirement is changed from None to Class IV or Class III.

The procedure was developed in cooperation with the State Board for Waterworks and Wastewater Works Operators, the Department of Professional and Occupational Regulation (DPOR) and the State Department of Health to allow owners/supervisors to verify wastewater treatment related experience gained by a staff member in the two year period immediately prior to the effective date of the new Class IV or III licensed operator requirement. Without this procedure, experience gained prior to the effective date of the license requirement will not be accepted as operating experience. Failure to follow this procedure can result in added financial burden on the owner and could significantly delay full compliance with the license requirement.

This guidance only applies to **existing** facilities where the licensed operator requirement of the VPDES or VPA permit changes from "none" to Class IV or Class III. It provides a mechanism to validate time spent operating the facility prior to the effective date of the permit requirement for a licensed operator so that it can be recognized as "operating experience" as defined by the State Board for Waterworks and Wastewater Works regulations (18 VAC 160-20-10 et.seq.). It does not reduce or eliminate any of the requirements of the wastewater operator licensing program. License applicants must apply for licensure and meet experience requirements and pass the appropriate examination.

This guidance supercedes guidance memo GM 99-2002 *State Board For Waterworks and Wastewater Works Operator Experience Exception*

**Electronic Copy:**

An electronic copy of this guidance in PDF format is available for staff internally on DEQNET, and for the general public on DEQ's website at:

<http://www.deq.state.va.us/water/>

**Contact information:**

Please contact Jack Vanderland. Office of Operator Training, 804 698 4092, or [jwvanderland@deq.state.va](mailto:jwvanderland@deq.state.va) if you have any questions about this guidance.

**Disclaimer:**

**This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, It does not mandate any particular method nor does it prohibit any particular method for the analysis of data, establishment of a wasteload allocation, or establishment of a permit limit. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.**

## Procedure

Determine if the licensed operator requirement for an existing wastewater treatment system will be changed from "None" to "Class IV" or "Class III" as early as possible in the permit drafting process. and notify the facility. The notification can be included in the fact sheet, transmittal letter or in any other document normally generated by the permit process. It is important that the notification state; (1) the facility's current permit does not require a licensed operator; (2) the facility's new permit will require a Class (IV or III) licensed operator and (3) the date the requirement will become effective.

As a courtesy, the owner should also be informed that the person currently responsible for the operation of the plant may qualify for licensure if:

- Their experience at the plant occurred in the two year period prior to the effective date of the licensed operator requirement
- The owner/person responsible for supervising the staff member operating the treatment plant signs the license application experience verification form
- A copy of the DEQ notification of the change in the licensed operator requirement from none to Class IV or Class III is included with the license application
- They meet all of the requirements established by the State Board for Waterworks Wastewater Works Operators regulations(18VAC 160-20-10 et. seq.) for the license class required.
- They pass the appropriate license exam.

Since many facility owners are not familiar with the licensing program requirements, providing a copy of the brochure shown in Attachment A may also be beneficial. Facility owners and operators can also be referred to the Department's Office of Operator Training for additional information and assistance.

## Possible Wording:

*Your new (VPDES/VPA) permit will include a new requirement for a licensed operator. Your current VPDES/VPA permit does not require a licensed operator. Beginning on the effective date of the new permit, plant operations must be under the supervision of an individual possessing a valid Virginia Class (IV/III) or higher wastewater license.*

*The person currently responsible for operation and maintenance of the facility may qualify for the required license. He or she must meet the experience requirement and successfully complete the appropriate examination. The licensing program is administered by the Department of Professional and Occupational Regulation (DPOR). Since this is a new requirement for your facility DPOR will recognize time spent operating and maintaining the plant in the two year period prior to the effective date of the new permit as "operating experience". To receive credit for this experience your employee's application*

*must include a copy of this notification and an experience verification form completed and signed by his/her immediate supervisor. Please be sure the verification form includes a description of the plant, the amount of time required each day to operate and the length of time the applicant has performed these duties .*

*This applies only to the person designated as responsible for the operation of the plant and to experience gained in the two year period prior to the effective date of the new requirement. Any experience gained as a trainee (unlicensed operator) after the permit requirement becomes effective will not be accepted unless it is supervised and verified by a licensed operator.*

## **Discussion**

The State Board for Waterworks and Wastewater Works Operators (License Board) regulations include an operational experience requirement that can only be met by (a) working as an operator in training under the supervision of a licensed operator or (b) working as the licensed operator at a facility one classification lower than the license sought. This experience must be at a wastewater works as defined in Section 54.1 Chapter 23 of the Virginia Code. Under this definition, small wastewater treatment plants (<40,000 gpd) and industrial wastewater treatment plants are wastewater works only when "certified" by the State Water Control Board. For a number of years, the mechanism used to "certify" these facilities has been the VPDES or VPA permit. If the facility's permit includes a requirement for a licensed operator, it is a wastewater works. If there is no requirement, it is not a wastewater works and experience gained at the plant is not recognized as operating experience when applying for a license. During permit re-issuance many facilities that originally were not required to have a licensed operator are being required to have a Class IV or Class III operator. In many cases when this happens the individual currently responsible for operation and maintenance of the plant applies for licensure only to be denied because the time spent operating the plant prior to the effective date of the new permit does not meet the definition of "operating experience". This can result in significant added expense for the owner who must either replace the current employee with a licensed operator or obtain the services of a contract operator for six months to two years to oversee the operation until the existing employee gains sufficient operating experience to qualify.

The License Board originally addressed this problem at its April 1998 meeting by requesting DPOR to accept experience gained prior to the "certification" as operating experience and to allow the facility owner to verify the experience. After that meeting DEQ staff developed a guidance memo (99-2003) to assist in implementation. Recently the License Board determined that in addition to the relatively small number of wastewater treatment systems affected by this, there are a large number of previously "non-certified" waterworks that would be required to have licensed operators. As a result, the License Board formalized its guidance in the form of a motion passed at its September 2002 meeting. The motion directs DPOR to recognize experience gained at a facility in the two year period just prior to the effective date of the new permit requirement for a licensed

operator as operating experience and to accept verification forms for this experience signed by the employee's supervisor.

Since DPOR does not have access to DEQ permit information and is unable to determine if a facility is covered by this motion, a procedure was needed to ensure owners of facilities with new licensed operator requirements know this option exists and have the needed verification to qualify.

## Definitions

To understand the requirements of the operator licensing program you will need the following definitions. These definitions are based on those given in the licensing laws (Title 54.1 Chapter 23 Waterworks and Wastewater Works Operators) and the State Board for Waterworks and Wastewater Works Operator Regulations (18 VAC 160-20-10 et. seq.)

**Category** - The two divisions of licenses - waterworks and wastewater works.

**Classification** - The licenses within each category. For wastewater works these are Class I (highest), Class II, Class III & Class IV (lowest).

**Experience** - Time spent learning how to physically and theoretically operate the wastewater works as an operator or operator in training.

**Wastewater Licensed Operator** - An operator with a license in the wastewater category with a classification equal to or higher than that of the wastewater works.

**Operate** - any act of an individual which may impact on the finished water quality at a waterworks or the plant effluent at a wastewater works.

**Wastewater Works** - a system of sewerage systems or sewage treatment works serving more than 400 persons or a sewerage system serving less than 400 persons if certified by the State Water Control Board or facilities for the discharge into state waters of industrial wastes or other wastes if certified by the State Water Control Board

## License Classes

There are currently four classifications of wastewater operator licenses. A complete description of the requirements for each of the following license classes and a description of the size and type of plant each license class covers can be found in the State Board for Waterworks and Wastewater Works Operator Regulations (18 VAC 160-20-10 et. seq.) Parts II & IV

**Class IV** (Lowest) Permits the licensee to operate Class IV wastewater treatment plants

**Class III** Permits the licensee to operate Class IV & Class III wastewater treatment plants

**Class II** Permits the licensee to operate Class IV, Class III and Class II wastewater treatment plants

**Class I** (Highest) Permits the licensee to operate any wastewater treatment plant

## Virginia Wastewater Operator Licensing

*This is a summary of the requirements for becoming a licensed wastewater treatment plant operator. It does not take the place of the program statute and regulations. For specific questions always refer to the licensing statute (Title 54.1, Chapter 23) and the Board for Waterworks and Wastewater Works Operators regulations (18VAC160-20-10 et. seq.) or contact the staff of the water/wastewater licensing section of the Department of Professional and Occupational Regulation.*

## License required

Anyone who operates a wastewater works as defined by the State Board for Waterworks and Wastewater Works Operator law and regulations must have a license of the appropriate class and category.

The requirement for a licensed operator is included in a facility's Virginia Pollutant Discharge Elimination Systems (VPDES) or Virginia Pollution Abatement (VPA) permit. The permit specifies the license classification required to be the plant operator. You must have at least one operator with a valid wastewater operator license of a class equal to or greater than specified plant/operator classification in the permit.

## Program Administration

The wastewater operator licensing program is regulated by the State Board for Waterworks and Wastewater Works Operators and is administered by the Department of Professional and Occupational Regulation (DPOR).

Water & Wastewater Licensing Section  
Department of Professional and Occupational Regulation  
3200 W. Broad St  
Richmond VA 23240  
Telephone 804.367.2176  
email: [waterwasteoper@dpor.state.va.us](mailto:waterwasteoper@dpor.state.va.us)  
website: <http://www.state.va.us/dpor>

## How do I become a licensed operator?

To become a licensed operator you must have operating experience as an operator or an operator in training under the supervision of a licensed operator, pass a license examination and, in some cases, possess a license in a lower classification. The amount of operating experience required is based on the license classification and the education of the applicant. For example, a high school graduate requires 6 months for a Class IV license and six years for a Class I.

**Note:** If the operator requirement for an existing treatment plant changes from "none" to "Class IV" or "Class III", experience gained during the two year period prior to the licensed operator requirement may be accepted if verified by the plant owner/supervisor.

## Operating experience

Operating experience is the time spent working at a wastewater works. If you do not currently possess a license equal to or higher than the plant classification you must be supervised by a licensed operator and that licensed operator must verify your experience on the license application.

## How to apply

Contact the Department of Professional and Occupational Regulations for an application and copy of the program regulations. Regulations, forms and other program information is available in the water and wastewater program section of the Department's website (<http://www.state.va.us/dpor>)

## Substitutions

Board regulations do allow post secondary education, Board approved training and experience as a waterworks operator to be substituted for some required operating experience. Limitations on substitution are detailed in the program regulations (18 VAC160-20-90 C). No substitution is allowed when applying for a Class IV wastewater license. The maximum total substitution allowed in higher license classifications is 50% of the required operating experience.

## Applications

An application is not complete until the completed license application, experience verification forms, examination location request form, fee, and any required support materials (i.e. certificates, diplomas) are received.

## Application Deadline

Only complete applications received at least 60 days prior to a scheduled exam date will be considered. Applications received after the cutoff date will be considered for the next scheduled exam date.

## Examination Dates

Examinations are given three times each year (typically March, July, & November). Dates are posted in the Water and Wastewater Operator section of the Department's website (<http://www.state.va.us/dpor>)

## Examination Locations

Examinations are given in Northern Virginia, Richmond, Tidewater, Roanoke and Abingdon.

## Examination Acceptance

Applicants accepted to take the examinations are notified of their acceptance and the examination location at least 10 days prior to the scheduled examination date.

## Examination

The examinations consist of 50 - 75 (depending on the license classification) multiple choice questions. The exam is 4 hours long and is open book.

## Fees

Current fees are available in the program regulations and on the DPOR website.