



December 12, 2008

Department of Environmental Protection
Bureau of Water Standards and Facility Regulations
Rachel Carson State Office Building
P.O. Box 8467
Harrisburg, PA 17105-8467

The Eastern Water Pollution Operator's Association (EPWPCOA) thanks the Department of Environmental Protection (DEP) for the opportunity to comment on the proposed Operator Certification Program fee structure.

EPWPCOA POSITION

The EPWPCOA Executive Committee and Board of Directors have developed the following position in response to the DEP request for input regarding the fee structure to cover the cost of the DEP Operator Certification Program.

First and foremost, the EPWPCOA feels that the proposed costs of the program are excessive and the Department should first consider methods to reduce the costs of the program.

FEE STRUCTURE OBJECTIVES

In anticipation of the need for qualified operators and the reality that many certified operators will be retiring in the next 10 years, it is our belief that the following objectives must be considered when evaluating various fee structure proposals:

1. The approved fee structure must not discourage:
 - a. new operator certifications
 - b. maintaining the existing operator certifications

2. The fee structure must not discourage:
 - a. new training/examination providers
 - b. maintaining existing training/examination providers

3. All certified operators should share in the cost

ANALYSIS OF DEP PROPOSED FEE STRUCTURE

The EPWPCOA reviewed the three fee structure proposals as presented by DEP and evaluated each proposal based on the objectives above.

Option 1

All certified operators do not share in the cost of the certification program. Certified operators who are not employed by a system owner will not pay at all. For example, certified operators who are consulting engineers, DEP employees, equipment suppliers, and industrial waste pretreatment plant operators, will not pay for any part of the certification program because they are not employed by a system owner. Certain Regional Authorities may have more than one NPDES permit and also have several different water systems. They would pay a significantly higher annual service fee for the same number of employed certified operators.

Option 2

This option will potentially reduce the number of new or existing training providers resulting in less training opportunities. The small training providers may not be able to absorb the \$3,250 annual cost.

Option 2b

This will discourage training courses which only offer 1 contact hour or offer free contact hours. Paying \$900 for a course approval is detrimental to the small time training providers.

Option 3

While this option is the most equitable with spreading the costs among system owners, training/examination providers, certified operators, and potential certified operators, this option may discourage new certified operators and may reduce the existing number of certified operators.

EPWPCOA OFFICIAL RECOMMENDATION FOR DEP

The EPWPCOA does not recommend Option 1, 2, or 3 as presented by DEP but recommends a fee structure that collects the fees from a combination of system owner and training/examination providers. It is recommended that the majority of the cost be borne by the system owners and nominal fees for the training/examination providers as follows:

Provider Approval Application	\$50
Annual fee	\$0
Course Approval	\$25
Conference Approval	\$150
Course Rosters	\$15
Exam Session	\$5 per tester

The recommended option will not discourage operators from becoming certified or retention of existing certified operators. This option will also not discourage new or existing training providers or discourage new or existing exam providers. This option will also require certified operators not employed by system owners to share in the costs when taking the exam or obtaining contact hours because the training or exam provider will include their costs in the contact hour fees.

It is also recommended that the drinking water and wastewater systems annual service fee be limited to one fee per entity regardless of the number of systems they operate.

We appreciate your recognition of the need and importance of stakeholder input from the certified operators and professional organizations on the proposed regulations.

Sincerely,

A handwritten signature in black ink that reads "Pat Mandes". The signature is written in a cursive style with a large, looped initial "P".

Pat Mandes
EPWPCOA First Vice President
EPWPCOA Certification Committee Chairperson

cc: EPWPCOA Board