

## **WQCC Public Hearing: April 13, 2010 Background & What You Can Do!**

On September 11, 2009, the Lab Tech Work Group met to finalize their proposed revisions to the WWLT certification regulation. The group agreed on all the changes except 20.7.4.14. I and J. Our group could not agree on whether the regulation should allow Level III and IV wastewater operators to do Level II lab work WITHOUT the additional WWLT II certification. The group decided to send the proposed revisions to the Utility Operator Certification Advisory Board and let them decide the issue.

The Operator Advisory Board met on November 20, 2009. The Board first heard from work group spokespersons representing both sides of the unresolved issue. Then operators and interested persons from across the state who were attending the open meeting were allowed to address the Board. The Operator Advisory Board then voted on each individual change to the regulation as proposed by the work group. All of the changes passed with the Board voting 4 to 3 to allow Level III and IV wastewater operators to do Level II lab work without further certification.

The next step was for the NMED to petition the Water Quality Control Commission (WQCC) to schedule a public hearing to consider the proposed changes to the WWLT certification regulation. During the WQCC's December 2009 meeting they granted the public hearing which is scheduled for April 13, 2010, in Santa Fe.

There are two ways those persons wishing to comment can participate in the hearing process. One way is to attend the hearing and sign up to comment; another is to submit written comments for or against the proposed changes. The best way to be heard is to do both!

To send written comments, mail one original and twenty (20) copies to:

Joyce Medina, Board Administrator  
NMED Boards and Commissions  
1190 St. Francis Dr, N2153  
Santa Fe, NM 87502  
(505) 827-2425  
[Joyce.Medina@state.nm.us](mailto:Joyce.Medina@state.nm.us)

Time your mailing to reach Santa Fe by the end of March 2010. That gives Joyce time to place copies of your comments in the information packets she prepares for the WQCC board members. They receive the packets about a week prior to the hearing so that they can review the issues and think about them.

If you can't attend the public hearing you are encouraged to send written comments. If possible, DO BOTH!

Here is a brief summary of the proposed changes:

#### 20.7.4.13. C. NMAC

1. The words “for regulatory compliance” were inserted to clarify that the intent of the regulation is to cover analyses to meet permit requirements only, and not to regulate process control testing.
2. The date for compliance with the regulation was pushed back to January 2011.
3. The population table was removed and replaced with a table that describes the level of WWLT certification needed based on the type of analytical methodology to be performed.
4. The last item in the new methodology table states that ALL certified wastewater operators (except those with restricted collections certifications) are automatically certified to perform Total Residual Chlorine by the DPD method, pH, temperature, and dissolved oxygen (DO) by the probe method, to meet permit requirements. These tests are considered “field tests” and are already covered in the Need-to-Know criteria for the general wastewater exams.

#### 20.7.4.14 Lesser Included Certifications

5. Item H states that an operator holding a WW Level II certification is automatically certified to perform Level I WWLT analyses.
6. Items I and J state that operators holding WW Levels III and IV certifications are certified to perform Level II WWLT analyses WITHOUT further certification. These changes do not prevent any wastewater operator from choosing to obtain an additional WWLT certification if they so desire.

I hope this helps you understand the proposed changes to the WWLT certification regulation. Please note these are still PROPOSED changes. Until the WQCC hears comments and rules on the proposal in April 2010, NOTHING HAS CHANGED.

Your participation in this process has brought these proposed changes to the WQCC for the public hearing. But unless you submit written comments and/or show up at the hearing to voice your position on this issue, the WQCC will not know the opinion of the people. It’s up to all of us to participate fully and follow the process through to the end.

If you have questions about any of the information presented here, please do not hesitate to email Susan Maupin at [molly@nmrwa.org](mailto:molly@nmrwa.org) or call her at 1-800-819-9893, ext. 13.