
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **344** Session of
1961

MESSRS. SARRAF, DEVLIN, PECHAN AND DONOLOW,
IN PLACE, MARCH 6, 1961.

AS AMENDED ON THIRD READING, JUNE 28, 1961.

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. Underscoring 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 (10) "Certified Operator" any person who (1) holds a valid certifi-
12 cate in accordance with this act or (11) is a registered professional
13 engineer

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

1 "activated sludge" "chemical precipitation" "sedimentation" "biological
2 filtration"

3 Section 3 Administration The provisions of this act shall be ad-
4 ministered and enforced by the Department in accordance with the rules
5 and regulations of the Board

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

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

18 Section 4 Minimum Experience Required for Certification Experi-
19 ence shall mean the number of years in charge of the operation of a
20 sewage treatment plant or in charge of the operation during any shift

1 or as a responsible assistant to the person in charge of the operation
2 The experience required shall be related to the education training and
3 experience needed to operate the classes of sewage treatment plants set
4 forth in section 5 The minimum experience required by the Board shall
5 not exceed nor be less than that set forth in section 6

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

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

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

19 (3) "Class C" shall mean all sewage treatment plants having a
20 design capacity of one and one-half million gallons daily or more but

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

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

15 (5) "Class E" shall mean all sewage treatment plants having a
16 design capacity of twenty thousand gallons daily or more but less than
17 two hundred thousand gallons daily whose operation depends substan-
18 tially upon the use of activated sludge or chemical precipitation and all
19 sewage treatment plants having a design capacity of two hundred thou-
20 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 AP-
14 PPLICATIONS FOR RESTRICTED CERTIFICATES MUST BE
15 APPLIED FOR WITHIN TWO YEARS OF THE EFFECTIVE
16 DATE OF THIS ACT

17 Section 8 Reciprocity The Board may issue certificates without
18 examination to applicants who hold valid certificates issued under sewage
19 treatment plant operators certification laws of any other state terri-
20 tory or the District of Columbia provided the out-of-state certificate

1 was issued as a result of the successful passing of an examination equiva-
2 lent to the examination given by the board for the same grade Eligibility
3 requirements of applicants for certification as operators as set forth in
4 section 6 shall apply to all such applicants

5 Section 9 Fees Each application for certification as operator shall
6 be accompanied by a fee of five dollars (\$5) Certificates shall expire on
7 the last day of December following their issuance or renewal and must
8 be renewed annually in the manner proscribed by the Board The renewal
9 fee shall be two dollars (\$2) ALL CERTIFICATE HOLDERS WILL
10 BE GRANTED RENEWALS UPON COMPLIANCE WITH THIS
11 SECTION

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

19 The procedure to be followed in the suspension and revocation of

1 certificates and in appeals taken from actions of the Board shall be that
2 prescribed by the act approved June 4 1945 (P. L. 1388) known as the
3 "Administrative Agency Law" and its amendments

4 Section 11 Practice of Sewage Plant Operation After two years
5 from the effective date of this act no person shall discharge the duties
6 of an operator as herein defined of a sewage treatment plant unless he
7 is a registered professional engineer or holds a valid certificate from
8 the Board for the operation of a treatment plant of that classification
9 or higher or a restricted certificate for that particular plant or has filed
10 a valid application for a restricted certificate as provided for under sec-
11 tion 7 which application has not been acted upon by the Board

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

1 by any holder of a temporary certificate for more than six months

2 Section 13 The Sanitary Water Board is hereby empowered to

3 require owners of sewage treatment plants to place such plants under

4 the direct supervision of certified operators and the Board may by

5 regulation determine the number and class of sewage treatment plants

6 which may be supervised by a single certified operator

7 Section 14 Penalties Any person or owner who violates any of

8 the provisions of this act shall upon conviction thereof in any summary

9 proceeding be sentenced to pay a fine of not less than fifty dollars (\$50)

10 and costs nor more than one hundred dollars (\$100) and costs

11 For the purpose of this section each day that an offense continues

12 shall be construed to constitute a separate offense

13 Section 15 Civil Relief The Board upon the advice of the Attorney

14 General may maintain an action in the name of the Commonwealth for

15 an injunction or other process against any person or owner of a sewage

16 treatment plant from violating the provisions of this act or any order

17 rule or regulation of the Board pursuant to the provisions of this act

18 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