



**Environmental
Protection
Agency**

Hearing Summary

Rule Package: Operator Certification

Original filing date: August 14, 2024

Public comment start date: August 14, 2024

Public comment end date: September 23, 2024

Public hearing date: September 23, 2024

List of Rules: 3745-7-01, 3745-7-02, 3745-7-03, 3745-7-04, 3745-7-05, 3745-7-06, 3745-7-07, 3745-7-09, 3745-7-10, 3745-7-11, 3745-7-12, 3745-7-13, 3745-7-15, 3745-7-17, 3745-7-18, 3745-7-19, 3745-7-20, 3745-7-21

Were there any participants in this public hearing beyond Ohio EPA staff or JCARR staff?

☒ Yes

☐ No

Were there comments received during the public comment period outside of those presented at this hearing?

☐ Yes

☒ No

This hearing summary has been compiled to meet the requirements of Section 119.03 of the Revised Code.

This hearing summary includes this cover sheet and the following attachments:

1. **Attachment A** - A copy of the public notice for this hearing.
2. **Attachment B** - A copy of the sign-in sheet for this hearing.
3. **Attachment C** - A copy of the script read into the record to begin and end the hearing.

Ohio EPA's response to comments document includes the comments received, who commented, the agency response to comments, and a statement of whether or not the rule was changed due to the comments.

Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request. These recordings may be sent out for transcription if necessary.

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Operator Certification**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 6109.23, 6109.04 of the Ohio Revised Code and in accordance with Chapter 119, proposes to amend the following rule of the Ohio Administrative Code:

- 3745-7-01 Professional operator certification definitions.**
- 3745-7-02 Certified professional operators of record.**
- 3745-7-03 Public water system classification and staffing requirements.**
- 3745-7-04 Treatment works and sewerage system classification and staffing requirements.**
- 3745-7-05 Classification of professional operator certification.**
- 3745-7-06 Certification of operators.**
- 3745-7-07 Professional operator in training.**
- 3745-7-09 Recordkeeping requirements and responsibilities of owners, certified professional operators and certified professional operators of record.**
- 3745-7-10 Professional operator certification advisory council.**
- 3745-7-11 Duties of the council.**
- 3745-7-12 Suspension or revocation of certification.**
- 3745-7-13 Reciprocity.**
- 3745-7-15 Expiration and renewal of professional operator certification.**
- 3745-7-17 Professional operator certification fees.**
- 3745-7-18 Conduct during the application and examination process.**
- 3745-7-19 Examination providers.**
- 3745-7-20 Certification of professional operators who pass an examination from an approved examination provider.**
- 3745-7-21 Contract operations companies and contracted professional operators.**

This rule package addresses requirements to have appropriately certified operators at drinking water and wastewater treatment facilities, minimum staffing requirements for those facilities, criteria for becoming certified and maintaining certifications, oversight by an Advisory Council of subject matter experts, training and exam provider approval and contract operations of facilities.

The public comment period will run until **September 23, 2024**. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. Ohio EPA will be holding an in-person and virtual public hearing on the rules on **September 23, 2024, at 10:30 am**. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at:

<https://attendee.gotowebinar.com/register/5541226783943672670>

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rulemaking.

Written testimony should be sent to the attention of **Rylee Lane** at the Division of Drinking and Ground Water (DDAGW) P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on **September 23, 2024**, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to **Rylee Lane** at the DDAGW at (614) (752-9725) or at ddagw_rulecomments@epa.ohio.gov.

To receive a copy of the proposed rules, please contact the DDAGW receptionist at (614) (644-3386). In addition, full copies of all proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on the DDAGW web page at <https://epa.ohio.gov/ddagw/DDAGWrules>.

To request a reasonable accommodation due to a disability, visit <https://epa.ohio.gov/ada>

Attendee Report: Public Hearing: Drinking Water Operator Certification Proposed Rules (Statewide)

Report Generated:
09/23/2024 11:04 AM EDT

Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended	Clicked Registration Link	Opened Invitation
895-938-059	09/23/2024 10:17 AM EDT	44 minutes	9	8	42	0

Staff Details

Attended	Interest Rating	Last Name	First Name	Email Address	Role	Join Time - Leave Time (Time in Session)	Time in Session
Yes		McCarron	Mary	mary.mccarron@epa.ohio.gov	Organizer	09/23/2024 10:17 AM EDT - 09/23/2024 11:00 AM EDT (44 minutes)	44 minutes
Yes		Chenault	Anthony	anthony.chenault@epa.ohio.gov	External Organizer	09/23/2024 10:27 AM EDT - 09/23/2024 11:00 AM EDT (33 minutes)	33 minutes
No		Payton	Mandi	amanda.payton@epa.ohio.gov	External Organizer	n/a	n/a
No		Lane	Rylee	Rylee.Lane@epa.ohio.gov	External Organizer	n/a	n/a

Attendee Details

Attended	Interest Rating	Last Name	First Name	Email Address	Registration Date/Time	Join Time - Leave Time (Time in Session)	Time in Session
Yes	92	Billmaier	Honor	hbillmaier@jcarr.state.oh.us	09/23/2024 10:26 AM EDT	09/23/2024 10:27 AM EDT - 09/23/2024 10:37 AM EDT (11 minutes)	11 minutes
Yes	94	Culbertson	Matt	Mc639213@yahoo.com	09/17/2024 06:12 PM EDT	09/23/2024 10:28 AM EDT - 09/23/2024 10:45 AM EDT (17 minutes)	17 minutes
Yes	96	Darden	Tya	tya.darden@epa.ohio.gov	08/14/2024 01:17 PM EDT	minutes),09/23/2024 10:30 AM EDT - 09/23/2024 10:53 AM EDT (23 minutes),09/23/2024 10:59 AM EDT - 09/23/2024 11:00 AM EDT (1 minutes),09/23/2024 10:30 AM EDT - 09/23/2024 10:30 AM EDT (1 minute),09/23/2024 10:30 AM EDT - 09/23/2024 10:30 AM EDT (1 minute),09/23/2024 10:30 AM EDT - 09/23/2024 10:31 AM EDT (2 minutes),09/23/2024 10:32 AM EDT - 09/23/2024 10:38 AM EDT (7 minutes)	25 minutes
Yes	93	Hamilton	Jacob	jhamilton@jcarr.state.oh.us	09/23/2024 10:29 AM EDT	09/23/2024 10:27 AM EDT - 09/23/2024 10:31 AM EDT (2 minutes),09/23/2024 10:32 AM EDT - 09/23/2024 10:38 AM EDT (7 minutes)	16 minutes
Yes	92	Holton	Josh	jholton@swlcws.com	08/15/2024 12:57 PM EDT	09/23/2024 10:27 AM EDT - 09/23/2024 10:38 AM EDT (11 minutes)	7 minutes
Yes	92	Schiebel	Caitlin	cschiebel@ohioec.org	09/18/2024 08:22 AM EDT	minutes),09/23/2024 10:30 AM EDT - 09/23/2024 10:30 AM EDT (1 minutes),09/23/2024 10:30 AM EDT - 09/23/2024 11:00 AM EDT (30 minutes)	11 minutes
Yes	91	white	stacy	swhite@jackson.us	09/23/2024 10:12 AM EDT	minutes),09/23/2024 10:30 AM EDT - 09/23/2024 11:00 AM EDT (30 minutes)	3 minutes
Yes	97	white	stacy	swhite@jacksonohio.us	09/23/2024 05:43 AM EDT	09/23/2024 10:30 AM EDT - 09/23/2024 11:00 AM EDT (30 minutes)	30 minutes
No	0	Swiadek	Kevin	kevin.swiadek@epa.ohio.gov	08/26/2024 08:06 AM EDT	n/a	n/a

Webinar Question 1	Webinar Response 1	Webinar Question 2	Webinar Response 2	Webinar Question 3	Webinar Response 3	Webinar Question 4
Stacy White	Mary McCarron	Stacy White	Mary McCarron	Stacy White	Mary McCarron	Stacy White
ae we on break, i cant hear anything?	I just announced that we have not yes! Thank you recieved comments yet. Could you hear me?		Excellent. Thank you!	Curious about the staffing requirements? Will it be more or less?	We are only taking comments at this time and I don't have an answer for you right now. I'll have someone from the Operator Certification team reach out to you with that answer.	Thank you!

DDAGW OpCert Proposed Rules

September 23, 2024

Hello and welcome to Ohio EPA's public hearing regarding the Division of Drinking and Ground Waters rules. My name is Mary McCarron and I'm hosting today's public hearing. With me today from Ohio EPA are Andy Barienbrock, Kevin Swiadek, and Anthony Chenault, and Mandi Payton. In a moment, we will move to the public hearing where we will take official comments on the proposed rules.

I'd like to note that we are recording this hearing. We will save all comments submitted during the hearing.

Before we get started, I'd like to go over a few items to help our online participants navigate the GoTo platform.

On this slide here you will see an example screenshot of your Attendee interface. You should see something that looks like this on your computer desktop on the right-hand side of your screen. For this public hearing, you are listening in using your computer audio. If you are having sound issues, try refreshing your browser. If that doesn't work, try logging off and logging back in.

Please submit public comments by clicking on the question mark icon and typing them into the Questions pane on your attendee interface. All comments submitted online will be read aloud for the whole audience to hear.

(You can also click on the document icon to view included handouts.)

For those attending in person, you may submit your testimony verbally by moving close to the broadcast tablet, stating your name, and proceeding with your testimony when we call on you.

We will now begin the hearing.

PUBLIC HEARING SPEECH

Thank you for taking time to attend this hearing before Ohio EPA. The purpose of the hearing today is to obtain comments from any interested person regarding Ohio EPA's proposed rule.

Ohio EPA proposes to amend the following rule of Ohio Administrative Code Chapter:

3745-7-01 Professional operator certification definitions.

3745-7-02 Certified professional operators of record.

3745-7-03 Public water system classification and staffing requirements.

3745-7-04 Treatment works and sewerage system classification and staffing requirements.

3745-7-05 Classification of professional operator certification.

3745-7-06 Certification of operators.

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operators and certified professional operators of record.

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3745-7-21 Contract operations companies and contracted professional operators.

This rule package addresses requirements to have appropriately certified operators at drinking water and wastewater treatment facilities, minimum staffing requirements for those facilities, criteria for becoming certified and maintaining certifications, oversight by an Advisory Council of subject matter experts, training and exam provider approval and contract operations of facilities.

These rules have been filed with the Joint Committee on Agency Rule Review. Copies of the rule are available for public review on our website and in the handouts section in GoTo.

All interested persons are entitled to attend or be represented, and to present written comments concerning the proposed rule. All written comments received as part of the official record will be considered by the director of Ohio EPA.

To be included in the official record, written comments must be received by Ohio EPA by the close of business, today, Sept. 23, 2024. These comments may be typed into the GoTo platform today, spoken in person, or emailed to ddagw_rulecomments@epa.ohio.gov. All emailed comments submitted for the record receive the same consideration as typed comments given today.

Field Code Changed

Written statements submitted after today may be considered as time and circumstances permit but will not be part of the official record of the hearing.

This hearing allows the public to provide input. Therefore, we will not be able to answer questions today.

YOU MAY NOW SUBMIT COMMENTS. I will read aloud any comments we receive in the GoTo platform. If you are attending in-person and would like to

submit testimony, please raise your hand and wait to be called on. I will keep the GoTo platform open until XXXXX to provide time for participants to type in comments.

CLOSING

After the hearing closes, we will accept written comments through 5:00 p.m. today. You can send those comments to the email address on the screen.

Thank you for your comments, cooperation, and participation in Ohio EPA's decision-making process. The time is now _____ and this hearing is concluded.