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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No. **344** Session of  
1961

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

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

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## AN ACT

Providing for the certification by the Sanitary Water Board of operators in responsible charge of sewage treatment plants specifying the classifications of sewage treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants 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 "Sewage Works Operators Certification Act"

3 Section 2 Definitions

4 (a) The following words and phrases when used in this act unless  
5 the context clearly indicates otherwise shall have the meanings ascribed  
6 to them in this section

7 (1) "Department" the Department of Health

8 (2) "Board" the Sanitary Water Board

9 (3) "Sewage Treatment Plant" a plant designed to treat sewage  
10 and discharge the effluent to waters of the Commonwealth

11 (4) "Owner" any municipality or person as herein defined which  
12 owns operates or owns and operates a sewage treatment plant

13 (5) "Municipality" shall include any county county authority  
14 municipal authority city borough town township school district and in-  
15 stitution as herein defined

16 (6) "Institution" shall include healing preventive mental health  
17 educational correctional and penal institutions almshouses and county

1 and city homes operated by the State or any political subdivision thereof  
2 and whose sewage is not admitted to a public sewer system

3 (7) "Person" shall be construed to include any person co-partner-  
4 ship association or private corporation

5 (8) "Operator" any person who operates or directly supervises the  
6 operation of a sewage treatment plant and who is directly responsible  
7 for its operation and the quality of the effluent therefrom

8 (9) "Certificate" a certificate issued by the Sanitary Water Board  
9 authorizing the person named therein to operate a sewage treatment  
10 plant

11 (b) The following words shall have the meanings ascribed to them  
12 in the "Glossary Water and Sewage Control Engineering" prepared by  
13 the Joint Committee representing the American Public Health Associa-  
14 tion the American Society of Civil Engineers the American Water  
15 Works Association and the Federation of Sewage Works Associations  
16 (Water Pollution Control Federation) as compiled in 1945 "sewage"  
17 "activated sludge" "chemical precipitation" "sedimentation" "biological  
18 filtration"

1 Section 3 Administration The provisions of this act shall be ad-  
2 ministered and enforced by the Department in accordance with the Rules  
3 and Regulations of the Board

4 The Board shall make Rules and Regulations establishing minimum  
5 qualifications as to education and experience of applicants for certificates  
6 requiring written and/or oral examinations to determine the qualifica-  
7 tions of applicants for certificates and providing for the issuance of  
8 certificates The Board shall revoke suspend or reinstate certificates after  
9 proper hearing shall initiate and receive complaints to compel attendance  
10 of witnesses and the production of books and records

11 The Department shall compile and keep current a roster showing  
12 the names and addresses of the sewage plant operators certified under  
13 this act which shall be published at least once every two (2) years Copies  
14 of this roster shall be mailed to each certificate holder and be furnished  
15 to other persons upon request

16 Section 4 Minimum Experience Required for Certification Experi-  
17 ence shall mean the number of years in charge of the operation of a  
18 sewage treatment plant or in charge of the operation during any shift  
19 or as a responsible assistant to the person in charge of the operation  
20 The experience required shall be related to the education training and

1 experience needed to operate the classes of sewage treatment plants set  
2 forth in Section 5 The minimum experience required by the Board shall  
3 not exceed nor be less than that set forth in Section 6

4 Section 5 Classification of Sewage Treatment Plants For the pur-  
5 poses of this act all sewage treatment plants will be classified as follows

6 (1) "Class A" shall mean all sewage treatment plants having a  
7 design capacity of twenty million gallons daily or more whose operation  
8 depends substantially upon the use of activated sludge or chemical pre-  
9 cipitation

10 (2) "Class B" shall mean all sewage treatment plants having a  
11 design capacity of seven and one-half million gallons daily or more but  
12 less than twenty million gallons daily whose operation depends sub-  
13 stantially upon the use of activated sludge or chemical precipitation  
14 and all sewage treatment plants having a design capacity of twenty mil-  
15 lion gallons daily or more whose operation depends substantially upon  
16 the use of sedimentation or biological filtration

17 (3) "Class C" shall mean all sewage treatment plants having a  
18 design capacity of one and one-half million gallons daily or more but  
19 less than seven and one-half million gallons daily whose operation de-

1 pends substantially upon the use of activated sludge or chemical precipi-  
2 tation and all sewage treatment plants having a design capacity of seven  
3 and one-half million gallons daily or more but less than twenty million  
4 gallons daily whose operation depends substantially upon the use of  
5 sedimentation or biological filtration

6 (4) "Class D" shall mean all sewage treatment plants having a  
7 design capacity of two hundred thousand gallons daily or more but less  
8 than one and one-half million gallons daily whose operation depends  
9 substantially upon the use of activated sludge or chemical precipitation  
10 and all sewage treatment plants having a design capacity of one and one-  
11 half million gallons daily or more but less than seven and one-half million  
12 gallons daily whose operation depends substantially upon the use of  
13 sedimentation or biological filtration

14 (5) "Class E" shall mean all sewage treatment plants having a  
15 design capacity of twenty thousand gallons daily or more but less than  
16 two hundred thousand gallons daily whose operation depends substan-  
17 tially upon the use of activated sludge or chemical precipitation and all  
18 sewage treatment plants having a design capacity of two hundred thou-  
19 sand gallons daily or more but less than one and one-half million gallons

1 daily whose operation depends substantially upon the use of sedimenta-  
2 tion or biological filtration

3 (6) "Class F" shall mean all sewage treatment plants having a  
4 design capacity of less than twenty thousand gallons daily whose opera-  
5 tion depends substantially upon the use of activated sludge or chemical  
6 precipitation and all sewage treatment plants having a design capacity  
7 of less than two hundred thousand gallons daily whose operation depends  
8 substantially upon sedimentation or biological filtration

9 Section 6 Range of Minimum Qualifications The minimum length  
10 of experience required by the Sanitary Water Board for certification of  
11 applicants shall not be more than twelve years nor less than two years  
12 for Class A plants more than ten years nor less than one year for Class  
13 B plants more than eight years nor less than six months for Class C  
14 plants more than six years nor less than six months for Class D plants  
15 more than two years for Class E plants more than one year for Class F  
16 plants

17 In establishing minimum experience requirements within the ranges  
18 stated above the Sanitary Water Board may make reasonable allowance  
19 for education for training in the field of sewage treatment and for  
20 training and experience in allied fields

1 Section 7 Restricted Certificates Any person who at the time of  
2 the passage of this act is employed as operator of a sewage treatment  
3 plant in Pennsylvania as defined in Section 2 may be issued a restricted  
4 certificate which would permit him to operate only the plant in which he  
5 is employed at the time of the passage of this act The board shall issue  
6 such restricted certificate without examination upon submission of an  
7 application and payment of the required fee

8 The holder of a restricted certificate may apply for certification as  
9 the operator of a sewage treatment plant of the same or next higher plant  
10 classification without regard to the minimum education and experience  
11 requirements provided in Section 6

12 No restricted certificates shall be issued in response to applications  
13 submitted more than two years after the effective date of this act

14 Section 8 Reciprocity The board may issue certificates without  
15 examination to applicants who hold valid certificates issued under sewage  
16 treatment plant operators certification laws of any other state terri-  
17 tory or the District of Columbia provided the out-of-state certificate  
18 was issued as a result of the successful passing of an examination equiva-  
19 lent to the examination given by the board for the same grade Eligibility

1 requirements of applicants for certification as operators as set forth in  
2 Section 8 shall apply to all such applicants

3       Section 9 Fees Each application for certification as operator shall  
4 be accompanied by a fee of five dollars (\$5) Certificates shall expire on  
5 the last day of December following their issuance or renewal and must  
6 be renewed annually in the manner prescribed by the board The renewal  
7 fee shall be two dollars (\$2)

8       Section 10 Suspension and Revocation The board may suspend or  
9 revoke the certificate of any operator if it has found said operator to be  
10 incompetent to operate a plant of the classification for which he is  
11 certified or to have wilfully neglected his duty in the operation of any  
12 plant or to have disregarded or disobeyed the lawful orders rules or  
13 regulations of the board relative to certification or to sewage treatment  
14 plants

15       The procedure to be followed in the suspension and revocation of  
16 certificates and in appeals taken from actions of the board shall be that  
17 prescribed by the act approved June 4 1945 (P L 1388) known as the  
18 "Administrative Agency Law" and its amendments

19       Section 11 Practice of Sewage Plant Operation After two years

1 from the effective date of this act no person shall discharge the duties  
2 of an operator as herein defined of a sewage treatment plant unless he  
3 holds a valid certificate from the board for the operation of a treatment  
4 plant of that classification or higher or a restricted certificate for that  
5 particular plant or has filed a valid application for a restricted certificate  
6 as provided for under Section 7 which application has not been acted  
7 upon by the board

8       Section 12 Temporary Certificates In the event of an emergency  
9 or unusual circumstances at a sewage treatment plant which results in  
10 the plant's being temporarily without the services of an operator holding  
11 a valid certificate of the required grade the board may issue a temporary  
12 certificate for the operation of such plant valid for a period of six months  
13 to any person selected by the owner who upon being interviewed by a  
14 duly appointed representative of the board is deemed by such repre-  
15 sentative to be capable of operating the plant involved pending the  
16 employment of a certified operator No plant may continue to be operated  
17 by any holder of a temporary certificate for more than six months

18       Section 13 The Sanitary Water Board is hereby empowered to  
19 require owners of sewage treatment plants to place such plants under

the direct supervision of certified operators and the board may by  
1 Regulation determine the number and class of sewage treatment plants  
2 which may be supervised by a single certified operator

3  
4 Section 14 Penalties Any person or owner who violates any of  
5 the provisions of this act shall upon conviction thereof in any summary  
6 proceeding be sentenced to pay a fine of not less than fifty dollars (\$50)  
7 and costs nor more than one hundred dollars (\$100) and costs

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

10 Section 15 Civil Relief The board upon the advice of the Attorney  
11 General may maintain an action in the name of the Commonwealth for  
12 an injunction or other process against any person or owner of a sewage  
13 treatment plant from violating the provisions of this act or any order  
14 rule or regulation of the board pursuant to the provisions of this act  
15 Such action shall be brought in the name of the Commonwealth

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