



General Assembly

January Session, 2009

Raised Bill No. 6461

LCO No. 3221

03221_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

**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 Section 22a-416 of the general statutes is repealed and the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
48 year. Any applicant for certification who passed either the examination

49 prepared and administered on December 8, 1994, by the commissioner
50 or the examination prepared by the Association of Boards of
51 Certification for Wastewater Treatment Facility Operators and
52 administered on December 8, 1994, by the commissioner shall be
53 issued the appropriate certificate in accordance with the regulations
54 adopted under this section.

55 (e) An individual employed as a wastewater treatment facility
56 operator prior to January 1, 2005, who was unable to attain class IV
57 certification, as described in subsection (d) of this section, between
58 January 1, 2004, and January 1, 2010, as a result of a compensable
59 injury under chapter 568, shall be granted class IV certification by the
60 commissioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-416

Statement of Purpose:

To create a retroactive exception in the wastewater operator certification for workers receiving workers' compensation during the certification training.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]