



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: June 22, 2018

TIME: 11:57 AM

WSR 18-14-011

Agency: Department of Ecology AO # 18-02

Subject of possible rule making:

The Department of Ecology is beginning a rulemaking to amend Chapter 173-230 WAC Certification of Operators of Wastewater Treatment Plants. This rule establishes the Ecology's Wastewater Operator Certification program.

As part of this rulemaking we will be focusing on the following:

- Establishing a fee schedule to replace existing fee requirements.
- Revising:
 - Definitions.
 - Rule language for new treatment technologies.
- Providing for an Operator in Training and respective education and experience qualifications for groups II-IV
- Updating professional growth requirements.
- Revising language regarding revocation and suspension of a certificate.
- Reorganizing and clarifying rule language.
- Other edits identified or necessary to support the above items, the overall objectives of the statute or chapter, or the goals of the program.

Statutes authorizing the agency to adopt rules on this subject:

Chapter 70.95B RCW Domestic Waste Treatment Plants—Operators

Reasons why rules on this subject may be needed and what they might accomplish:

Legislation passed in 2018 amending Chapter 70.95B RCW (Chapter 213, Laws of 2018) directing Ecology, with the advice of an advisory committee, to establish an initial fee schedule.

The other updates we are considering would:

- Modernize and improve the existing program by recognizing newer, more advanced treatment technologies in plant classification.
- Provide Ecology additional options, flexibility, and clarity around revocations and suspensions.
- Create more opportunities among operators for growth in their professions, filling a coming gap due to retirees.
- Working directly with affected stakeholders will allow us to identify other changes we aren't considering and find solutions that work for us all.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Not applicable. Ecology is the only agency that regulates Wastewater Operator Certification in Washington State.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)


Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (Chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Web site: <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-230>
Other: Sign up for email updates:
<http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A0=ECOLOGY-WW-OPCERT>

(If necessary)
Name: Poppy Carre
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Additional comments: Interested parties can stay informed about the rulemaking and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

Date: 06/22/2018	Signature: 
Name: Heather Bartlett	
Title: Water Quality Program Manager	