

**LICENSING GUIDE FOR
OPERATORS OF WASTEWATER FACILITIES**

**Licensing of Sewage Works Operators,
O. Reg. 129/04**

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Protecting our environment.



Ontario

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1 Introduction

1.1 Purpose of Certification Guide

This certification guide provides information on the requirements to secure and renew a wastewater operator licence. The guide provides interpretation of the Licensing of Sewage Works Operators Regulation, O. Reg. 129/04, made under the *Ontario Water Resources Act*.

This certification guide is provided for information purposes only. Where there is a discrepancy between this program guide and O. Reg. 129/04, the regulation prevails. Owners, operating authorities and operators should refer to O. Reg. 129/04 and the *Ontario Water Resources Act* for a complete understanding of their legal responsibilities, and certification compliance requirements.

1.2 Certification Program Is Administered by a Third Party

The operator/water quality analyst certification program is administered by a third party under contract with the Ministry. Presently the third party is the Ontario Water Wastewater Certification Office (OWWCO), also known as the Certification Program Administrator.

The Certification Program Administrator is responsible for possessing certificate and licence renewal applications, processing exam applications, coordinating and marking exams, notifying operators of the need to renew their licence, selling exam study guides, informing operators on continuing education courses that meet the necessary criteria, and providing information to operators.

Details on how to contact the Certification Program Administrator is provided in section 11 of this guide.

1.3 Separate Guide to Completing Certification Forms

Supplementary to this certification guide is a 'Guide to Completing MOE Certification Forms', which can be found on the website of the Certification Administrator. The guide to completing forms contains a list of all the forms related to facility classification and operator certification and licence renewal, and provides instructions on when and how to complete specific forms. (The forms can also be found on this website).

1.4 Separate Drinking Water Operator Certification Program Guide

A separate program guide for the licensing of drinking water operators and water quality analysts is available at on the ministry's drinking water portal (www.ontario.ca/drinkingwater).

1.5 Tips on Reading this Guide

The reference to Director throughout the regulation is reference to a person or persons appointed by the Minister of the Environment as having the authority to make such decisions. The 'Director' under O. Reg. 128/04 and O. Reg. 129/04 is the Manager of Certification, Training and Client Services within the Drinking Water Programs Branch, Drinking Water Management Division, Ministry of the Environment.

The meanings of key terms used in this guide are set out in shaded text within the section in which the term is used. For exact legal definitions of terms, please refer to the relevant regulations and the *Ontario Water Resources Act*.

Policy that supplements O. Reg. 129/04 is contained in separate Guidelines, and can be obtained from the Certification Program Administrator (see section 11 of this guide for contact information) or on the ministry's website. However, in some instances, part of the policy has been included in this guide (in boxes within the relevant section).

1.6 Program Mandate

The certification program establishes occupational standards for operators. It is also intended to give greater assurance of clean surface water and public health to the residents of Ontario through ensuring that operators have the education, experience and knowledge to perform their responsibilities effectively.

2 Facilities Governed by O. Reg. 129/04

O. Reg. 129/04 applies to:

- a) sewage works that requires a certificate of approval from the ministry under section 53 of the OWRA and that is owned or operated by the Crown or a municipality, if the sewage received by the sewage works is treated; and
- b) a sewage works that requires a certificate of approval from the ministry under section 53 of the OWRA and that is not owned or operated by the Crown or a municipality, if the sewage received by the sewage works is:
 - toilet, sink or culinary liquid waste, or
 - other sewage of a kind normally discharged from a residential subdivision other than storm water, ground water, surface drainage or land drainage

Exception: This regulation does not apply to on-site (e.g. septic) sewage systems which do not drain or discharge directly or indirectly into a ditch, drain or storm sewer or a well lake, river, pond, spring, stream, reservoir or other water or watercourse. Such systems with a design capacity of less than 10,000 litres per day are regulated under the Ontario Building Code. Systems greater than 10,000 litres per day capacity do require a certificate of approval from the ministry, but do not require certified operators (unless otherwise indicated in a certificate of approval).

Generally, this regulation does not apply to sewage systems treating industrial sewage which discharge directly or indirectly into a ditch, drain or storm sewer or a well lake, river, pond, spring, stream, reservoir or other water or watercourse. The regulation may apply to such systems if domestic sewage is also treated separately or if the industrial sewage and domestic sewage are combined and the treatment process includes treatment of the domestic waste. For further information please consult with the Certification Program Administrator.

A wastewater collection system that is located on private property is considered a plumbing system. Plumbing systems do not require classification nor licensed operators.

3 Facility Classification

The owner of a wastewater facility must file an application with the Director to have the classification of their facility determined. Facilities are classified by assigning classification points for facility characteristics in the Tables found in Schedule 1 of O. Reg. 129/04. Facilities are classified as Class 1, Class 2, Class 3 and Class 4. The larger and more operational complex a facility is the higher classification rating it will receive.

The owner must ensure that the certificate of classification is conspicuously displayed at the facility or, if this is not practical (e.g. at some collection systems), the certificate should be displayed at the premises from which the facility is managed.

If the facility is altered or no longer meets the criteria under which it was originally classified, the owner must apply to have the classification re-determined. Generally, if a wastewater treatment facility is undergoing an upgrade or expansion and a certificate of approval for an amendment is submitted, it is recommended that the owner consult with the Certification Program Administrator to determine if re-classification is required.

Further, the Director may request that a facility have their classification re-determined if the classification points in Schedule 1 of the regulation have been amended, or the Director is of the opinion that the facility no longer meets their original classification.

3.1 Facilities that do not Fall Under Provincial Jurisdiction

Wastewater facilities which do not fall under provincial jurisdiction do not require classification of their facilities (i.e., federal facilities and First Nations facilities). The owner of the facility may submit an application to the Certification Program Administrator, who will review the facility and provide a notional classification. This notional classification will indicate what level

and class the facility would be classified as if the facility fell under provincial jurisdiction. Operators who work in these facilities can be certified, and the experience gained working in these facilities will be evaluated for upgrades and renewals, just as all other operators.

4 Certification of Operators

4.1 Overview

Section 14 (1) of O. Reg. 129/04 requires that the owner of the facility ensure that every operator employed, or persons performing operational duties in the facility holds a valid licence.

‘Operating’ duties are those functions typically performed by an operator as described in the definition of ‘operator’ below.

This includes a maintenance worker, a laboratory technician, or other employee who is ‘on call’ and is expected to perform operating functions when ‘called out’ to do so.

4.1.1 Functions that Must be Performed by a Certified Operator

An operator is defined by the functions they perform, not by the job title, union affiliation, or whether or not they are in a supervisory or management position.

An **operator** means a person who conducts operational checks of or who adjusts, tests, or evaluates a process that controls the effectiveness or efficiency of a facility and includes a person who adjusts or directs the flow, pressure or quality of wastewater within the facility, if that person works in a wastewater collection facility.

A person must be certified as an operator in order to perform the following functions (also referred to as ‘operating’ functions).

Note: this list is not a complete list. Other tasks the treatment or collection of wastewater may also require an operator’s licence to undertake. For additional information, please contact the Certification Program Administrator:

- control flow or pressure of wastewater in a facility
- addition of chemicals to treat wastewater using and/or through making adjustments to treatment equipment
- monitor gauges, meters and control valves related to disinfection, treatment or collection of wastewater
- conduct operational tests within the facility
- start and stop pumps, engines and generators to control and adjust flow and treatment
- open and close valves and gates, whether done manually or by remote control (a non-certified person can open and close valves for the purpose of ‘exercising’ a valve)

- isolate portions of a sewage collection system through the diversion of sewage for the purposes of repair or maintenance
- maintain logs (e.g. shift logs) or other forms of record-keeping related to treatment and collection activities in the facility, make entries into such logs/records including meter and gauge readings

A person does not need to be certified to perform the following functions:

- repair previously isolated treatment equipment or sewers
- cleaning sewers using a method which does not significantly impact the flow of sewage

A person or contractor that is not certified as a wastewater operator can perform functions normally required to be done by a certified operator provided they are being directly supervised by a certified operator, meaning the certified operator is physically present and monitoring the work being performed. All operational work is the responsibility of the certified operator.

4.1.2 Types of Operator Licences

Operator licences correspond to the types of facilities:

Table 1:

Type of Facility	Classes of Licences
Wastewater Treatment	Operator-in-Training Class 1 Class 2 Class 3 Class 4
Wastewater Collection	Operator-in-Training Class 1 Class 2 Class 3 Class 4

4.2 Licence Qualifications - Operators-In-Training

An operator-in-training (OIT) licence allows new operators to gain one year of experience required in order to become a Class I operator.

To secure an OIT licence a person must:

- successfully complete grade 12 or equivalent (see ministry guideline 3.1 for a list of Grade 12 equivalents); and
- pass an OIT or Class I exam.

An OIT licence allows a person to perform all regular operating functions. However, an OIT cannot be designated as the overall responsible operator or as an operator-in-charge.

4.2.1 OITs are Valid for Three Years

OIT licences expire at the end of three years from the date it was originally issued. A person holding a wastewater OIT may renew the licence for an additional 3-year term.

4.3 Licence Qualifications –Class I to IV Licences

The Director will issue an operator’s licence provided the applicant meets all of the qualifications for the specific licence applied for and pays the required fee.

To qualify for an operator’s licence, a person must:

- meet education and training requirements;
- meet experience requirements; and
- pass a certification examination.

The higher the level of licence, the more education and experience required. The experience must be gained in the type of facility corresponding to the licence for which the individual is applying. For example, if the applicant is applying for a treatment licence, the person must have experience in a treatment facility. (See Note 6 to Table 2 below for exceptions).

Operating¹ experience is experience performing the functions described in section 4.1.1 of this guide. For further clarification operating experience means on-site charge and/or hands-on operating of the facility. On-site charge will only apply to individuals who make operational decisions and provide detailed operational instructions to other operators.

The licence qualifications for each type and class of licence are summarized in the following table (also see Notes to Table immediately following the table).

¹ A description of what constitutes **related** and **different** experience is available in a Ministry of the Environment guideline.3.4 : Experience as an Operator

Table 2: Qualifications

Licence	Education/ Training <i>(See Notes 1, 3 & 4)</i>	Experience <i>(See Notes 2,5,6 & 7)</i>	Exam	Other <i>(See Note 9)</i>
OIT	Grade 12 or equivalent.	N/A	OIT or Class I <i>(See note 10)</i>	
Class I	Grade 12 or equivalent.	1 year as a valid operator experience while holding an OIT	Class I exam	Experience must be 'operating' experience – see definition above
Class II	Grade 12 or equivalent.	Total of 3 years <i>(See note 8)</i>	Class II exam	Must hold a Class I licence (or deemed to hold) for that type of facility <i>(See note 11)</i>
Class III	Grade 12 or equivalent + 2 years of additional education or training the Director considers relevant	Total of 4 years, of which 2 years must be as an OIC in a Class II, III or IV facility	Class III exam	Must hold a Class II licence for that type of facility
Class IV	Grade 12 or equivalent + 4 years of additional education or training the Director considers relevant	Total of 4 years, of which 2 years must be as an OIC in a Class III or IV facility	Class IV exam	Must hold a Class III licence for that type of facility

Notes to Table:

1. Grade 12 equivalency is generally that described in the box immediately following. For a detailed description, please refer to the ministry's guideline 3.1.

The following is considered equivalent to having secured grade 12:

- a Canadian post secondary diploma or degree
- securing the General Educational Development (GED) certificate
- a 2-3 year certificate or 3-4 year diploma from a recognized Canadian university or community college
- a secondary school graduation diploma or GED from other Canadian provinces and territories (CEJEP from Quebec) and the US will be considered equivalent
- a certificate of apprenticeship from Ontario or other Canadian jurisdictions
- completion of a 2 or 3 year college program related to water or wastewater
- successful completion of the first year of a college program in directly related to water or wastewater (for example engineering technologist or technician)
- experience from other countries may be considered as Grade 12 equivalent, contact the Certification Administrator for details – see section 11 for contact information, or review guideline 3.1 for more specific information.

2. Only experience gained while certified to do the work will be considered.
3. For the purpose of calculating education or training obtained through continuing education, 450 hours of education or training equals one year. This translates into 45 Continuing Education Units (CEU), since 1 CEU equals 10 hours of training.
4. Substitute experience for education/training:
 - a. Class III applicants may substitute up to one year experience as an operator-in-charge in a Class II, III or IV facility, above that required to meet the experience qualifications, for one year of education/training (or 450 hours of additional education/training).
 - b. Class IV applicants may substitute up to two years of experience as an operator-in-charge in a Class III or IV facility, above that required to meet the experience qualifications, for the two years of additional education/training.
5. Substitute education/training for experience: Class II, III and IV applicants can substitute education & training (except for elementary and secondary education), above that required to meet the additional education and training qualifications for up to 50% of the required operating experience (not applicable for substituting OIC experience).

Eligible substitutions include:

- relevant post secondary education such as community college, trade school,

- university training that meets the 'continuing education' training criteria for purpose of certificate renewal

6. Substitute different experience: Class II, III and IV applicants may be permitted to substitute experience as an operator in a different system, experience in a system other than as an operator, or other relevant qualifications, for licence qualifying experience. However, the Director needs to be satisfied that such experience or qualifications are relevant to the licence being applied for.

Examples of different experiences that may be considered are:

- experience gained working in a drinking water system
- experience gained working in a laboratory conducting tests on drinking water or wastewater
- experience gained within a wastewater facility doing electrical or mechanical maintenance, or work as a technical expert or trades person

The ratio is often 2 to 1 or 3 to 1. For example, 3 years of distribution experience would be equivalent to one year of treatment experience if applying for a higher treatment licence.

(See Ministry guideline 3.4 for more detail)

7. Application of part-time experience: The application of part-time experience is defined in ministry guideline 3.4, and operating experience for contractors is detailed in ministry guideline 5.3.

Generally an operator, who works in a facility that does not require the operator to be at the facility full-time but does require the operator to be available full-time, will receive one year experience credit for each year employed. However, an operator working part-time in a system requiring full-time operators will receive credit for the actual time worked.

8. The years of experience indicated in this table are not cumulative. For example, a Class 1 operator is required to obtain 1 year of experience. The Class 2 operator requires a total of 3 years of experience, which includes the 1 year required to obtain the Class 1.
9. An operator may upgrade their licence only one class higher than the licence they currently hold, and can only hold a licence one level higher than the highest class of system for which they are employed.

10. An operator has the choice to challenge the OIT or Class I exam when entering the program. If the operator does not yet have a year of experience under a valid licence the operator will receive the OIT licence until this requirement has been met.
11. An operator who holds a Class 1 WWT licence is deemed to hold a Class I WWC licence, and may apply directly to a Class 2 WWC provided they meet the experience requirements for that licence (e.g. three years of collection experience).

4.3.1 Exception – Professional Engineer

An owner can employ a professional engineer or a series of professional engineers who do not hold a wastewater operator licence, as an operator, for up to six months in a 12 month period.

A profession engineer means a professional engineer as defined in the Professional Engineers Act.

4.3.2 Experience Exemption for Professional Engineers

A professional engineer accredited in Ontario does not have to meet the experience qualifications if the professional engineer obtains a mark of 85% or higher on the exam for the type and class of licence for which they are applying.

4.3.3 Transferability of Operator Licences

An operator who holds one type of licence may be deemed to hold other licences for the purpose of being able to work in that facility. The following chart shows this transferability:

Table 3

Licence Held by Operator	Licence Operator Deemed to Also Hold
Class I to IV Wastewater Treatment	✓ Class I Collection licence
Class I to IV Wastewater Collection	Not transferable

Note: The operator does not receive a licence of the type they are deemed to hold.

4.3.4 Conditional Operator Licence

The Director may issue a conditional operator licence for operators holding any type and class of **licence** (except for an operator-in-training licence).

The Director may issue a conditional licence if:

- the owner or operating authority that employs or has offered to employ the applicant satisfies the Director that they cannot obtain the services of an operator of the type and class required under this regulation (for example, if an owner of a Class III wastewater treatment facility is unable to find an operator holding a Class III wastewater treatment licence); and
- the owner or operating authority gives both the applicant and the Director a written commitment to help the applicant comply with all the conditions of the facility; and

- the required fee is paid.

A conditional operator's licence is valid only for the facility for which it has been issued. The operator cannot use it to work in another facility. The Director may impose certain conditions in a conditional licence. The licence expires three years after it is issued, or on an earlier date specified on the licence, but may be renewed by the Director, if the renewal requirements are met. (See section 4.4 of this guide, Licence Renewal below).

Examples of when a conditional licence might be issued by the Director are as follows:

- when a facility upgrade or expansion changes the classification level of the facility, and no operator employed in the facility has a licence at the new classification level of the facility
- when facilities are unable to hire a person with the required class of licence.

Conditions that may be placed on a conditional licence include, but are not limited to:

- the operator meeting specific training requirements in addition to the annual training requirements
- technical support or operational back-up be available to the operator holding the conditional licence

4.3.5 Operator Licence to be Displayed

The owner or operating authority must clearly display the licence of every operator employed by them at the operator's workplace, or if this is not practical (such as for a collection system), at the premises from which the facility is managed.

4.3.6 Reciprocity

Under the Agreement on Internal Trade, and Ontario Labour Mobility Act, the Ministry of Environment recognizes certificates from other Canadian jurisdictions that have certification programs equal to that held in the Province of Ontario. The Ministry still requires the completion of the Entry Level Course for the issuance of a class 1 drinking water certificate for those individuals who are applying from a Canadian jurisdiction which does not have an entry level program. Contact the certification administrator for more details.

4.4 Licence Renewal

4.4.1 Overview

Renewal of an operator licence is the responsibility of the holder of the licence. An expired licence is not a valid licence. Contravening section 14 of O. Reg. 129/04 – i.e. working as an operator without holding a valid operator licence – is an offence under the Regulation.

Therefore, it is important that operators notify the Certification Office of a change in address and renew their licence before it expires.

Generally the certification office issues a renewal notice and application form to an operator ninety (90) days prior to the date when their licence expires. Operators who apply for licence renewal, meet the renewal qualifications, and pay the required fee will receive a new licence containing the new expiry date.

4.4.2 Renewal of Operator Licences

Operator licences expire every three years. To qualify for renewal, the operator must have:

- a. experience in the previous 5 years working as an operator in a facility or related experience

In general **related** experience includes a role in the drinking water and wastewater industry that enables a person to remain knowledgeable and current on wastewater treatment or collection equipment and methods.

For example, an operator who becomes a drinking water supervisor, trainer or technical expert would meet the experience requirement during the time that they are actively engaged in such role.

Other related experience could include experience as an electrical/mechanical or maintenance employee of the wastewater system, or as a laboratory technician or scientist who tests water.

See ministry guideline 3.4 for more detail on related experience.

- b. pay the required fee.

For a conditional operator's licence to be renewed, the applicant for renewal must also have met the conditions of the conditional licence.

4.4.3 Training Requirements

The owner of a facility shall ensure that every operator employed in the facility is given at least 40 hours of training every year.

The training may include, for example, training in new or revised operating procedures, reviews of existing operating procedures, training in safety, and training on studies of information and technical skills related to environmental subjects.

The owner shall ensure that records are maintained of the training given under this section. Such records are to include the names and positions of the operators who attend the training, the date

of each training session, the duration and the subjects covered. The owner shall submit copies or summaries of the records to the Director upon request.

Operators who hold both drinking water and wastewater certificates/licences must meet the training requirements for both O. Reg. 128/04 and O. Reg. 129/04. Generally training on topics related to that of a drinking water operator may be used to meet both the requirements of O. Reg. 128/04 and O. Reg. 129/04. Training on topics specific to wastewater may only be used to meet the requirements for O. Reg. 129/04.

Training records do not have to be submitted at that time of renewal. Records should be maintained in the event the Ministry requests copies.

Training may not be pro-rated for part time operators (a full 40 hours is required). In addition, training may not be averaged between years.

4.5 *Re-issuance of Operator Licence after It Expires*

If the renewal application is made within five years of the expiry date, the applicant must:

- meet the normal licence renewal requirements.

If the renewal application is made more than five years after the expiry date, the applicant must:

- meet the qualifications in Schedule 2 for that type of Class of licence (including passing the certification exam).

4.6 *Replacement of Licence*

The Director may issue a replacement licence if an operator's licence has been lost or destroyed, or if the operator's name has changed and the original licence is returned to the Director. A fee will be charged.

4.7 *Refusal to Issue or Renew an Operator's Licence*

The Director may refuse to issue or renew an operator's licence if:

- any of the circumstances under which the Director can revoke or suspend a licence under apply;
- the licence to be renewed was revoked or suspended;
- the applicant is a holder of a wastewater operator's licence under O. Reg. 129/04 that was suspended or that the Director is authorized to revoke or suspend.

4.8 *Revocation or Suspension of an Operator's Licence*

The Director may revoke or suspend an operator's licence, including an operator-in-training's licence, for reasons described in subsection 11 of O. Reg. 129/04. The Director may issue a

licence of another type and class than the licence suspended or revoked, providing the applicant meets the necessary qualifications.

The circumstances that might cause a Director to revoke or suspend a licence are:

- The application was fraudulent or contained inaccurate information
- The person was discharged from employment in a facility for gross negligence or for incompetence in the performance of his or her duties, unless the person has not yet exhausted the rights of appeal available under a collective agreement²
- An operator-in-charge has failed to:
 - take all steps reasonably necessary to operate the processes within his or her responsibility in a safe and efficient manner in accordance with the relevant operations manuals;
 - Ensure the processes within his or her responsibility are measured, monitored, sampled, and tested in a manner that permits them to be adjusted when necessary;
 - Ensure that records are maintained or all adjustments made to the processes within his or her responsibility; or
 - Ensure that all equipment used in the processes within his or her responsibility is properly monitored, inspected and evaluated and that records of equipment operating status are prepared and available at the end of every operating shift, which resulted in:
 - the discharge of a pollutant into the natural environment;
 - an adverse effect on the health or safety of an individual; or
 - an adverse effect on a process in the facility
- The person has failed to meet or has contravened any condition that is set out in his or her licence.

4.9 Appeals

Any licence decision made by the Director under the regulation may be appealed to the Environmental Review Tribunal. Details on appeal rights are included in all letters issued by the Director which denies an application for licence.

5 Certification Examinations

5.1 Exam Application

In addition to meeting the experience and education requirements specific to the different operator licences, the applicant must also pass a certification exam in order to receive a licence.

² If a person chooses not to appeal within the time required it would have the same effect as having exhausted their right of appeal.

Applicants may only write examinations one class higher than the class of licence that they hold. Applicants must wait a minimum of 90 days from the date of writing to take the next class level exam or to retry an exam after a failure.

Examination application(s) can be secured from the office of the Certification Administrator. (See Section 11 of this guide for contact information).

5.2 *Locations*

A list of the exam dates and locations can be found on the website of the Certification Administrator (see Section 11 of this guide for contact information).

5.3 *Confirmation Letter*

The Certification Administrator will send an examination confirmation letter. This letter will confirm the following details:

- the exam to be written (i.e. WTII)
- the date and time scheduled for the exam
- location of the exam (map included)
- materials required to bring to the exam (personal photo ID and calculator)
- licence eligibility requirements (details on the documents that need to be submitted in order to have the licence issued upon passing the examination). This evaluation may be performed prior to an exam OR when the applicant receives the exam marks.

It is the applicant's responsibility to ensure that he or she is eligible to obtain the next level of certification prior to applying or writing an exam.

Note: Under normal circumstances, drinking water examinations are scheduled in the morning, and wastewater examinations are scheduled for the afternoon. **You must bring this confirmation, plus a government issued photo ID and a document with your address to the examination session or you will not be able to write the exam on that date.**

If an operator writes an examination for a licence they have not yet acquired, the examination mark is valid for five years from the day of completion. For example, if a class III operator writes his class IV examination, but is not eligible for the class IV licence, that exam mark is valid for a five year period. For more information on this policy, review ministry guideline 3.11.

Following notice of having passed the exam (pass is 70%); operators and water quality analysts may need to submit the appropriate documentation related to other licence qualifying requirements.

6 Operating Standards for Facilities

The owner or operating authority of a facility must ensure that every operator employed in that facility holds a licence applicable to that type of facility, or a conditional licence applicable to that particular facility.

6.1 Overall Responsible Operator (ORO)

The owner or operating authority must designate an overall responsible operator (ORO) to ensure that a knowledgeable, experienced staff person is available at all times to provide advice to all operators working within the facility and to respond to emergencies.

An overall responsible operator means an operator designated as overall responsible operator of a facility under section 15 of O. Reg. 129/04

The owner or operating authority of each facility must designate as overall responsible operator, an operator who holds a licence for that type of facility and that is of the same class as or higher than the class of that facility. For example, the overall responsible operator of a Class III wastewater treatment facility must hold a Class III or Class IV wastewater treatment licence.

To 'designate' means to appoint an operator as holding the position of overall responsible operator. It must be clear to other operators working in the facility, and to the ministry inspector, who the overall responsible operator is for each shift. The expectation is that the overall responsible operator would be identified either through recording the ORO's name in the daily log, through a memo that is posted, etc.

The intent of the regulation is that there be an ORO designated for a facility at all times. In order to achieve this goal, an owner or operating authority can designate one operator to be the ORO for particular shifts or days and another operator as the ORO for the other shifts or days, provided there is only one ORO designated at any given time (and that whoever is designated as the ORO meets the requirements of holding a licence for that type of facility, of the same class or higher than that facility and is fully aware that they are the ORO assigned at that time).

The ORO may have responsibility for more than one facility provided it does not affect their ability to perform their responsibilities.

The ORO can be off-site; however, he or she must be able to respond immediately and effectively to an emergency at the site.

If a designated overall responsible operator holding the proper qualifications is absent or unable to act, the owner or operating authority or, if the owner or operating authority authorizes it, the overall responsible operator, may designate an operator who holds a licence applicable to that type of facility and no more than one class lower to act on their behalf (for example, if the overall responsible operator for a Class IV collection facility is absent, an operator holding a Class III collection facility licence can act in their place).

Owners/operating authorities of facilities can only rely on “backup” overall responsible operators for up to 150 days in any 12-month period in a facility. The Director can make an exception if the Director is satisfied that the owner or operating authority cannot reasonably hire an operator holding a class of licence as high or higher than the class of facility. The Director must also be satisfied that extending the time period will not result in a significant risk to the natural environment.

The duties of an overall responsible operator cannot be delegated to an operator-in-training.

6.2 Operator-in-Charge (OIC)

The owner or operating authority of each facility must designate one or more operators-in-charge (OIC).

An operator-in-charge means an operator or professional engineer who is designated as an operator-in-charge of a facility under section 17 of O. Reg. 129/04.

An operator-in-charge can be any operator, except an operator-in-training.

The owner or operating authority can also designate a professional engineer, who does not have an operator’s licence, as operator-in-charge. However, the owner can only rely on a professional engineer or series of professional engineers to be the operator-in-charge for up to 180 days in any 24-month period.

A professional engineer means a professional engineer as defined in the *Professional Engineers Act*.

The owner or operating authority must ensure that records are maintained of the amount of time each operator works as operator-in-charge.

6.2.1 Duties of Operator-in-Charge

An operator-in-charge is authorized to:

- set operational parameters for the facility or for a process that controls the effectiveness or efficiency of the facility; and
- direct or instruct other operators in the facility to set such operational parameters.

The operator-in-charge shall:

- take all steps reasonably necessary to operate the processes within his or her responsibility in a safe and efficient manner, in accordance with the relevant operations manuals;
- ensure that the processes within his or her responsibility are measured, monitored, sampled and tested in a manner that permits them to be adjusted when necessary;
- ensure that records are maintained of all adjustments made to the processes within his or her responsibility; and
- ensure that all equipment used in the processes within his or her responsibility is properly monitored, inspected and evaluated and that records of equipment operating status are prepared and available at the end of every operating shift.

The main purpose of creating an operator-in-charge (OIC) position is to ensure that operators securing a higher class of licence have had the experience and responsibility reflected in the duties of an OIC. For example, to secure a Class III or IV licence, the operator must have a specific number of years of experience as an OIC.

For more information on the roles and responsibilities of the ORO and OIC, please review ministry guideline 5.1.

6.3 *Strikes and Lock-outs*

During a strike or a lockout involving operators employed in a facility, the Director may direct that the facility be allowed to operate without the presence of an overall responsible operator or certified operator for that type of facility. However, the Director must be satisfied the facility can be operated without risk to human health or the natural environment.

To assist the Director in making such determination, the owner or operating authority must submit a 'strike plan' containing specific information. Details on the information required can be secured from the office of the Certification Administrator.

Information on how to prepare for a strike or lock-out can be found in ministry guideline 5.2.

6.4 *Record-keeping re: Operation of Facility*

The owner or operating authority must ensure that logs or other forms of record-keeping are available to record information about the operation of the facility.

Entries into such records must be made chronologically. Entries can only be made by the overall responsible operator or the operator-in-charge or by a person authorized to do so by the owner,

operating authority, overall responsible operator or the operator-in-charge. The person who makes the entry must be clearly identified on the record.

The operator-in-charge or another authorized person must record the following information on each operating shift:

- date, time of day the shift began and ended, and number or designation of the shift;
- names of all operators on duty during the shift;
- any departures from normal operating procedures that occurred during the shift and time they occurred;
- any special instructions that were given during the shift to depart from normal operating procedures and the person who gave the instructions;
- any unusual or abnormal conditions that were observed in the facility during the shift, any action that was taken and any conclusions that were drawn from the observations; and
- any equipment that was taken out of service or ceased to operate during the shift and any action taken to maintain or repair equipment during the shift.

The owner or operating authority must ensure that all records are accessible at the facility for at least two years after the last entry in it has been made. Copies or summaries of the records must be given to the Director when requested.

6.5 Operators and Maintenance Manuals

The owner or operating authority shall ensure that operators and maintenance personnel must have ready access to the operations and maintenance manuals that contain the plans, drawings and process descriptions necessary for the safe and efficient operation of the facility.

7 Owner/Operating Authority Responsibilities

Owners and operating authorities have been assigned specific responsibilities under O. Reg. 129/04. The table below lists these responsibilities and identifies when the responsibility is solely that of the owner, versus both that of the owner and operating authority.

Responsibilities	Owner	Op. Auth.
File an application for facility classification	✓	
Ensure the certificate of facility classification displayed in workplace	✓	✓
Ensure that every operator employed in the facility holds a licence applicable to that facility, or a conditional licence	✓	✓
Ensure that a copy of the licence of	✓	✓

every certified operator in their employ is displayed at the workplace of the operator, or if this is not practical, then at the premises from which the workplace is managed		
Designate an overall responsible operator	✓	✓
Designate one or more operators as operators-in-charge	✓	✓
Ensure that records are maintained of the amount of time each operator works as an operator-in-charge	✓	✓
Ensure that logs or other record-keeping mechanisms are provided to record information concerning the operation of the facility	✓	✓
Ensure that logs and other record-keeping methods are accessible in the facility for at least two years after each entry in it was made	✓	✓
Ensure that operators and maintenance personnel have ready access to operations and maintenance manuals that contain plans, drawings, and process descriptions sufficient for the safe and efficient operation of the facility	✓	✓
Ensure that every operator employed in their facility is given at least 40 hours of training every year.	✓	✓
Maintain records which include the names and positions of operators who attended training sessions, the date or dates of each training session, the duration of each training session and subjects covered.	✓	✓

8 Fee Schedule

The fees related to the operator and water quality certification program are shown in Table 5 below:

Table 5

Fee	Drinking Water Operator Fee	Operators-in-Training		Wastewater Operator Fee	Water Quality Analyst
		Drinking Water OIT	Wastewater OIT		
Exam	\$75	\$30 (all 4 exams)	\$30 (all 4 exams)	\$75	\$75
Licence	\$115	\$30	N/A	\$115	\$115
Licence Renewal	\$115	\$115	\$75	\$75	\$115
Late Renewal	\$25	N/A	N/A	N/A	\$25
Replacement Licence	\$75	\$75	\$75	\$75	\$75
Facility Classification*	\$150	N/A	N/A	N/A	N/A
Course Assessment**	\$50 + \$30 per CEU	N/A	N/A	N/A	\$50 + \$30 per CEU

* paid by owner ** paid by course provider

The appropriate fees must be enclosed with applications. The 'Guide to Completing MOE Certification Forms' provides further detail on making payment.

Beginning April 1, 2009, all fees (cheques and money orders) must be made payable to the Minister of Finance, except for "Study Materials", which should be made out to HR Associates.

8.1 Application Forms

When applying for exams or licences, please ensure that all documentation, fees, and verification forms are fully completed. Verification of employment (experience forms) must be signed by an authorized representative of the employer.

Type or print all information clearly, using a pen only. Please keep a copy of all forms submitted. Application forms, supporting documents and fees are to be forwarded to the office of the Certification Program Administrator.

9 Preparing for Certification – Study Guides

The certification office has a number of study materials and aids to assist operators prepare for exams. For a list of current study materials and for recommendations on other materials please visit the certification office's website. See section 11 of this guide for contact information.

10 WWOCS (Water Wastewater Operator Certification System)

Applicants to the Certification Program are able to apply for examinations, licence renewals and upgrades and to order resources online. In order to access the Certification Program information system, an operator must obtain a user ID and password from the Certification Program Administrator. The application form to request a user ID can be found on the Certification Program Administrator's website, or by accessing the system via the internet at the following web address: www.ontario.ca/drinkingwater.

For more information on the system, or to obtain a user guide, please contact the Certification Program Administrator.

11 How to Obtain More Information

For more information, a copy of the Resource Guide, Need-To-Know guides, Forms and the Guide to Completing Certification Form, copies of O. Reg. 129/04, or to order manuals, please contact the office of the Certification Administrator:

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302 The East Mall
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Etobicoke, ON M9B 6C7
Telephone: (416) 231-2100
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