



House of Representatives

General Assembly

File No. 512

January Session, 2009

Substitute House Bill No. 6461

House of Representatives, April 6, 2009

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING WORKERS' COMPENSATION AND THE WASTEWATER TREATMENT FACILITY OPERATOR CERTIFICATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-416 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Commissioner of Environmental Protection shall examine all
4 existing or proposed disposal systems, and shall compel their
5 operation in a manner which shall conserve and protect the natural
6 resources and environment of Connecticut and protect the public
7 health, safety and welfare.

8 (b) No disposal system shall be built or operated until the plan or
9 design of the same and the method of operation thereof have been
10 filed with said commissioner and approved by him, and no such
11 system or facility shall be extended or replaced, until the plan for the
12 same has been approved by him. This subsection shall not apply to any
13 disposal system treating a discharge for which a permit has been

14 issued under section 22a-430 or 22a-430b.

15 (c) The commissioner may, by regulations adopted in accordance
16 with the provisions of chapter 54, delegate to municipalities or
17 regional sewer authorities the authority to review and approve plans
18 and specifications for the design and construction of sanitary sewers.
19 Such regulations may include, but not be limited to, provisions for (1)
20 minimum design and construction requirements, (2) the retention of
21 such authority by the commissioner for certain types of facilities or
22 environmentally sensitive areas, and (3) the identity of municipalities
23 and regional sewer authorities to which such authority is delegated.

24 (d) As used in this section the terms "class I", "class II", "class III" and
25 "class IV" mean the classifications of wastewater treatment plants
26 provided for in regulations adopted by the Department of
27 Environmental Protection. The Commissioner of Environmental
28 Protection may establish requirements for the presence of approved
29 operators at pollution abatement facilities. Applicants for class I and
30 class II certificates shall only be required to pass the relevant
31 standardized national examination prepared by the Association of
32 Boards of Certification for Wastewater Treatment Facility Operators.
33 Applicants for class III and class IV certificates shall only be required
34 to pass the relevant standardized national examination prepared by
35 the Association of Boards of Certification for Wastewater Treatment
36 Facility Operators supplemented with additional questions submitted
37 by the commissioner to such board. Operators with certificates issued
38 by the commissioner prior to May 16, 1995, shall not be required to be
39 reexamined. The commissioner shall administer and proctor the
40 examination of all applicants. The qualifications of the operators at
41 such facilities shall be subject to the approval of the commissioner. The
42 commissioner may adopt regulations, in accordance with the
43 provisions of chapter 54, requiring all operators at pollution abatement
44 facilities to satisfactorily complete, on a regular basis, a state-certified
45 training course, which may include training on the type of municipal
46 pollution abatement facility at which the operator is employed and
47 training concerning regulations promulgated during the preceding

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There are no fiscal impacts to the state or municipalities under the bill's provisions. It is estimated there are over 1,000 waste water treatment operators in the state and they are funded from a utility surcharge.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6461*****AN ACT CONCERNING WORKERS' COMPENSATION AND THE WASTEWATER TREATMENT FACILITY OPERATOR CERTIFICATION.*****SUMMARY:**

This bill requires the environmental protection commissioner to recertify a class I, II, III, or IV wastewater treatment facility operator if that operator, for any time from January 1, 2004, to January 1, 2010, stopped being employed due to a work-related compensable injury for two or more years and applies for recertification before January 1, 2012. It specifies the operator will be recertified at his or her previously held class.

Current regulation states that an operator's certificate becomes inactive two years after the date his or her operator's employment terminated (Conn. Agencies Reg. § 22a-416-5(c)(3)).

EFFECTIVE DATE: Upon passage

BACKGROUND***Wastewater Treatment Facility Operator Classifications***

By law and regulation, class I, II, III, and IV wastewater treatment operator applicants must meet certain educational and experience criteria in order to qualify to take a class I, II, III, or IV exam. The higher the class level the greater the experience and education requirements necessary to qualify.

A class I operator must have (1) at least one year of experience in the operation of a wastewater facility, (2) a high school diploma or G.E.D., (3) successfully completed the basic wastewater treatment facility operation course, and (4) passed the class I exam. A class II operator

must have (1) at least three years experience in the operation of a wastewater facility, (2) a high school diploma or G.E.D., (3) successfully completed at least 30 continuing education units (CEU) in a field the commissioner determines to be related to wastewater facility operation, of which at least 18 CEUs are directly related to wastewater facility operation, and (4) passed the class II exam.

The requirements for classes III and IV are progressively more rigorous with additional years of experience and additional CEUs required. The commissioner can permit individuals to work as "operators in training," which means they have satisfied all the requirements except for facility work experience.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute Change of Reference
Yea 10 Nay 1 (03/10/2009)

Environment Committee

Joint Favorable
Yea 26 Nay 5 (03/18/2009)