

**Idaho Drinking Water Operator
Certification/Operator Licensing Program
Annual Report**

January 1 – December 31, 2009



Department of Environmental Quality

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Introduction

This annual report documents implementation of the Idaho Drinking Water Operator Certification Program from January 1 through December 31, 2009. This is a comprehensive report on drinking water operator certification in Idaho and constitutes the required annual report to the U.S. Environmental Protection Agency (EPA) on this subject.

As discussed below, the report demonstrates that Idaho's mandatory drinking water certification program meets or exceeds the nine baseline standards of the revised program approved by EPA on May 20, 2005.

The Nine Baseline Standards

1. Program Authorization

Program authorization and enforcement authority are provided by an Idaho Deputy Attorney General's certification dated June 7, 2005. (See Appendix A.)

2. Classification of Systems, Facilities, and Operators

Worksheets for system classification are available on the Idaho Department of Environmental Quality (DEQ) operator and certification training Web site at http://www.idahocertificationtraining.com/dw_class.htm#current. System owners or operators are required to fill out and submit these worksheets to DEQ. Information is then entered into the Safe Drinking Water System (SDWIS) database and used to determine the system's classification. Classifications are verified or corrected when requested by systems and when changes are noted during sanitary surveys.

3. Operator Qualifications

Systems Needing Qualified Operators

Under the Idaho Rules for Public Drinking Water Systems, DEQ has authority to require systems to have properly licensed operators (IDAPA 58.01.08.554; See Appendix B.).

DEQ continually emphasizes this requirement with the regulated community in routine contacts and in various publications. As noted, SDWIS data are used to determine each system's classification, which in turn indicates the required level of certification for the system's responsible charge operator. SDWIS is continually updated with information from sanitary surveys and submitted responsible charge operator forms. The form is available on DEQ's operator certification and training Web site at http://www.idahocertificationtraining.com/dw_responsible_charge_form.pdf and from DEQ field office staff. Operators can submit the form postage-paid to DEQ. (See Appendix C.)

Online Operator Search Tool

The year 2009 was the third full year of using the online operator search tool DEQ developed to connect available contract operators with water systems. This online database and search tool, described in Figure 1, enables both operators and systems to find each other. Feedback indicates that contract operators are indeed contracting with systems that find them through this tool. The tool may be accessed at http://www.deq.idaho.gov/water/prog_issues/drinking_water/information_pws.cfm#webapp under the “Operator Licensing Database and Search Tool” section.

The online operator search tool has also been shared with drinking water program staff in neighboring EPA Region 10 states to facilitate similar connections between water systems and qualified operators.

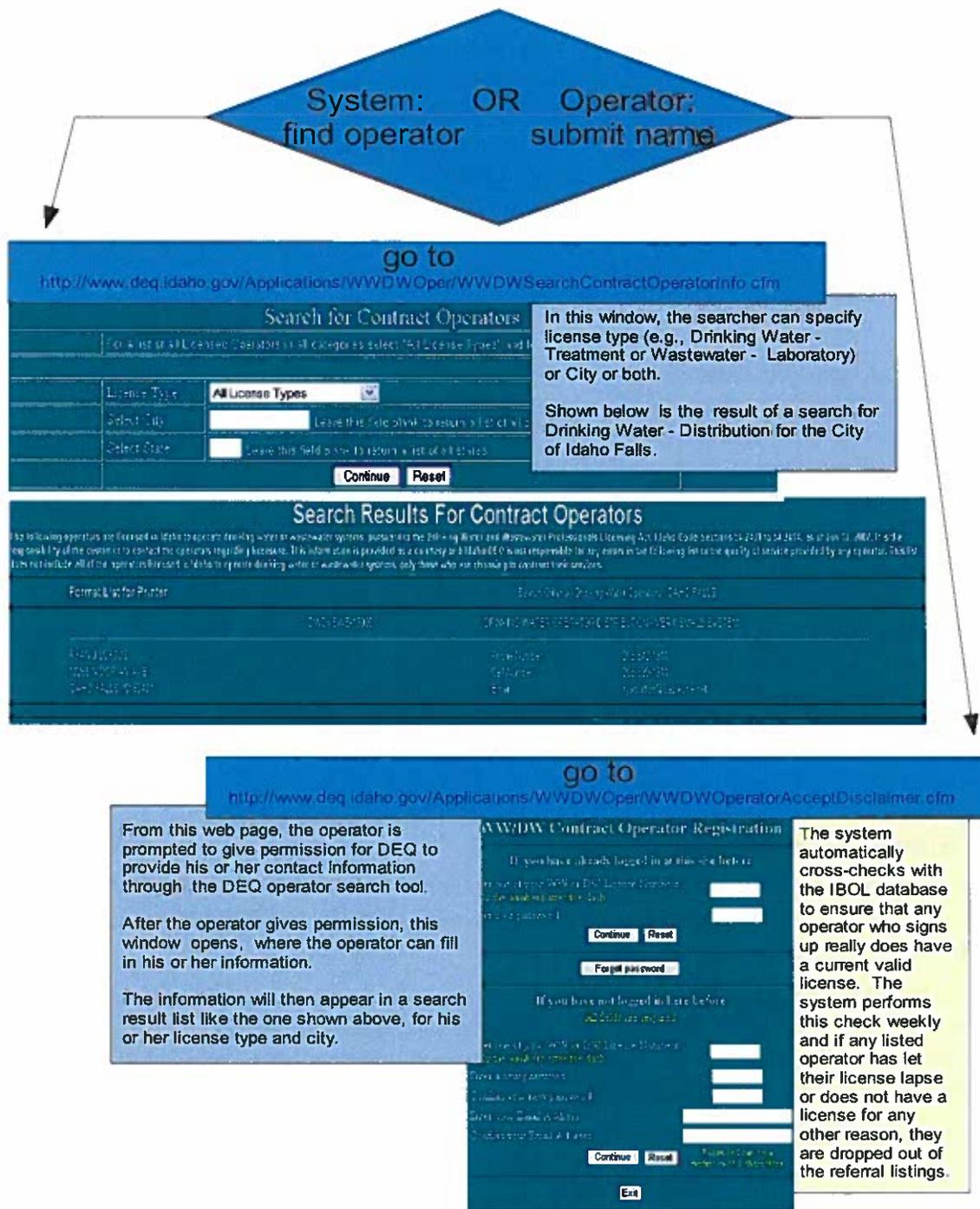


Figure 1. Flowchart of Idaho DEQ's online tool for connecting licensed contract operators with public water systems that need their services.

Operators can access the online database at <http://www.deq.idaho.gov/Applications/WWDWOper/WWDWOperatorAcceptDisclaimer.cfm> and list themselves as available for hire. The tool cross-checks Idaho Bureau of Occupational Licenses (IBOL) records and posts operators' names only if they are properly licensed. The system performs this cross-check weekly using information retrieved from the IBOL database every week. If a listed

operator's license lapses, the database tool automatically drops him/her from the list. At the same time, water system personnel can search the online database at <http://www.deq.idaho.gov/Applications/WDDWOper/WDDWSearchContractOperatorInfo.cfm> for operators available for hire. Searches can be narrowed to include only a certain type of license, such as drinking water distribution. In addition, the booklet, "Recommendations for Hiring a Contract Operator," which includes important questions to ask prospective contract operators, is available from DEQ offices or online at http://www.idahocertificationtraining.com/dw_ww_contractor.pdf.

Operators Needing Licenses

Under the Rules of the Board of Drinking Water and Wastewater Professionals, operators are required to be licensed (IDAPA 24.05.01.250). The IBOL Web site (<http://www.ibol.idaho.gov/>) provides applications and supporting information, including the qualifications an operator must have to obtain a license. Through the IBOL Web site, operators can obtain and renew licenses and update personal information. DEQ draws information from the IBOL Web site when evaluating system compliance.

Public Reporting of Operator Qualifications

The public can find out whether an operator holds a current license through a continuously updated search page on the IBOL Web site at <https://secure.ibol.idaho.gov/IBOL/AgencyAdditional.aspx?Agency=427&AgencyLinkID=570>.

4. Enforcement

Enforcement of system requirements is handled by DEQ, while enforcement of operator licensing is handled by IBOL. Each agency addresses enforcement issues according to its established protocol.

DEQ includes violations involving lack of a qualified operator in enforcement actions that are initiated for other reasons. During January 1-December 31, 2009, DEQ initiated 69 separate enforcement actions, none of which included a violation associated with failure to have an appropriately qualified operator.

If lack of a qualified operator is discovered during a sanitary survey, it is noted on the Preliminary Inspection Findings Form (PIFF). A PIFF is completed and discussed with the water system representative at the end of each sanitary survey before the inspector leaves the site. In addition, one copy of the completed form is left with the water system representative. If applicable, an apparent licensing violation would be noted as a significant deficiency, requiring the water system to develop an approved plan to address the deficiency within 45 days. Any violation of licensing requirements, if clearly established during inspection follow-up, is included in the final inspection report as well.

When notified during a sanitary survey of a violation of the licensed operator requirement, some systems have used the online operator search tool described above to find a qualified contract operator.

Information on enforcement actions is available to the public on the IBOL Web site at <https://secure.ibol.idaho.gov/eIBOLPublic/FormalActionBrowser.aspx?Bureau=WWP>.

5. Certification Renewal

Continuing Education Requirement

Under the Rules of the Board of Drinking Water and Wastewater Professionals (IDAPA 24.05.01.500), each licensed operator is required to annually complete a minimum of 0.6 continuing education units (CEUs) equal to six hours of contact training time. An operator wishing to renew a license must also submit a signed affidavit certifying completion of the required continuing education (the annual professional growth requirement) as well as a renewal fee and approved form. IBOL routinely audits the continuing education reported by operators in their affidavits. One enforcement action listed on the IBOL Web site cited violations of this requirement. The specific findings of this action can be viewed at

<https://secure.ibol.idaho.gov/eIBOLPublic/FormalAction.aspx?Bureau=WWP&ActionYear=2008&ActionID=25>.

Continuing Education / Training Program

The Board of Drinking Water and Wastewater Professionals and its agent, IBOL, manage the continuing education approval component of the operator certification program. To be credited toward license renewal, continuing education training must be approved by the State before the scheduled training date.

The following information is available on the Web sites listed below:

- Continuing education required for license renewal:
<https://secure.ibol.idaho.gov/IBOL/BoardAdditional.aspx?Bureau=WWP&BureauLinkID=130>
- List of currently approved courses:
<https://secure.ibol.idaho.gov/eibolpublic/cecousebrowser.aspx?bureau=wwp>.
- Information on training approval for providers:
<https://secure.ibol.idaho.gov/IBOL/BoardAdditional.aspx?Bureau=WWP&BureauLinkID=131>. This page includes links to the training approval guidelines at <https://secure.ibol.idaho.gov/IBOL/WWP/Documents/Training%20Ref%20%20Guide.pdf> and the required application for training approval (Education Approval Form).
- Continuing Education Opportunities
Training opportunities offered by different training providers include the following:
 - **DEQ's contract operator trainer**—since the early 1980s, DEQ has contracted with a trainer to provide drinking water (and wastewater) training to operators throughout the state. Currently, Brown Environmental, Inc. is the contractor providing this training. Brown Environmental was contracted in 2009 to provide 76 days of training.
 - **Operator Expense Reimbursement Program**—Training offered under the Operator Expense Reimbursement Program consists of free classes delivered by Brown

Environmental for personnel from systems serving 3,300 or fewer customers. Information on the Operator Expense Reimbursement Program is available at <http://www.idahocertificationtraining.com/reimbursement.htm>. The most recent annual report with details on this program was completed in March 2010.

- **Other Organizations**—other organizations that provide drinking water (and/or wastewater) training throughout the state include professional operator organizations and the Idaho Rural Water Association. In addition to gaining recognition through advertising and publicity, these organizations are listed on the IBOL Web site at <https://secure.ibol.idaho.gov/IBOL/BoardAdditional.aspx?Bureau=WWP&BureauLinkID=140> (also linked from the DEQ certification and training Web site at <http://www.idahocertificationtraining.com/>).

6. Resources Needed to Implement the Program

The resources to provide program oversight for various functions and directly perform other functions are discussed below.

Staff. IBOL and DEQ jointly provide staff for successful implementation of the program.

IBOL administrative staff includes Tana Cory, Bureau Chief; Budd Hetrick and Dawn Hall, Deputy Bureau Chiefs; and Cherie Simpson, Management Assistant. IBOL office staff also includes one administrative assistant, eight technical records specialists, one customer service representative, two office specialists, one financial specialist, and one financial support technician. The IBOL Investigative Unit consists of an investigative coordinator, an appeals hearing technician, a chief investigator, and 10 field investigators.

In the DEQ State Office, staff consists of Barry Burnell, Water Quality Division Administrator; Lance Nielsen, Drinking Water Program Manager; an operator certification project manager; and an operator certification training coordinator. DEQ staff also includes two information system specialists, one assigned exclusively to the SDWIS, as well as clerical and technical support, legal counsel, and related management. In addition, at least two drinking water staff is located in each of six DEQ Regional Offices and at least one staff member in each of seven District Health Department offices. Field staff answers questions, distribute information, and coordinate with state office staff as needed on enforcement actions. District Health Departments are under contract to DEQ to perform the same duties as DEQ personnel for some of the smaller public water systems.

Data Management. All operator information is processed and managed by IBOL using its established system. Public water system information is collected and managed by DEQ.

Enforcement. Enforcement related to individual operators is conducted by the Board of Drinking Water and Wastewater Professionals and IBOL; enforcement related to systems is conducted by DEQ. Both agencies have enforcement procedures in place.

Administration. Joint (Same as staff above).

Fee System. The IBOL licensing operation is financially self-sustaining, depending solely on dedicated funds generated through license renewals, applications, and

examination fees. Fees for application or reinstatement are \$25. These and other fees are established in the Rules of the Board of Drinking Water and Wastewater Professionals (IDAPA 24.05.01.200).

7. Stakeholder Involvement

Ongoing stakeholder involvement for the drinking water operator certification program is provided largely by the Drinking Water Advisory Committee as prescribed in IDAPA 58.01.08.563 (for DEQ) and IDAPA 24.05.01.800 (for the Board of Drinking Water and Wastewater Professionals). Coordination between DEQ and the Board is primarily provided by Barry Burnell, who is DEQ's Water Quality Division Administrator and a member of the Board of Drinking Water and Wastewater Professionals.

More information on the Drinking Water Advisory Committee, including agendas and minutes for its meetings, is available on DEQ's Web site at http://www.deq.state.id.us/water/prog_issues/drinking_water/dwac.cfm.

8. Program Review

Each agency has its own procedures for conducting program reviews, as described in previous annual reports. The entire certification/licensing program were thoroughly reviewed and a revised program submitted and approved in 2005.

9. Implementation Schedule

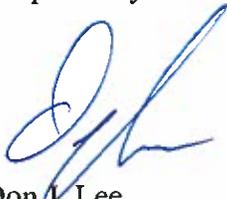
The program is fully implemented. Further improvements to efficiency will be implemented as opportunities and needs are identified.

Conclusion

During 2009, the program was operated as described in the approved revised program. Idaho's drinking water systems continue to deliver safe and reliable drinking water.

Submittal

Respectfully submitted,



Don J. Lee

Idaho Drinking Water Program-Field Services Lead

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Appendix A
Attorney General Certification of Authority

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STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

June 7, 2005

Mr. William Chamberlain
Environmental Engineer
U.S. Environmental Protection Agency
Region 10
1200 6th Avenue
Seattle, WA 98101

RE: Operator Certification Program

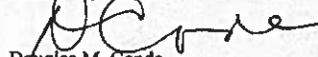
Dear Mr. Chamberlain:

The United States Environmental Protection Agency Operator Certification Guidelines-Implementation Guidance, EPA 816-R-00-022, January 2000, requires each state's Attorney General or the Attorney General's designee to certify that the state has the legal authority or other means to require the certification of operators of all community and nontransient noncommunity water systems and that the state can enforce compliance with the appropriate requirements of the program under current Idaho law.

Accordingly, as the Deputy Attorney General assigned to represent the Idaho Department of Environmental Quality in this matter and as the Attorney General's designee, I certify as follows:

That in my opinion, the state of Idaho has duly adopted operator certification statutes and rules and that these statutes and rules are enforceable under State law.

Yours very truly,


Douglas M. Conde
Deputy Attorney General

DMC/bak

Natural Resources Division, Environmental Quality Section,
1410 N. Hilton, 2nd Floor, Boise, Idaho 83708-1255
Telephone: (208) 373-0484, FAX: (208) 373-0481

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Appendix B
Pertinent Portion of the Idaho Rules for
Public Drinking Water Systems

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Appendix B
Pertinent Portion of the Idaho Rules for Public Drinking Water Systems

554. LICENSE REQUIREMENTS.

01. Licensed Operator Required. (4-6-05)

a. Owners of all community and nontransient noncommunity public drinking water systems must place the direct supervision of their drinking water system, including each treatment facility and/or distribution system, under the responsible charge of a properly licensed operator.

(4-6-05)

b. Owners of all surface water systems must place the direct supervision of their public drinking water system under the responsible charge of a properly licensed operator.

(4-6-05)

02. Responsible Charge Operator License Requirement. An operator in responsible charge of a public drinking water system must hold a valid license equal to or greater than the classification of the public water system where the responsible charge operator is in responsible charge.

(4-6-05)

03. Substitute Responsible Charge Operator License Requirement. At such times as the responsible charge operator is not available, a substitute responsible charge operator shall be designated to replace the responsible charge operator. A substitute responsible charge operator of a public water system must hold a valid license equal to or greater than the classification of the public water system where the substitute responsible charge operator is in responsible charge.

(4-6-05)

04. Shift Operator Requirement. Any public drinking water system subject to these requirements with multiple operating shifts must have a designated properly licensed operator available for each operating shift. An on-duty designated shift operator does not replace the requirements in Subsections 554.01 and 554.03 for responsible charge operator coverage during all operating shifts.

(4-6-05)

05. Water Operator License Requirement. All operating personnel at public drinking water systems subject to these requirements making process control/ system integrity decisions about water quality or quantity that affect public health must hold a valid and current license.

(4-6-05)

555. -- 559. (RESERVED).

560. CONTRACTING FOR SERVICES.

Public water systems may contract with persons to provide responsible charge operators and substitute responsible charge operators. Proof of such contract shall be submitted to the Department prior to the contracted person performing any services at the public water system.

(4-6-05)

561. -- 562. (RESERVED).

563. ADVISORY GROUP.

Stakeholder Involvement. Ongoing stakeholder involvement will be provided through the existing drinking water advisory committee at the Department.

(4-5-00)

Appendix B
Pertinent Portion of the Idaho Rules for Public Drinking Water Systems

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Appendix C
Public Drinking Water System Responsible
Charge Operator Report Form – “RIC” Form

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Appendix C
Form for Requesting Training Approval

Responsible Charge Operator Report



Idaho Public Drinking Water Program

Fill out a separate form for each treatment and distribution system

Public Drinking Water System information:

Public Drinking Water System Name
(Legal Name of Record) _____

Public Water System Number _____

Owner of Record or Responsible Legal Party _____

Mailing Address of System

Street _____ City _____ State _____ Zip _____

Physical Address of System

Street _____ City _____ State _____ Zip _____

System Classification Information:

Public Water System Type (Check one, then check appropriate class below): Treatment Distribution

Public Water System Class (Check one):

VSWS Class I Class II Class III Class IV Class Unknown

Responsible Charge Operator:

As the owner or owner's designee of the public drinking water system identified above, I understand it is my responsibility to designate a properly licensed person (or persons) to be Responsible Charge Operator(s), depending on the size and nature of the system, to directly supervise the performance of operations and employees on a daily basis at such times that the system is in operation. I further understand it is my responsibility to designate a properly licensed person (or persons) to be Substitute Responsible Charge Operator(s) to perform the duties of the responsible charge operator in their absence.

I have designated the following person(s) as Responsible Charge Operator(s) for this system.

Responsible Charge Operator _____

License Number _____

Responsible Charge Operator _____

License Number _____

Substitute Responsible Charge Operator:

I have designated the following person(s) as Substitute Responsible Charge Operator(s) for this system.
(NOTE: A substitute must be a different person than the Responsible Charge Operator).

Substitute Responsible Charge Operator _____

License Number _____

Substitute Responsible Charge Operator _____

License Number _____

I certify that I am the owner of this public drinking water system, or legally designated to represent the owner of this public drinking water system, and that the responses provided herein are true and accurate.

Owner Signature _____ Date _____

Return completed form to: Attention: Joan Thomas, DEQ, 1410 N. Hilton, Boise, ID 83706 - you may use the mailer on the reverse side.
Keep a copy of this form for your records.



