

3745-7-04 Treatment works and sewerage system classification and staffing requirements.

In accordance with this rule, all treatment works, sewerage systems, or wastewater treatment facilities within a treatment works shall be classified as a class A, I, II, III, or IV treatment works or class I or II sewerage systems and shall provide the minimum staffing required for that classification of wastewater treatment facility. Industrial wastewater treatment plants shall be classified in accordance with paragraph (B)(3)(c) of this rule.

(A) Applicability.

- (1) The classification and staffing requirements in paragraphs (B)(1)(a), (B)(2), and (C) of this rule shall be incorporated into all new or renewed NPDES permits. The staffing requirements in paragraph (C) shall be fulfilled by either an operator of record pursuant to paragraph (A)(2) of rule 3745-7-02 of the Administrative Code or a backup operator pursuant to paragraphs (C)(2)(c), (C)(2)(d) and (C)(2)(e) of this rule. Until such time as an NPDES permit is renewed to incorporate the classification and minimum staffing requirements of this rule, the treatment works, sewerage system or wastewater treatment facility within a treatment works shall maintain the same level of classification and staffing as that on December 21, 2006.
- (2) The owner of a treatment works or sewerage system may request that the director reclassify the facility in accordance with the provisions of this rule at any time.
- (3) One, two, and three family dwellings with household sewage treatment systems shall be excluded from the requirements of this rule.

(B) Classification

(1) Sewerage systems.

- (a) Each sewerage system that is a tributary to a class I treatment works shall be classified as a class I sewerage system. Each sewerage system that is a tributary to a class II, III, or IV treatment works shall be classified as a class II sewerage system.
- (b) Each sewerage system for which an NPDES permit has been issued by the director, other than those sewerage systems described in paragraph (B)(1)(a) of this rule, shall be classified as a class II sewerage system.

(2) Treatment works.

- (a) Treatment works classification shall be based on design flow of the treatment works and the final effluent limits for the treatment works for monthly average concentrations of carbonaceous biochemical oxygen demand, total suspended solids, and summer month ammonia nitrogen designated in the

treatment works' NPDES permit. All treatment lagoon systems with a design flow greater than 0.025 million gallons per day (MGD) shall be classified as class I systems.

- (b) Class A, I, II, III, and IV treatment works shall be classified according to the following tables:

Classification of treatment works where one or more of the final effluent limits for monthly average concentration is less than or equal to: 10 mg/L carbonaceous biochemical oxygen demand, 12 mg/L total suspended solids, or 1 mg/L ammonia nitrogen

Design Flow	Classification
Less than or equal to 0.025 MGD	Class A
Greater than 0.025 MGD but less than 0.15 MGD	Class I
0.15 MGD to less than 1.0 MGD	Class II
1.0 MGD to less than 5.0 MGD	Class III
5 MGD and above	Class IV

Classification of treatment works where all of the final effluent limits for monthly average concentration are greater than: 10 mg/L carbonaceous biochemical oxygen demand, 12 mg/L total suspended solids, and 1 mg/L ammonia nitrogen

Design Flow	Classification
Less than or equal to 0.025 MGD	Class A
Greater than 0.025 MGD but less than 0.25 MGD	Class I
0.25 MGD to less than 2.0 MGD	Class II
2.0 MGD to less than 7.5 MGD	Class III
7.5 MGD and above	Class IV

- (3) The director may classify the following types of treatment works as Class A, I, II, III, or IV treatment works. The classification may be included in a permit-to-install or NPDES permit issued to the treatment works:
- (a) Treatment works that do not discharge to waters of the state;
 - (b) Sewage sludge treatment works;
 - (c) An industrial water pollution control facility that is operated with biological treatment (except lagoons). For the purposes of this chapter activated sludge treatment works means a treatment works that produces an activated mass of microorganisms capable of stabilizing waste aerobically; and
 - (d) Other treatment works.
- (4) The director may raise the classification of a particular treatment works or

sewerage system. Factors the director may consider include, but are not limited to, the complexity of treatment, downstream use designation as defined in Chapter 3745-1 of the Administrative Code, wet weather capacity problems, pretreatment program complexity, sewage sludge management complexity, past and present compliance with NPDES permit requirements, or potential public health or environmental risks.

- (5) After a treatment works or sewerage system is classified in accordance with paragraph (B) of this rule, if the director raises the classification, the permittee shall have up to twelve months to meet the requirements in paragraph (C)(1) of this rule for the new classification.

(C) Staffing.

- (1) The operator of record shall, at a minimum, be physically present at the treatment works and fulfill the time requirements in the following table and perform technical operation as assigned by the permittee of the treatment works.

Minimum staffing requirements for the operator of record

System classification	Staffing requirement
Class A	2 days per week for a minimum of 1 hour per week
Class I	3 days per week for a minimum of 1.5 hours per week
Class II	5 days a week for a minimum of 20 hours per week
Class III and IV	5 days a week for a minimum of 40 hours per week

(2) Exceptions

- (a) An operator of record of a sewerage system is not required to meet the minimum staffing requirements in paragraph (C)(1) of this rule.
- (b) Upon application on a form acceptable to the director by the permittee and the director's approval of the operating plan described in paragraph (C)(2)(b)(i) of this rule, the director shall reduce the minimum staffing requirement for an operator of record of a class II, III, or IV treatment works to no less than five days a week for a minimum of ten hours per week. However, the director shall not grant a reduction to a treatment works where an operator of record cannot respond to operational problems within one hour. Nor will the director grant a reduction to a treatment works that has a history of noncompliance with sampling, reporting, effluent limits or any other violations related to the treatment process, including but not limited to, grit removal, primary clarification, aeration, secondary clarification, filtration, sludge, or biosolids handling. The director also shall not grant a reduction to a treatment works under formal enforcement excluding enforcement related to combined sewer overflows or sanitary sewer overflows.
- (i) Treatment works shall submit an operating plan for their facility as part of

the application for a staffing reduction. The operating plan shall include a description of the level of automation and continuous monitoring at the facility, a standard operating procedure for any such automation or continuous monitoring equipment, and a detailed operations schedule showing the number of operators, their certification level, and the number of hours spent at the treatment works. The description of the continuous monitoring shall include a description of the calibration frequency, verification of calibration and records maintenance. Reductions in minimum staffing for the operator of record may be granted in accordance with the criteria in tables A and B below, either singly or in combination, based on the information provided in the wastewater treatment facility's operating plan. In no case shall a reduction of greater than thirty hours per week be granted to a class III or IV facility and ten hours per week for a class II facility.

Table A: Reductions in minimum operator of record staffing based on wastewater treatment facility staffing levels

	The operator of record staffing may be reduced by 5 hours per week if:	The operator of record staffing may be reduced by 10 hours per week if:	The operator of record staffing may be reduced by 15 hours per week if:	The operator of record staffing may be reduced by 20 hours per week if:
Plant staffing at class III and IV wastewater treatment facilities	There is another operator certified at a level no more than 2 classes below that of the treatment works or sewerage system onsite at the wastewater treatment facility 2 hours per day 5 days per week	There is another operator certified at a level no more than 2 classes below that of the treatment works or sewerage system onsite at the wastewater treatment facility 4 hours per day 5 days per week	There is another operator certified at a level no more than 2 classes below that of the treatment works or sewerage system onsite at the wastewater treatment facility 6 hours per day 5 days per week	There is another operator certified at a level no more than 2 classes below that of the treatment works or sewerage system onsite at the wastewater treatment facility 8 hours per day 5 days per week
Plant staffing at class II wastewater treatment facilities	There is a class I operator onsite at the wastewater treatment facility 3 hours per day 5 days per week	There is a class I operator onsite at the wastewater treatment facility 4 hours per day 5 days per week	Not applicable	Not applicable

Table B: Reductions in minimum operator of record staffing based on level of automation or continuous monitoring

	The operator of record staffing may be reduced by 5 hours per week if:	The operator of record staffing may be reduced by 10 hours per week if:	The operator of record staffing may be reduced by 15 hours per week if:	The operator of record staffing may be reduced by 20 hours per week if:
Automation or continuous monitoring at class II, III and IV wastewater treatment facilities	The wastewater treatment facility has supervisory control and data acquisition ("SCADA") equipment for monitoring permit requirements (flow, pH, chlorine residual, turbidity, dissolved oxygen, temperature and UV intensity, if applicable)	The wastewater treatment facility is automated with continuous monitoring	The wastewater treatment facility is automated with continuous monitoring; the wastewater treatment facility must also have personnel onsite at the facility or an electronic notification system that notifies the operator of record when there are problems with the wastewater treatment facility	The wastewater treatment facility is automated with continuous monitoring and an electronic notification system or certified operators on each shift that will notify the operator of record when there are problems with the wastewater treatment facility; the wastewater treatment facility must also have the ability to be operated remotely or have a certified operator respond within thirty minutes

- (ii) Any change in the criteria under which the reduction was approved will require that the treatment works immediately return to compliance with the minimum staffing requirements in paragraph (C)(1) of this rule. This provision shall not preclude a treatment works from submitting a modified operating plan.

- (iii) For a system operating plan to receive director's approval under table B of this rule, continuous monitors shall be calibrated in accordance with manufacturer standards or applicable regulations, whichever is more stringent. Calibration verification shall be conducted at least once per week or in accordance with applicable regulations, whichever is more stringent. Records of the calibrations and verifications shall be maintained for three years.
- (c) The operator of record for a class II, III, or IV treatment works or class II sewerage system may be replaced by a backup operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. This provision may not be used to routinely circumvent minimum staffing requirements.
- (d) Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the operator of record for a class II, III, or IV treatment works or class II sewerage system by a backup operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.
- (e) If the designated operator of record is unable to meet the minimum staffing requirements at a class A or class I treatment works, then an operator with a certificate equal to or higher than that of treatment works may serve as the operator of record until such time as the designated operator of record is available. The provisions of paragraphs (C)(2)(c) and (C)(2)(d) of this rule shall apply to this backup operator.
- (f) Upon submission of an application by the permittee and approval by the director, the staffing requirements of seasonal class A or class I treatment works may be reduced in the off season in accordance with the following system classification chart. In order to document seasonal operations the permittee must submit a form acceptable to the director documenting the system shut down date and the proposed reopening date. The application shall include documentation that enough wastewater has been removed from the system to prevent discharge to waters of the state and contain a contingency plan to lower the level in the plant in the event there is a potential to discharge effluent to waters of the state. Care should be taken by the owner and operator to ensure enough wastewater is left in the tanks to prevent the tanks from shifting.

System Classification	Staffing Requirement During the Off Season
Class A	1 visit every month
Class I	1 visit every 2 weeks

During the off season the operator of record shall visually confirm via flow monitoring, if applicable, that the treatment works is not discharging and does not have the potential to discharge wastewater. The verification shall be documented during the visits referenced above as part of the operation and maintenance records specified in rule 3745-7-09 of the Administrative Code. A discharge from the treatment works during the reduced staffing period is prohibited. The permittee shall notify the agency on a form acceptable to the director prior to resuming operations. Discovery of a discharge to waters of the state during a period of reduced staffing shall result in a denial of the authorization for reduced staffing requirements and a prohibition on further approval for a period of five years.

For the purposes of this rule, "seasonal operations" means the temporary ceasing of wastewater generating sources for a period of no less than sixty consecutive days.

- (g) Controlled discharge lagoons shall only be required to meet the minimum staffing requirements above during periods of discharge. When discharge is not occurring, the operator of record shall visit the facility at least once every two weeks.

(3) Additional staffing requirements.

- (a) The operator of record or backup operator allowed under paragraphs (C)(2)(c), (C)(2)(d) and (C)(2)(e) of this rule shall be available during all periods of treatment works operation.
 - (b) Daily visits to all treatment works shall be performed by the permittee, his representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Daily visits shall not be necessary when the treatment works is not in operation.
 - (c) A limited class A operator holds a facility-specific certificate and may not operate any other facilities or transfer the certificate to a different facility.
- (D) The classification of the operator of record, and the numbers of days per week and hours per week for staffing requirements specified in paragraph (C) of this rule are minimum requirements. In order to protect public health and welfare and based on specific circumstances at a treatment works or sewerage system, the director may require a treatment works or sewerage system to be operated by an operator of record with a higher classification than the minimum requirement, or may require an operator of record to visit a treatment works or sewerage system more frequently and for more hours per week than the minimums required by this rule.

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