
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **342** Session of
1961

INTRODUCED BY MESSRS. SARRAF, DEVLIN, PECHAN,
CAMIEL AND DONOLOW, MARCH 6, 1961.

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND
WELFARE, MARCH 6, 1961.

AN ACT

Providing for the certification by the Secretary of Health of operators in responsible charge of water supply systems and water treatment plants specifying the classifications of water supply systems and water treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants and systems providing for revocation and suspension of certificates and providing for penalties and civil relief

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill.
Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

1 Section 1 Short Title This act shall be known and may be cited as
2 the "Water Works Operators Certification Act"

3 Section 2 Definitions The following words and phrases when used
4 in this act unless the context clearly indicates otherwise shall have
5 the meanings ascribed to them in this section

6 (1) "Secretary" The Secretary of Health of the Commonwealth

7 (2) "Department" The Department of Health of the Common-
8 wealth

9 (3) "Water Purveyor" Any agency of the Commonwealth munic-
10 pality public corporation authority private corporation com-
11 pany firm partnership association institution estate or indi-
12 vidual which derives treats conveys or distributes water for
13 potable or domestic purposes to the public

14 (4) "Water Supply System" A system comprising structures which
15 operating alone or with other structures results in the deriva-
16 tion conveyance or distribution of water for potable or domes-

1 tic purposes to the public this definition does not include a
2 water treatment plant

3 (5) "Water Treatment Plant" Any structure or structures by
4 means of which water prior to discharge into a water supply
5 system is subjected to the addition or removal of a substance
6 or substances in order to enhance the safety or suitability of
7 the water

8 (6) "Water Works Operator" Any person in responsible charge
9 of one or more water supply systems or water treatment plants
10 whose duty it is to supervise the safety and quality of the water
11 served thereby

12 (7) "Certified Operator" Any person who holds a valid certificate
13 in accordance with this act

14 Section 3 Administration The provisions of this act shall be admin-
15 istered by the Secretary of Health

16 Section 4 Duties of the Secretary of Health The Secretary of
17 Health shall be empowered to receive and pass upon applications for
18 certification of water works operators according to the plant classification
19 scheme and the operators' grading scheme set forth herein to hold writ-
20 ten or oral examinations as may be deemed necessary to determine the

1 fitness of a candidate for certification to issue certificates to revoke
2 suspend or reinstate certificates after proper hearing to determine the
3 number and class of water supply systems or water treatment plants
4 which may be supervised by a single certified operator to initiate and
5 receive complaints to compel attendance of witnesses and the produc-
6 tion of books and records and to set up such administrative procedures
7 as are necessary to carry out the purposes of this act and to administer
8 the provisions of the act

9 The Secretary of Health shall compile and keep current a roster
10 showing the names and addresses of the water works operators certi-
11 fied under this act which shall be published at least once every two (2)
12 years Copies of this roster shall be mailed to each certificate holder
13 and be furnished to other persons upon request

14 Section 5 Classification of Water Treatment Plants and Water Sup-
15 ply Systems

16 (a) "Class A" shall mean all water treatment plants which serve
17 an average of more than ten million gallons per day provided
18 that if filtration is utilized this classification applies to all such
19 treatment plants which serve an average of more than five
20 million gallons per day

1 (b) "Class B" shall mean all water treatment plants which serve
2 an average of between 5,000,000 and 10,000,000 gallons per
3 day provided that if filtration is utilized this classification ap-
4 plies to all such water treatment plants which serve an average
5 of between 1,000,000 and 5,000,000 gallons per day

6 (c) "Class C" shall mean all water treatment plants which serve
7 up to an average of five million gallons per day provided
8 that if filtration is utilized this classification applies to all such
9 water treatment plants which serve an average of less than
10 one million gallons per day

11 (d) "Class D" shall mean all water treatment plants not covered
12 by "Classes A B and C" and all water supply systems

13 Section 6 Eligibility Requirements of Applicants for Certification as
14 Operators Any person applying for certification as the operator of
15 a water supply system or water treatment plant shall have successfully
16 completed at least the sixth grade and shall normally have had at least
17 the minimum number of years experience in charge of the operation of a
18 plant of the same or higher classification or in charge of the operation
19 during any shift or as a responsible assistant to the person in charge

1 of the operation as follows Class "A" plant 12 years Class "B" plant
2 10 years Class "C" plant 8 years Class "D" plant 4 years provided that

3 (1) For successful completion of each grade above the sixth grade
4 the experience required above may be reduced by six months

5 (2) For successful completion of each Water Works Short Course
6 of at least thirty hours duration or equivalent which is ac-
7 ceptable to the Secretary the experience required above may be
8 reduced by six months

9 (3) For the successful completion of each Correspondence Course
10 in sanitary engineering or water supply treatment which is
11 acceptable to the Secretary the experience required above may
12 be reduced by one year

13 (4) For each year's successful completion of college courses in
14 chemistry biological science or other scientific subjects closely
15 allied to the field of water treatment the experience required
16 above may be reduced by six months

17 (5) For each year's successful completion of college courses in
18 sanitary civil chemical or public health engineering the experi-
19 ence required above may be reduced by one year

- 1 (6) For each advanced college degree in engineering chemistry or
2 other scientific subjects closely allied to the field of water
3 treatment the experience required above may be reduced by
4 one year
- 5 (7) For each year's experience as a sanitary engineer in the field
6 of water treatment the experience required above may be
7 reduced by one year
- 8 (8) Experience in the operation of water treatment plants of
9 different classifications or experience in the design construction
10 or operation of water sewage or industrial waste treatment
11 plants may be evaluated by the Secretary and applied to re-
12 duce the minimum experience requirements set forth
- 13 (9) The holder of a restricted certificate granted under the pro-
14 visions of Section 7 may apply for certification as the operator
15 of a water works of the same or next higher plant classifica-
16 tion without regard to the minimum experience and educational
17 requirements provided in Section 6
- 18 The reductions allowed by Clauses (1) (2) (3) (4) (5) (6) and
19 (7) shall not reduce the minimum required actual operating experience
20 to less than the following

1 2 years for Class "A" plants

2 1 year for Class "B" plants

3 6 months for Class "C" plants

4 Section 7 Restricted Certificates Any person who at the time of
5 the passage of this act is employed as operator of a water treatment
6 plant or water supply system in Pennsylvania as defined in Section 2 may
7 make application for a restricted certificate which would permit him to
8 operate only the plant or system in which he is employed at the time of
9 the passage of this act notwithstanding the provisions of Section 6 The
10 Secretary of Health shall issue such restricted certificate without ex-
11 amination upon submission of an application and payment of the required
12 fee

13 No applications for restricted certificates may be made to the Sec-
14 retary of Health after two years from the effective date of this act No
15 restricted certificates shall be issued in response to applications received
16 after that date

17 Section 8 Certification Examination and Issuance of Certificate The
18 Secretary of Health shall cause written or oral examinations to be made
19 by such persons and at such times and places as he may specify for the

1 purpose of determining the qualifications of eligible applicants for certi-
2 fication as operators of water treatment plants and water supply sys-
3 tems and shall only upon the applicants' successful completion of such
4 examinations issue said applicants certificates of the appropriate grades

5 Section 9 Reciprocity The Secretary of Health may issue certificates
6 without examination to applicants who hold valid certificates issued
7 under Water Works Operators Certification Laws of any other state ter-
8 ritory or the District of Columbia provided the out-of-state certificate
9 was issued as a result of the successful passing of an examination equiva-
10 lent to the examination given by the Secretary for the same grade Eligi-
11 bility requirements of applicants for certification as operators set forth
12 in Section 6 shall apply to all such applicants

13 Section 10 Fees Each application for certification as operators
14 shall be accompanied by a fee of five dollars (\$5) Certificates shall ex-
15 pire on the last day of December following their issuance or renewal
16 and must be renewed annually in the manner prescribed by the Secre-
17 tary of Health The renewal fee shall be two dollars (\$2)

18 Section 11 Suspension and Revocation The Secretary may suspend
19 or revoke the certificate of any operator if he has found said operator

1 to be incompetent to operate a plant or system of the classification for
2 which he is certified or to have wilfully neglected his duty in the opera-
3 tion of any plant or system or to have disregarded or disobeyed the law-
4 ful orders rules or regulations of the Secretary relative to certification or
5 the lawful orders of the Pennsylvania Department of Health relative
6 to water works

7 The procedure to be followed in the suspension and revocation of
8 certificates and in appeals taken from actions of the Secretary of Health
9 shall be that prescribed by the act of June 4 1945 (P L 1388) known
10 as the "Administrative Agency Law" and its amendments

11 Section 12 Practice of Water Works Operation

12 (a) After two years from the effective date of this act no person
13 shall discharge the duties of an operator as herein defined
14 of a water treatment plant or water supply system unless he
15 holds a valid certificate from the Secretary of Health for the
16 operation of a treatment plant or system of that classification
17 or higher or a restricted certificate for that particular plant
18 or system or has filed a valid application for a restricted cer-
19 tificate as provided for under Section 7 which application has
20 not been acted upon by the Secretary

- 1 (b) In the event of an emergency or unusual circumstances at a
2 water treatment plant or water supply system which result
3 in the plant or system being temporarily without the services
4 of a certified operator of the required grade the Secretary
5 may in the case of a Class "A" "B" or "C" plant issue a
6 temporary certificate for the operation of such plant valid for
7 for a period of six months to an operator holding a certificate
8 not more than one grade lower than that required for the
9 plant involved and in the case of a Class "D" plant a tem-
10 porary certificate for the operation of such plant valid for a
11 period of one year To continue in responsible charge of a water
12 treatment plant or system beyond the expiration date of a
13 temporary certificate the holder thereof must qualify for a
14 regular certificate of the required grade prior to the expiration
15 date of the temporary certificate
- 16 (c) The Pennsylvania Department of Health is hereby empow-
17 ered to require water purveyors to place water treatment plants
18 and water supply systems under the responsible charge of
19 certified operators as provided by this act

1 Section 13 Penalties Any person or water purveyor who violates
2 any provisions of this act shall upon conviction thereof in any summary
3 proceeding be sentenced to pay a fine of not less than fifty dollars (\$50)
4 and costs nor more than one hundred dollars (\$100) and costs

5 For the purpose of this section each day that an offense continues
6 shall be construed to constitute a separate offense

7 Section 14 Civil Relief The Secretary of Health upon the advice
8 of the Attorney General may maintain an action in the name of the
9 Commonwealth for an injunction or other process against any person or
10 water purveyor to restrain or prevent such person or water purveyor from
11 violating the provisions of this act or any order rule or regulation of
12 the Secretary pursuant to the provisions of this act such action shall
13 be brought in the name of the Commonwealth

14 Section 15 Effective Date The provisions of this act shall become
15 effective immediately upon final enactment

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1961.

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Governor