

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

In accordance with this rule, all treatment works, sewerage systems, or wastewater treatment facilities within a treatment works shall be classified as a class A, I, II, III, or IV treatment works or class I or II sewerage systems and shall provide the minimum staffing required for that classification of wastewater treatment facility. Industrial wastewater treatment plants shall be classified in accordance with paragraph (B)(3)(c) of this rule.

(A) Applicability.

- (1) The classification and staffing requirements in paragraphs (B)(1)(a), (B)(2), and (C) of this rule shall be incorporated into all new or renewed NPDES permits. The staffing requirements in paragraph (C) shall be fulfilled by either ~~an~~ a professional operator of record pursuant to paragraph (A)(2) of rule 3745-7-02 of the Administrative Code or a backup professional operator pursuant to paragraphs (C)(2)(c), (C)(2)(d) and (C)(2)(e) of this rule. Until such time as an NPDES permit is renewed to incorporate the classification and minimum staffing requirements of this rule, the treatment works, sewerage system or wastewater treatment facility within a treatment works shall maintain the same level of classification and staffing as that on December 21, 2006.
- (2) The owner of a treatment works or sewerage system may request that the director reclassify the facility in accordance with the provisions of this rule at any time.
- (3) One, two, and three family dwellings with household sewage treatment systems shall be excluded from the requirements of this rule.

(B) Classification

(1) Sewerage systems

- (a) A class A treatment works includes the treatment plant and sewerage system.
- ~~(a)~~(b) Each public sewerage system that is a tributary to a class I treatment works shall be classified as a class I sewerage system. Each public sewerage system that is a tributary to a class II, III, or IV treatment works shall be classified as a class II sewerage system.
- ~~(b)~~(c) Each sewerage system for which an NPDES permit has been issued by

the director, other than those sewerage systems described in ~~paragraph~~ paragraphs (B)(1)(a) and (B)(1)(b) of this rule, shall be classified as a class II sewerage system.

(d) The director may classify a private sewerage system that is a tributary to a public treatment works or public sewerage system. Factors the director may consider include, but are not limited to, wet weather capacity problems, failure to properly operate and maintain the system and potential public health or environmental risks.

(2) Treatment works.

(a) Treatment works classification shall be based on design flow of the treatment works and the final effluent limits for the treatment works for monthly average concentrations of carbonaceous biochemical oxygen demand, total suspended solids, and summer month ammonia nitrogen designated in the treatment works' NPDES permit. All treatment lagoon systems with a design flow greater than 0.025 million gallons per day (MGD) shall be classified as class I systems.

(b) Class A, I, II, III, and IV treatment works shall be classified according to the following tables:

Classification of treatment works where one or more of the final effluent limits for monthly average concentration is less than or equal to: 10 mg/L carbonaceous biochemical oxygen demand, 12 mg/L total suspended solids, or 1 mg/L ammonia nitrogen

Design Flow	Classification
Less than or equal to 0.025 MGD	Class A
Greater than 0.025 MGD but less than 0.15 MGD	Class I
0.15 MGD to less than 1.0 MGD	Class II
1.0 MGD to less than 5.0 MGD	Class III
5 MGD and above	Class IV

Classification of treatment works where all of the final effluent limits for monthly average concentration are greater than: 10 mg/L carbonaceous biochemical oxygen demand, 12 mg/L total suspended solids, and 1 mg/L ammonia nitrogen

Design Flow	Classification
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Less than or equal to 0.025 MGD	Class A
Greater than 0.025 MGD but less than 0.25 MGD	Class I
0.25 MGD to less than 2.0 MGD	Class II
2.0 MGD to less than 7.5 MGD	Class III
7.5 MGD and above	Class IV

- (3) The director may classify the following types of treatment works as ~~Class~~ class A, I, II, III, or IV treatment works. The classification may be included in a permit-to-install or NPDES permit issued to the following treatment works:
- (a) Treatment works that do not discharge to waters of the state;₂
 - (b) Sewage sludge treatment works;₂
 - (c) An industrial water pollution control facility that is operated with biological treatment (except lagoons). For the purposes of this chapter activated sludge treatment works means a treatment works that produces an activated mass of microorganisms capable of stabilizing waste aerobically;~~and~~₂
 - (d) Other treatment works.
- (4) The director may raise the classification of a particular treatment works or sewerage system. Factors the director may consider include, but are not limited to, the complexity of treatment, downstream use designation as defined in Chapter 3745-1 of the Administrative Code, wet weather capacity problems, pretreatment program complexity, sewage sludge management complexity, past and present compliance with NPDES permit requirements, or potential public health or environmental risks.
- ~~(5) After a treatment works or sewerage system is classified in accordance with paragraph (B) of this rule, if the director raises the classification, the permittee shall have up to twelve months to meet the requirements in paragraph (C)(1) of this rule for the new classification.~~
- (5) After the situation which caused an increase in classification due to paragraph (B)(4) of this rule is corrected, then a facility may request a permit modification to revert to their original classification in accordance with this rule. Such requests shall be made in writing to the appropriate district office.

(C) Staffing.

- (1) ~~At a minimum, The~~ the professional operator of record shall, at a minimum, be physically present at the treatment works and fulfill the time requirements in the following table and perform technical operation as assigned by the permittee of the treatment works. Time spent working on equipment within the service area of a treatment works, as part of a professional operator of record's normal job responsibilities, shall count toward the minimum staffing time requirements.

Minimum staffing requirements for the professional operator of record

System classification	Staffing requirement
Class A	2 days per week for a minimum of 1 hour per week
Class I	3 days per week for a minimum of 1.5 hours per week
Class II	5 days a week for a minimum of 20 hours per week
Class III and IV	5 days a week for a minimum of 40 hours per week

(2) ~~Exceptions~~ Sewerage system staffing.

- (a) ~~An operator of record of a sewerage system is not required to meet the minimum staffing requirements in paragraph (C)(1) of this rule.~~
- (a) The owner of a class I sewerage system shall ensure that a professional operator of record or a professional operator that is certified in the field of wastewater collection or wastewater treatment, class A operators excluded, shall perform visits to any portion of the sewerage system at least three days per week. The owner of the sewerage system shall maintain documentation regarding their authorization of individuals other than the professional operator of record to perform these visits. The individual performing the visit shall document the visit in the log book and report any problems to the professional operator of record.
- (b) The owner of a class II sewerage system shall ensure that a professional operator of record or a professional operator that is certified in the field of wastewater collection or wastewater treatment, class A operators excluded, performs visits to any portion of the sewerage system at least five days per week. The owner of the sewerage system shall maintain documentation regarding the authorization of individuals other than the professional operator of record to perform these visits. The individual

performing the visit shall document the visit in the log book and report any problems to the professional operator of record.

(3) Exceptions.

~~(b)~~(a) Upon application on a form acceptable to the director by the permittee and the director's approval of the operating plan described in paragraph ~~(C)(2)(b)(i)~~~~(C)(3)(a)(i)~~ of this rule, the director shall reduce the minimum staffing requirement for ~~an~~ a professional operator of record of a class II, III, or IV treatment works to no less than five days a week for a minimum of ten hours per week. However, the director shall not grant a reduction to a treatment works where ~~an~~ a professional operator of record cannot respond to operational problems within one hour. Nor will the director grant a reduction to a treatment works that has a history of noncompliance with sampling, reporting, effluent limits or any other violations related to the treatment process, including but not limited to, grit removal, primary clarification, aeration, secondary clarification, filtration, sludge, or biosolids handling. The director also shall not grant a reduction to a treatment works under formal enforcement excluding enforcement related to combined sewer overflows or sanitary sewer overflows.

(i) Treatment works shall submit an operating plan for their facility as part of the application for a staffing reduction. The operating plan shall include a description of the level of automation and continuous monitoring at the facility, a standard operating procedure for any such automation or continuous monitoring equipment, and a detailed operations schedule showing the number of professional operators, ~~their~~the certification level, and the number of hours spent at the treatment works. The description of the continuous monitoring shall include a description of the calibration frequency, verification of calibration and records maintenance. Reductions in minimum staffing for the professional operator of record may be granted in accordance with the criteria in tables A and B ~~below of this rule~~, either singly or in combination, based on the information provided in the wastewater treatment facility's operating plan. In no case shall a reduction of greater than thirty hours per week be granted to a class III or IV facility and ten hours per week for a class II facility.

Table A: Reductions in minimum professional operator of record staffing based on wastewater treatment facility staffing levels

	The <u>professional</u> operator of record	The <u>professional</u> operator of record	The <u>professional</u> operator of record	The <u>professional</u> operator of record
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	staffing may be reduced by 5 hours per week if:	staffing may be reduced by 10 hours per week if:	staffing may be reduced by 15 hours per week if:	staffing may be reduced by 20 hours per week if:
Plant staffing at class III and IV wastewater treatment facilities	There is another <u>professional</u> operator certified at a level no more than 2 classes below that of the treatment works or sewerage system onsite at the wastewater treatment facility 2 hours per day 5 days per week	There is another <u>professional</u> operator certified at a level no more than 2 classes below that of the treatment works or sewerage system onsite at the wastewater treatment facility 4 hours per day 5 days per week	There is another <u>professional</u> operator certified at a level no more than 2 classes below that of the treatment works or sewerage system onsite at the wastewater treatment facility 6 hours per day 5 days per week	There is another <u>professional</u> operator certified at a level no more than 2 classes below that of the treatment works or sewerage system onsite at the wastewater treatment facility 8 hours per day 5 days per week
Plant staffing at class II wastewater treatment facilities	There is a class I <u>professional</u> operator onsite at the wastewater treatment facility 3 hours per day 5 days per week	There is a class I <u>professional</u> operator onsite at the wastewater treatment facility 4 hours per day 5 days per week	Not applicable	Not applicable
<u>Plant staffing at class II wastewater treatment facilities</u>	<u>There is a class I professional operator in training onsite at the wastewater treatment facility</u> <u>6 hours per day 5 days per week</u>	<u>There is a class I professional operator in training onsite at the wastewater treatment facility</u> <u>8 hours per day 5 days per week</u>	<u>Not applicable</u>	<u>Not applicable</u>

Table B: Reductions in minimum professional operator of record staffing based on level of automation or continuous monitoring

	The <u>professional</u> operator of record staffing may be reduced by 5 hours per week if:	The <u>professional</u> operator of record staffing may be reduced by 10 hours per week if:	The <u>professional</u> operator of record staffing may be reduced by 15 hours per week if:	The <u>professional</u> operator of record staffing may be reduced by 20 hours per week if:
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Automation or continuous monitoring at class II, III and IV wastewater treatment facilities	The wastewater treatment facility has supervisory control and data acquisition ("SCADA") and continuous monitoring equipment for monitoring permit requirements (the following: flow, pH, chlorine residual, turbidity, dissolved oxygen, and temperature and . Additionally monitor for UV intensity, if applicable) or chlorine residual, whichever is applicable.	The wastewater treatment facility is automated with continuous monitoring for the parameters required in the 5 hour reduction	The wastewater treatment facility is automated with continuous monitoring; for the parameters required in the 5 hour reduction and the wastewater treatment facility must also have personnel onsite at the facility or an electronic notification system that notifies the professional operator of record when there are problems with the wastewater treatment facility	The wastewater treatment facility is automated with continuous monitoring for the parameters required in the 5 hour reduction and an electronic notification system or certified professional operators on each shift that will notify the professional operator of record when there are problems with the wastewater treatment facility; the wastewater treatment facility must also have the ability to be operated remotely or have a certified professional operator respond within thirty 30 minutes
<u>Automation or continuous monitoring at class II wastewater treatment facilities</u>	<u>The wastewater treatment facility has supervisory control and data acquisition ("SCADA") and continuous monitoring equipment for monitoring the following: flow, pH, turbidity, dissolved</u>	<u>The wastewater treatment facility is automated with continuous monitoring for the parameters required in the 5 hour reduction</u>	<u>Not applicable</u>	<u>Not applicable</u>

	<u>oxygen, and temperature. Additionally monitor for UV intensity or chlorine residual, whichever is applicable.</u>			
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- (ii) Any change in the criteria under which the reduction was approved (e.g., retirement of a professional operator listed in the approved staffing plan, loss of the professional operator of record, reduction in the workforce, removal or failure of automation or continuous monitoring, etc.) will require that the treatment works immediately return to compliance with the minimum staffing requirements in paragraph (C)(1) of this rule. This provision shall not preclude a treatment works from submitting a modified operating plan.
- (iii) For a system operating plan to receive director's approval under table B of this rule, continuous monitors shall be calibrated in accordance with manufacturer standards or applicable regulations, whichever is more stringent. Calibration verification shall be conducted at least once per week or in accordance with applicable regulations, whichever is more stringent. Records of the calibrations and verifications shall be maintained for three years.
- (e)(b) The professional operator of record for a class II, III, or IV treatment works or class II sewerage system may be replaced by a backup professional operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. This provision may not be used to routinely circumvent minimum staffing requirements.
- (i) In the case of class III and IV systems which utilize an established flex work schedule of four ten-hour days, the use of a professional operator with a certificate one classification less than the facility to staff the facility on the fifth day of the week shall not be considered an attempt to circumvent the minimum staffing requirements.
- (ii) In the case of class II systems which utilize an established flex work

schedule of two eight hour days and a four hour day, the use of a professional operator with a certificate one classification less than the facility or an operator in training who has passed the Class I examination to staff the facility on the fourth and fifth day of the week shall not be considered an attempt to circumvent the minimum staffing requirements.

- (~~d~~)(c) Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the professional operator of record for a class II, III, or IV treatment works or class II sewerage system by a backup professional operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.
- (~~e~~)(d) If the designated professional operator of record is unable to meet the minimum staffing requirements at a class A or class I treatment works, then ~~an~~ a professional operator with a certificate equal to or higher than that of the treatment works may serve as the professional operator of record until such time as the designated professional operator of record is available. The provisions of paragraphs (C)(2)(e) and (C)(2)(d) of this rule shall apply to this backup operator. The use of this provision does not require notification to the agency unless the use of the backup professional operator exceeds thirty consecutive days. In the event the use of a backup professional operator under this provision exceeds thirty consecutive days, the owner or professional operator shall provide notice in accordance with paragraph (A)(2) of rule 3745-7-02 of the Administrative Code.
- (e) Any professional operator fulfilling the role of a backup professional operator shall be held responsible for any violations that occur during the period when they are acting as the backup professional operator.
- (f) In the event that an owner has two separate treatment works, permitted by two separate NPDES permits, within one hundred feet of each other's property line, the owner may submit a request on a form acceptable to the director, for a fifty per cent reduction of the hourly minimum staffing requirements for each treatment works. The request shall include documentation of the distance between the two facilities and documentation that the facilities are not under enforcement and have been in compliance with permit effluent limits, treatment techniques, sampling, reporting and professional operator certification requirements for the three years prior to the request. Upon receiving a complete application, the director may approve the minimum staffing reduction. Any change in the circumstances under which the reduction was

approved (e.g., enforcement action entered, violation of the professional operator certification requirements, monitoring violations, etc.) will require that the system immediately return to compliance with the minimum staffing requirements in paragraph (C)(1) of this rule. This provision shall not preclude the treatment works from submitting a modified operating plan. A reduction granted under this provision in combination with any other reductions available in this rule shall not reduce the minimum staffing requirements at a class II, III, or IV facility to less than five days per week for a minimum of ten hours per week.

- (f)(g) Upon submission of an application by the permittee and approval by the director, the staffing requirements of seasonal class A or class I treatment works may be reduced in the off season in accordance with the following system classification chart. In order to document seasonal operations, the permittee ~~must~~shall submit a form acceptable to the director documenting the system shut down date and the proposed reopening date. The application shall include documentation that enough wastewater has been removed from the system to prevent discharge to waters of the state and contain a contingency plan to lower the level in the plant in the event there is a potential to discharge effluent to waters of the state. Care should be taken by the owner and professional operator to ensure enough wastewater is left in the tanks to prevent the tanks from shifting.

System Classification	Staffing Requirement During the Off Season
Class A	1 visit every month
Class I	1 visit every 2 weeks

During the off season the professional operator of record shall visually confirm via flow monitoring, if applicable, that the treatment works is not discharging and does not have the potential to discharge wastewater. The verification shall be documented during the visits referenced above as part of the operation and maintenance records specified in rule 3745-7-09 of the Administrative Code. A discharge from the treatment works during the reduced staffing period is prohibited. The permittee shall notify the agency on a form acceptable to the director prior to resuming operations. Discovery of a discharge to waters of the state during a period of reduced staffing shall result in a ~~denial~~ revocation of the authorization for reduced staffing requirements and a prohibition on further approval for a period of five years.

For the purposes of this rule, "seasonal operations" means the temporary ceasing of wastewater generating sources for a period of no less than sixty consecutive days.

~~(g)~~(h) Controlled discharge lagoons shall only be required to meet the minimum staffing requirements above during periods of discharge. When discharge is not occurring, the professional operator of record shall visit the facility at least once every two weeks.

(i) Alternative for systems with design capacity less than or equal to fifteen hundred gallons per day.

(i) Systems may employ a service provider registered in accordance with rule 3701-29-03 of the Administrative Code in lieu of a class A operator as indicated in paragraph (B)(2) of this rule if the system has a design capacity of less than or equal to fifteen hundred gallons per day and are similar to a system authorized for installation as a household sewage treatment system with approval for that use in accordance with Chapter 3718. of the Revised Code and Chapter 3701-29 of the Administrative Code. The installation shall include the appropriate fail safe mechanisms established for the approved systems (e.g. telemetering or lockout) and tertiary treatment as appropriate. For systems operating under the terms and conditions of this alternate service provider provision, the permittee shall submit a copy of an active service contract with the service provider annually, in accordance with the conditions of the system's NPDES permit.

(ii) Systems operating under paragraph (C)(3)(i)(i) of this rule are not subject to the minimum staffing requirements in paragraph (C)(1) of this rule.

~~(3)~~(4) Additional staffing requirements.

(a) The professional operator of record or backup professional operator allowed under paragraphs ~~(C)(2)(e)(C)(3)(b)~~, ~~(C)(2)(d)(C)(3)(c)~~ and ~~(C)(2)(e)(C)(3)(d)~~ of this rule shall be available during all periods of treatment works operation.

(b) ~~Daily visits~~ Visits to all treatment works shall be performed by the permittee, ~~his~~the permittee's representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. ~~Daily visits~~ Visits shall not be necessary when the treatment works is not in operation.

~~(e) A limited class A operator holds a facility-specific certificate and may not operate any other facilities or transfer the certificate to a different facility.~~

(D) The classification of the professional operator of record, and the numbers of days per week and hours per week for staffing requirements specified in paragraph (C) of this rule are minimum requirements. In order to protect public health and welfare and based on specific circumstances at a treatment works or sewerage system, the director may require a treatment works or sewerage system to be operated by ~~an~~ a professional operator of record with a higher classification than the minimum requirement, or may require ~~an~~ a professional operator of record to visit a treatment works or sewerage system more frequently and for more hours per week than the minimums required by this rule.

Effective: 8/15/2018
Five Year Review (FYR) Dates: 4/2/2018 and 08/15/2023

CERTIFIED ELECTRONICALLY

Certification

07/31/2018

Date

Promulgated Under: 119.03
Statutory Authority: 6111.46
Rule Amplifies: 6111.46
Prior Effective Dates: 2/1/64, 4/17/86, 1/1/99, 12/21/06, 02/23/12