



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



BUREAU OF CLEAN WATER

The Operator Certification Act Chapter 302 Regulations

Responsibilities of Clean Water Professionals

Objectives

- Duties of Operators as required by Chapter 302
- Action vs inaction
- Legal protection for ethical actions
- Communicate, communicate, communicate

Chapter 302: Owners & Operators

Duties of Owners* & Operators



Duties of Owners & Operators

Both must Comply with

- Regulations, including permit requirements & conditions
- Clean Streams Law requirements:
 - understand permit terms & conditions
 - notify DEP & downstream users
 - prevent injury, abate pollution

See handout for other Chapter 302
required Duties of Owners

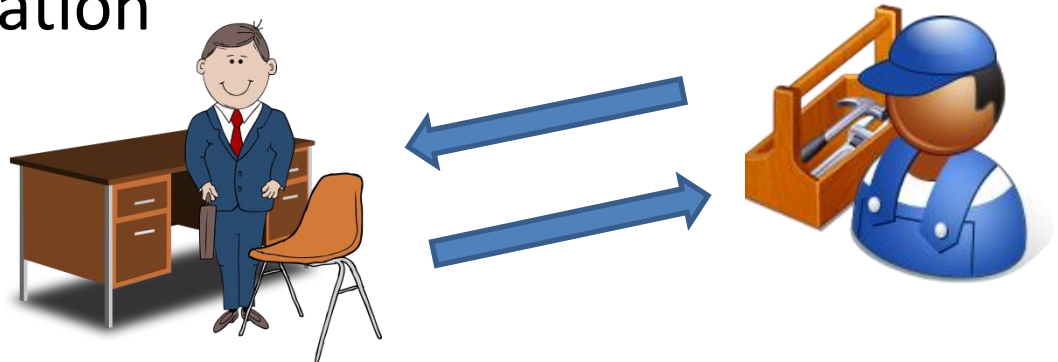
Duties of Operators - Compliance

Understand permit terms & conditions

Provide suitable Operation and Maintenance

Report to Owner:

- known violations or system conditions that may be or are causing violations
- actions or resources needed to prevent or eliminate a violation



Process Control Decisions



by Available Operator

Operator Report to System Owner

OPERATOR REPORT TO SYSTEM OWNER

System: _____ Date of Violation or Start of Condition(s): _____

System Owner: _____

1. Nature of the Violation or System Condition(s):

2. Suspected Cause of the Violation or System Conditions Including the Lack of Needed Resources:

3. Degree of Severity or Threat to Public Health and Safety or to the Environment from the Violation or System Condition(s):

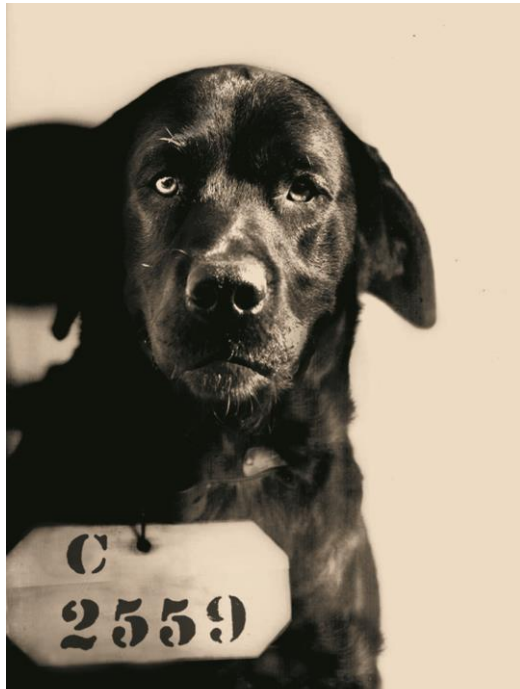
4. Recommended Actions or Mitigating Measures Necessary to Prevent or Eliminate a Violation:

5. Signatory Requirements:

Printed Name _____ Title _____

Signature _____ Date of Report _____

Misconduct



- Negligence
- Incompetence
- Failure to use reasonable care

- Fraud
- Falsifying Information

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or
- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit (including monitoring reports or reports of compliance or noncompliance)

Shall, upon conviction, be punished by a fine and/or imprisonment as set forth in *18 Pa.C.S.A § 4904* and 40 CFR §122.41(j)(5) and (k)(2).

Taking Action – Ethical & Professional

3C work
PANTHER
2. 2700
C.H. 105
1/10 ERM
L. BI-SUR

all final tests done today. Great 20' 1000
Dumps, Pumps, S. Box OK. Blowers OK.
EFF 100% Clear

EGT 30% Temp 54° Sun & Clouds today.
- All tests done today. OCT 9 EF Clear
- Chl here .25 Blowers OK. Flow 44X1
- Wasted 18' Total. Dumps, Pumps, S. Box Normal
- Brushed all clumps
- Change Meter Chdnt
- Both settling dets
- Both have form



Whistleblower Protection

Prohibits discrimination or retaliation by an employer against an employee who makes or is about to make a good faith report of an instance of wrongdoing.



Summary & Check

- ✓ Understand Duties of Operators
- ✓ Determine non-compliance by owners and operators
- ✓ Inform everyone (esp. owner & DEP)
- ✓ Recognize misconduct
- ✓ Get help and support



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BUREAU OF CLEAN WATER

Operator Certification Program: 717-787-5236

Technical Assistance Program: 717-772-5620

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Bureau of Clean Water

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