

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 376

S. P. III

In Senate, January 23, 1975

Referred to the Committee on Natural Resources. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Berry of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Amend the Wastewater Treatment Plant Operator Statute.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 32 MRSA, § 4171, sub-§ 3, as enacted by PL 1969, c. 237, is repealed and the following enacted in place thereof:

3. Operator. "Operator" shall mean both:

A. The individual who is the superintendent or chief operator and has full responsibility for the actual operation of a wastewater treatment works; and

B. Those who work under the supervision of the superintendent or chief operator and who normally have on-site operational control of the wastewater treatment works.

Sec. 2. 32 MRSA, § 4172, as last amended by PL 1971, c. 618, § 12, is further amended to read:

§ 4172. Classification

The board shall classify all wastewater treatment plants actually used or intended for use by the public with due regard to the size, type, character of wastewater to be treated and other physical conditions affecting such treatment plants and shall specify the qualifications the operator ~~in responsible charge must have to supervise successfully the operation~~ of said facilities ~~must have~~ so as to protect the public health or prevent nuisance conditions or unlawful pollution.

Sec. 3. 32 MRSA, § 4173, as last amended by PL 1971, c. 618, § 12, is repealed and the following enacted in place thereof:

§ 4173. Certification

The board shall certify persons as to their competency to operate wastewater treatment plants. No certification shall be required of an operator who is a registered professional engineer. Operators not in responsible charge may be certified at a lower grade than the facility they work in.

Sec. 4. 32 MRSA, § 4177, as last amended by PL 1973, c. 625, § 223, is further amended by adding a new sentence at the end to read:

Said certificates shall be subject to revocation by the board in accordance with the procedure specified in section 4175.

STATEMENT OF FACT

Section 1. Qualified, knowledgeable, personnel are necessary for the proper operation of a wastewater treatment facility. The quality of treatment is directly proportional to the competency of the operating personnel. It is, therefore, necessary that all persons having direct control of plant operation, i.e. the chief operator and any shift operator responsible in his absence, be knowledgeable and competent. By certification of those who have control of the operation, the board can insure these personnel will be adequately trained.

Section 2. Section 2 was changed to concur with section 1.

Section 3. The existing statutes permits persons with little or no knowledge of wastewater treatment plant operations to be responsible for the operation of complex treatment facilities. The addition alleviates the necessity of operators performing lessor functions to obtain a full certification equal to his facility.

Section 4. This section allows the board to revoke licenses authorized by this section in the manner provided by Title 32 section 4175.