WAC reference	Summary of Comments	Department response
Chapter 246-292 WAC, Waterworks Operator Certification	General comments: 1. Six individuals expressed general support for the rule-making. The comments were from five individuals and one association. 2. Three individuals expressed general opposition to the rule-making. Reasons for the opposition ranged from concerns with costs to concerns that were outside of the scope of the rule, such as distinctions between different types of water systems and that the requirement for an operator to be available 24/7 should be added to regulations for water systems purveyors, as well. 3. One individual expressed that it is challenging for small water systems to report data in electronic form. Moving to electronic reporting is good overall but that it will be a difficult challenge for some operators.	2. **Adopt as Proposed.** One of our primary purposes of the revised rule is to incorporate changes made to chapter 70.119 RCW from Substitute House Bill (SHB) 1283 Chapter 221, Laws of 2009. After reviewing the entire rule, we determined that we could improve and enhance public health by clarifying federal and state requirements and by incorporating Department of Health guidance and long-standing program practices into the rule. We addressed questions about costs in the Significant Analysis and the Small Business and Economic Impact Statement. The comments regarding the definitions of water systems and adding a requirement to regulations for purveyors are outside of the scope of this rule-making. 3. **Adopt as Proposed.** The rule does not have a requirement for water systems to submit electronic data to the department.

WAC reference	Summary of Comments	Department response
WAC 246-292-020, Public water system requirements	1. Subsection (2) should read "… when a purveyor has identified and designated specific operating shifts and major segments." 2. Define the conditions and/or major segments that would trigger the need for additional operators in responsible charge to be designated by the water system. Possibly provide supporting information under Section - 010 Definitions, Abbreviations, and Acronyms. 3. Define, or point to the procedure for designating and reporting operators in responsible charge changes, and any consequences of not doing so. 4. In part (2) clarify that "major segment" designations identified and designated by the water system and the approval process/tracking overseen by the Department of Health. 5. In subsection (3), add the underlined text: A purveyor shall designate and report the mandatory certified operator in responsible charge positions to the department within thirty days of… 6. What do I do if I am in an area for prolonged period of time, meaning multiple hours or even days, where there is no cellular service such as when I am hunting in the mountains or conducting a rescue or fighting fire as I am a Captain in the local fire department? What will my options be? Does that mean that I cannot take a vacation in areas that I cannot be reached by phone?	1. **Adopt as proposed.** The words "identified and" and "specific" do not add to the content of this paragraph. 2. **Adopt as proposed.** The water system purveyor makes the determination on whether or not they believe that a certified operator is necessary or required to lead that major segment or not. Major segments are defined by the water system, based on their corporate structure and other elements. 3. **Adopt as proposed.** Written confirmation from the water system (either standard mail or via email) within 30 days of the change is required as has been previous practice for adding or changing operators in responsible charge for the water system. 4. **Adopt as proposed.** A large or complex water system may have major segments and more than one certified operator in responsible charge, as defined in section 010. We will provide examples in guidance. 5. **Revise proposed rule**. This was a drafting error that has been corrected in the adopted rule. 6. **Adopt as proposed.** The intent is that the water system has phone or electronic access to a point of contact in the event of an emergency. If the operator in responsible charge is not available as described in the comment, they can provide an alternative point of contact that can take necessary steps to address the issue.

WAC reference	Summary of Comments	Department response
WAC 246-292-031, Duties of a certified operator.	1. We assume that the language you are proposing applies to the named certified operator for the system and not rank and file employees who are asked to do work within their job descriptions, but may not be certified. You use the word "or" in the language which we think works in our favor, but it would be helpful to know the intent. 2. If left as is, it would prohibit many of our entry level maintenance employees who are not yet certified from working on the water system.	1. **Revise proposed rule** in 031(1)(b) but not in 031(1)(c). We intended to use "or" in 031(1)(c) as we did in 020(4), so no change is necessary in 031(1)(c). However, the comment brought to our attention a typo in 031(1)(b). We have changed "and" to "or" in 031(1)(b) of the adopted rule to be consistent. 2. **Adopt as proposed.** The language in this section and in subsection 050(3)(b) will not prevent non-certified employees from making repairs while under the direction of certified operators. We will provide more information about who can do the work in guidance.
WAC 246-292-032, Duties of a certified operator in responsible charge.	1. Make changes to subsection (3) to be more consistent with larger system operations by changing or adding words like "conducting" and "analyzing" to include "overseeing" or "managing", or identify both performing and managing as options similar to the language in (1) and (2); "perform or manage" and "initiate." 2. Add "such as" in front of the list of actions for subsections (3)(a) and (b). 3. This section utilized the word "designee" but does not define the qualification of the designee. This would imply that anyone who the certified operator in responsible charge designated could perform the duties of the certified operator in responsible charge under this section. 4. The language in (3)(d) implies that a cross-connection control specialist shall be designated as an operators in responsible charge but that requirement is not defined anywhere. If a cross-connection control specialist must be assigned as an operators in responsible charge then the language works; otherwise, the language should be revised to include overseeing or ensuring the implementation of the cross-connection program.	1. **Adopt as proposed.** It is already defined in section 246-292-032 (1). 2. **Adopt as proposed.** It does not improve the readability of the rule. 3. **Adopt as proposed.** 050(3)(a) and (b) cover this topic. A designee would be consistent with the definition of "shift operator." Larger water systems producing water 24 hours a day, 7 days a week commonly assign additional shift operator positions that perform the same duties when the operator in responsible charge is not on site or available. We will provide more information and examples about designees in guidance. 4. **Adopt as proposed.** It does not align with our intent. The operator in responsible charge is ultimately responsible for making sure that the cross-connection control program is implemented. The operator in responsible charge can do the work directly or supervise someone else to do it. We will provide more information about the cross-connection control program in guidance.

WAC reference	Summary of Comments	Department response
WAC 246-292-033, Duties of a CCS.	1. Within plumbing code are backflow installation requirements that address degree of hazard. These changes require the Authority Having Jurisdiction/Plumbing inspectors to inspect and approve backflow installations for degree of hazard. Where larger purveyors have a joint agreement with the building authority the added duty of a cross-connection control specialist to inspect assemblies creates an unnecessary inspection redundancy and not in the best interest of the public (redundant inspections). At the end of subsection (2)(c) add "(if the water purveyor has an agreement with the Authority Having Jurisdiction a certified plumbing inspector may inspect installations for degree of hazard under the direction of the cross-connection control specialist." 2. Change section (2) to read "A cross-connection control specialist shall perform or manage the following duties:" This is consistent with what you've done throughout the WAC related to operating experience so assume it was just inadvertently left out. 3. (2) (h) should be better defined or at least referenced to "WAC 246-290-490(3)(g) Element 6. A major part of a QC/QA program should require field verification of backflow assembly testers performing testing. I believe this should be included as a primary duty. Possibly could add wording to reference requirement as stated in WAC 246-290-490(3)(g) Element 6. 4. In (3) (b), how will it be verified that required documentation of an exemption is completed if the PWS is of a size that is not required to submit the ASR?	1. **Adopt as proposed.** The issue is addressed in section 060(3)(b) and in the definition section 010(52). We are expanding the definition of "water-related experience" with the intent to allow plumbing inspectors and others to obtain their cross-connection control specialist certification. This change will allow more plumbers to become cross-connection control specialists. 2. **Adopt as proposed.** These duties need to be carried out by a cross-connection control specialist. This is consistent with WAC 246-290-490. We will provide more information about who is responsible for these duties in guidance. 3. **Revise proposed rule**. We clarified this in the adopted rule by adding a reference to WAC 246-290-490(3)(g) in section 033 (2)(h). In guidance, we will provide more information about how the cross-connection control specialist is responsible for the development and implementation of the purveyor's QA/QC program for testing. 4. **Adopt as proposed.** We currently only require "ASR systems" (community systems with 1000 or more connections) to submit Exception forms to the department. However, all Group A systems are required to complete ASRs. For "non-ASR systems", verification of exception form completion will need to be accomplished through sanitary surveys or the planning process. WAC 246-290-490 (4)(b) (iv) requires that all purveyors must document the reasons for granting the exception and include the documentation in their ASR.

WAC reference	Summary of Comments	Department response
WAC 246-292-034, Duties of a backflow assembly tester.	1. In subsection (5), I suggest you drop the reference to Chapter 10, Section 10.2.3 of the 10th Edition of the USC Manual because USC is not ready to evaluate test kits and has not created a list of products that meet the standards. I support annual accuracy testing as recommended in Appendix A7 of the 10th Edition. Annual accuracy testing is the best way to insure that the test kits are working properly and providing accurate readings. It is also the best way to remove poorly designed or poorly maintained test kits from use as those will fail annual accuracy testing. This also provides an excellent opportunity for backflow assembly tester's on how to maintain their test equipment in proper working order. If you don't drop it, then you could replace it with "use the most current USC manual As Amended." 2. The language of subsection (3)(a)(ii) is incorrect. Recommend revising to one of the following: (3) When conducting inspections and field tests of backflow preventers, a backflow assembly tester shall: (a) Use procedures that: (i) Meet the requirements in WAC 246-290-490 (7)(d) and (ii) Are consistent with a practical examination passed by a backflow assembly tester under the Department's most recently approved field test procedures. Or (3) When conducting inspections and field tests of backflow preventers, a backflow assembly tester shall: (a) Have passed a practical examination under the Department's most recently approved field test procedures and (b) Use procedures that meet the requirements in WAC 246-290-490(7)(d). 3. Begin subsection (1) with "<u>Under the direction of the Purveyors cross-connection control specialist a</u>..." 4. Backflow Prevention Devices: No definition provided. Includes 100s of untestable assemblies approved in plumbing code but not testable, inspect-able, or required under the WAC. Remove term, Backflow Prevention Devices.	1. **Revise proposed rule.** We have removed the reference to the general design guidelines of chapter 10 of the USC 10th edition manual. We will retain the rest of subsection 034(5) and all of 034(6) which is sufficient to determine that a field test kit meets minimum performance standards. 2. **Adopt as proposed.** Subsection (ii) is supposed to work in conjunction with subsection (i). A backflow assembly tester's most recently passed practical exam is required to be conducted using the field test procedures defined in (i). The WAC 246-290-490 (7) (d) referred to in (i) are the field test procedures currently approved by our department. 3. **Adopt as proposed.** Many backflow assembly testers are self-employed and work directly for their customers. These "independent" backflow assembly testers do not work for, nor are they employees of, the public water system. We will provide more information about these relationships in guidance. 4. **Adopt as proposed.** The language in 034(1) is based directly on the statute.

WAC reference	Summary of Comments	Department response
WAC 246-292-034, Duties of a backflow assembly tester. (continued)	5. Delete section (8)(c). WAC allows inspection, testing, maintaining, and repair of backflow assemblies with Specialty Plumbers License, not certified plumber. No reference is needed here. Causes confusion infers that a certified plumber must do repairs. 6. Does this imply that the backflow assembly tester is "certified" to repair backflow prevention assemblies? 7. In section (1), will backflow assembly tester exams now include requiring backflow assembly tester applicants to demonstrate proficiency in repair of backflow prevention assemblies? If yes, training providers will need to include repair in the training. I believe this will require more than the current 5 days of training? More expense to obtain and maintain certification. 8. Does section (1) imply that only a certified backflow assembly tester may repair backflow prevention assemblies or does it mean backflow prevention assemblies installed to protect the public water system shall be repaired by a certified backflow assembly tester? This is how it used to be interpreted by many PWS CCC rules under previous versions of WAC 246-290-490 and many PWS required in their rules that when a backflow prevention assembly failed the field test, the assembly must be repaired by a Department of Health-certified backflow assembly tester.	5. **Adopt as proposed.** This rule language is consistent with statute. 6. **Adopt as proposed.** The duties of a certified backflow assembly tester listed in the rule must be consistent with the duties listed in the statute. Under RCW 70.119.170, the duties may include repair of backflow prevention assemblies that protect the public water system. Similarly, under RCW 18.106, backflow assembly testers that hold the Specialty Plumber Certification from the Department of Labor and Industries may repair assemblies installed within buildings. It is not our intent to expand the current scope of the backflow assembly tester certification program or to attest to a backflow assembly tester's abilities to repair assemblies. 7. **Adopt as proposed.** The rule does not include training nor exam requirements for backflow assembly testers to demonstrate proficiency in repair of backflow assemblies. 8. **Adopt as proposed.** Both a certified backflow assembly tester, under this chapter, and a certified specialty plumber, under chapter 296-400A WAC, may repair backflow prevention assemblies. Based on the Department of Labor and Industries rules (Chapter 296-400A WAC), a backflow assembly tester's duties may include repair of backflow prevention assemblies within buildings if the backflow assembly tester holds a specialty plumbers certification. However, under the plumber laws (Chapter 18.106 RCW), repairs do not have to be done by a certified backflow assembly tester because plumbers that are not backflow assembly testers can repair backflow prevention assemblies.

WAC reference	Summary of Comments	Department response
WAC 246-292-034, Duties of a backflow assembly tester. (continued)	9. What does "equipped with" mean in section (2)? May imply "own" or owned by employer. If this is the intent, would there also be a requirement that the backflow assembly tester use their field test kit during professional growth exams? This is required in other States. I would support this. 10. In subsection (3) (c) change to read: "Record inspection and field test results <u>on a form acceptable to the purveyor</u> completely, accurately, and …" Not having a designated form, the backflow assembly tester could submit the field test results on a paper towel. 11. It is unclear in (3)(c) if the backflow assembly tester is the responsible party for filling out the actual test report that is to be submitted to the purveyor. The data should be verified before it is forwarded to the purveyor and signed by the backflow assembly tester who performed the test. 12. Subsection 034 (4) says a backflow assembly tester must provide the test results to the Purveyor and to the owner of the backflow assembly. This is out of order and out of my control as a backflow assembly tester. I work as an employee for a Company. I am not under the supervision or employment of either the Purveyor or the owner of the backflow assembly and do not report to them. In my current employment I make my reports to my employer who files, copies, and distributes the reports as necessary. Your new ruling places a burden on me that is not yours to place. 13. In 034 (3) (f) Are certified backflow assembly tester required to inspect AVB installed to protect the PWS? I do not see where it is required for a backflow assembly tester to inspect AVB! This should be a requirement. This should be clarified in WAC 246-290-490.	9. **Adopt as proposed.** "Equipped with" means the backflow assembly tester must have the necessary equipment (field test kit and other tools) available to properly conduct inspections, testing, maintenance, and repair of backflow preventers at the time the backflow assembly tester provides the service. The rule language does not specify that the backflow assembly tester must own the equipment used. Backflow assembly testers have the option to use their own equipment or use their employer's equipment. We do not intend to establish a new requirement that backflow assembly testers must use their own field test kits during professional growth exams. We plan to retain the current approach to the hands-on exam; backflow assembly testers have the option to either use a test kit provided by Washington Certification Services or use their own test kit. 10. **Adopt as proposed.** We can't enforce 3rd-party requirements. Purveyors who want backflow assembly testers to use a specific test form will need to adopt such language in their local CCC Program Plan, policies, and procedures. 11 and 12. **Adopt as proposed.** The backflow assembly tester is ultimately responsible for ensuring that a complete and accurate test report is submitted to the purveyor. 13. **Adopt as proposed.** The proposed change to WAC 246-290-490 is outside of the scope of this rule-making. We believe that both certified cross-connection control specialists and backflow assembly testers are qualified to inspect AVBs. We plan to clarify this in the future when WAC 246-290-490 is open for revisions. We recognize the need for consistency between the drinking water rules and the operator certification rules. We will provide more information in guidance concerning inspection of AVBs.

WAC reference	Summary of Comments	Department response
WAC 246-292-034, Duties of a backflow assembly tester. (continued)	14. In 034 (4) What is the meaning of "electronic form"? Is the intent of this provision to allow the test report to be scanned and emailed or does it leave room for the entire test to be entered on a software program and the data to be submitted electronically without final approval or signature of the backflow assembly tester? Does the electronic format need to include the backflow assembly tester signature? 15. In 034 (4) Is the backflow assembly tester solely responsible for submitting the test report to the Purveyor? We have had instances in which the backflow assembly tester has given the test report to the property owner and requested that the owner submit the report. This has caused confusion and in a couple of instances the customer has had their water service disconnected due to failure to submit a passing test report. To help with this, we request that copies of the original handwritten test results be included in the information that the companies send to the water purveyors. We also request that the signatures of both the backflow assembly tester that conducted the test and the final staff member to process the report. For 036 (13), regarding the form of the submitted test. The second sentence refers to the backflow assembly tester's signature and mentions original, copy, facsimile or electronic format as similarly stated in 246-292-034(4)? We again ask for clarification as to what will be acceptable.	14. **Adopt as proposed.** We intend for the backflow assembly tester's signature to be included on the completed test report. See WAC 246-290-036 (13). We intended to design enough flexibility in the rule to allow purveyors to use new technologies as they become available in the future. We didn't want to prescribe current technologies due to concerns that they may become obsolete in the near future. We also believe purveyors should have flexibility at the local level to work out these issues with their CCC data software vendors. Purveyors who want backflow assembly testers to submit electronic forms will need to adopt such language in their local CCC Program Plan, policies, and procedures. 15. **Adopt as proposed.** We do not have the authority to regulate companies that employ backflow assembly testers. The certified backflow assembly tester is ultimately responsible for the accuracy of the test reports for all the backflow assemblies they personally test and for ensuring the test reports are distributed to the purveyor and customer in a timely manner. Purveyors who want backflow assembly testers to submit handwritten originals will need to adopt such language in their local CCC Program Plan, policies, and procedures. If purveyors see errors on test reports and delays in submission, they have the option to drop the backflow assembly tester from their pre-approved list and not accept test reports from them.

WAC reference	Summary of Comments	Department response
WAC 246-292-034, Duties of a backflow assembly tester. (continued)	16. In 034 (6) (a) the proposed changes require a backflow assembly tester to have their Gages calibrated annually. Because gauges belong to the Company I work for, it is not within my power or authority to do anything with those gages other than test backflow assemblies. A Certification test should only be valid when done with gages which have been certified to be in calibration within the past year. This places responsibility on a backflow assembly tester which is out of their control and/or authority. I am therefore opposed to their adoption. 17. For 034 (7), I support this! This is also part of WAC 246-290-490(3)(g) Element 6. Should the WAC be referenced? 18. In 034 (8), as the Department of Health-certified backflow assembly tester is also allowed to test backflow prevention assemblies required by the Washington State Plumbing Code, should there be a reference to backflow prevention assemblies installed to protect the PWS?	16. **Adopt as proposed.** We do not have the authority to regulate companies that employ backflow assembly testers. The rule does not require backflow assembly testers to own the testing equipment they use in the field. However, the rule does require them to use a field test kit that has been verified for accuracy on an annual basis and recalibrated if needed. As the certified individual, the backflow assembly tester is ultimately responsible for complying with the test kit requirements and ensuring the accuracy of field tests. They must work with their employer to ensure that the company-supplied test kits meet the accuracy verification/calibration requirements. If the employer chooses not to comply with the accuracy verification/calibration requirements, we expect the backflow assembly tester to come up with a solution to ensure that the test kit they're using meets the accuracy verification/calibration requirements. 17. **Revise proposed rule**. We consider these backflow assembly tester requirements to be part of WAC 246-290-490 Element 6 requirements. Subsection (3)(g) is the more complete citation and it has been added to the adopted rule for clarification. 18. **Adopt as proposed.** We refer to backflow prevention assemblies installed to protect the public water system in WAC 246-292-034(1) and the approval requirements referenced in -034(8)(a) and -034(8)(b) apply to University of Southern California approval only. Addition of such language to -034(8) may be considered redundant. Also, adding this phrase could be confusing for backflow assembly testers trying to comply with Chapter 18.106 RCW, since this law is based on the location of the assembly and not whether it is protecting the public water system. By adding the phrase "backflow assemblies installed to protect the public water system," we could inadvertently be placing an unreasonable requirement on them. Making such determinations is inconsistent with their training and responsibilities.

WAC reference	Summary of Comments	Department response
WAC 246-292-036, Backflow preventer inspection and field test report content	1. I have a point of contention which regards having to measure the air gap when testing an assembly. We currently record if the backflow assembly has an approved air gap. It is not necessary and should not be required to measure the factory supplied air gap attached to the assembly. 2. Implementation of new requirements needs to be phased to allow backflow assembly testers and purveyors who use computer databases to make necessary programming changes to accommodate new minimum information submittal requirements. Requested Edit to add immediately before (1): "By January 1, 2015……." 3. The Department of Health should consider adding the requirement for line pressure and whether the service was restored to the test report. Hydraulic Research does not make it a requirement of the testing procedure, it is referenced in the new Seventh Edition of the "Cross-Connection Control Manual, Accepted Procedure and Practice" published by the PNWS of the American Waterworks Association in Appendix 0 on page 299. Our municipality uses the line pressure to determine consistency on annual tests as well as information for our water system. Having the requirement for "Service Restored?" is a final check and also lets the purveyor know if the backflow is in service or inactive which affects the Annual Summary Report. 4. In 036 (2) (d), I believe (d) will be improperly used by some (many) cross-connection control specialist to require the backflow assembly tester to perform the cross-connection control specialist duty to determine water use. A backflow assembly tester is not trained or required to understand hydraulics and how to determine degree of hazard. That is the responsibility of the cross-connection control specialist. This has been a problem with the PWS rejecting the field test report if the downstream water use hazard was not reported by the backflow assembly tester.	1. **Adopt as proposed.** The intent of the rule is for backflow assembly testers to measure the air gap when it is used in lieu of an approved backflow prevention assembly to protect the public water system. We agree that it is not necessary to measure the air gap when the manufacture's air gap is supplied for that specific assembly. We will provide more information about air gaps in guidance. 2. **Adopt as proposed.** The rule will become effective January 1, 2014. We are developing an example test report for backflow assembly testers to use which has all the required elements in the rule. Since the list of minimum elements in the rule is shorter than the minimum content of most test reports accepted by many large utilities in our state, we do not anticipate the need for a year-long transition. 3. **Adopt as proposed.** Purveyors who want backflow assembly testers to provide additional information will need to adopt such language in their local CCC Program Plan, policies, and procedures. 4. **Adopt as proposed.** The rule has the phrase "if known to the backflow assembly tester" to address this concern. We previously added this phrase because of comments received during the informal public review. We agree that determining the downstream hazard is the cross-connection control specialist's responsibility. We do not expect a backflow assembly tester to conduct a hazard evaluation if the downstream hazard is not known.

WAC reference	Summary of Comments	Department response
WAC 246-292-036, Backflow preventer inspection and field test report content (continued)	5. In 036 (2), (3), (6) and (7) add "<u>, but not limited to</u>:" before each list of requirements. 6. For 036 (3) (e), many, most, AVB do not have serial numbers. 7. For 036 (13), in general I support this. What if the backflow assembly tester providing information regarding the test after repair has no knowledge of who or what was done to repair the BPA?	5. **Adopt as proposed.** We can't enforce 3rd-party requirements. Purveyors who want backflow assembly testers to provide additional facility and hazard information will need to adopt such language in their local CCC Program Plan, policies, and procedures. 6. **Revise proposed rule**. We understand that not all AVBs have serial numbers so we added "if applicable" to (3)(e) of the adopted rule. 7. **Adopt as proposed.** We can only hold backflow assembly testers responsible for the work/services they've personally performed/provided. The completed test report must contain the signature of the backflow assembly tester who personally performed the work documented in the test report. We would not expect a backflow assembly tester performing a test after repair to record repair-related information if another individual did the repair.
WAC 246-292-050, Public water system minimum operator certification requirements	In (3)(b) the language does not appear to allow non-certified workers to be assigned to operating shifts outside regular operating hours or to major segments of the public water system. Historically, non certified workers who are deemed by the certified operator to have the necessary experience to effect minor repairs or rectify operational problems during non-working hours have been able to do so without being in contact with a certified operator. We recommend phasing in this requirement to allow utility workers time to become certified and/or clarifying that non-certified individuals can be assigned to an operating shift outside regular operating hours or to a major segment of the system with the appropriate written procedures	**Adopt as proposed.** The rule language does not prevent non-certified staff from conducting work when they are supervised by certified operators. The intent of this section is to allow water systems the option of assigning certain major segments to an operator certified at less than the minimum. This will not cover "shifts" as defined in (3)(a). This section will not prevent non-certified employees from making repairs. We will provide more information about operating shifts in guidance.

WAC reference	Summary of Comments	Department response
WAC 246-292-060, Minimum education and experience requirements to become a certified operator	1. There are too many requirements to meet the qualifications to obtain operator certification. The education requirements for operators are too challenging to obtain for some people. The cost of the classes is prohibitive at $1000 per class. Operators of small cooperatives do not need as much knowledge as operators of large systems. The department should create a set of rules for small Group A water systems that take into account their needs and more limited resources. Why do small system operators need to know about digging trenches? 2. I would like to see the rule controlling the level of Certification for Water Treatment Plant Operators to 1 level above the plant they are working in changed. I feel a good way to do this is to implement a Water Treatment Plant 4 Operator in Training. If the Operator is able to pass the exam the Operator would be granted the level 4 Operator in Training. Once the Operator completes a required amount of experience, then the Operator would upgraded to level 4. I feel this would be a win/win solution for this rule, we wouldn't be holding back Operators who wish to grow professionally.	1. **Adopt as proposed.** The rule makes no changes to the education and experience requirements. We do not plan on creating separate rules for small water systems. The rule already takes system size into account. Small system operators need to have a broad understanding of their whole system. We provide technical assistance to all size systems to help them understand their requirements and to maintain the public health. 2. **Revise proposed rule**. We modified the definition because of a drafting error. It is our intent to clarify that an individual may qualify for a higher level of certification with a combination of education and experience (under WAC 246-292-060) instead of just experience.

WAC reference	Summary of Comments	Department response
WAC 246-292-060, Minimum education and experience requirements to become a certified operator (continued)	3. Edit (3)(b) by adding the underlined text: At least six months operating experience in a public water system's water treatment plant, distribution system, performing field related water connection surveys, or water-related experience implementing a cross-connection control program for a consumer's water system not subject to WAC 246-290-490, including implementation of backflow requirements under plumbing code. Also add language to allow certified plumbing inspectors to get a cross-connection control specialist. 4. For 060(4), This section refers to Table 7 for equivalent education requirements for a backflow assembly tester: "A backflow assembly tester shall have at least twelve years of education. Refer to Table 7 for equivalent education requirements for a backflow assembly tester." Table 7 states that "One year of water-related experience may substitute for each year of education through twelfth grade." Backflow Assembly Testers do not typically work for public water systems and therefore do not have "water-related experience" as defined in Tables 5 and 6 in this section. Recommend revising 246-292-060(4) by deleting "Refer to Table 7 for equivalent education requirements for a backflow assembly tester". Section 246-292-060(4) would read: "A backflow assembly tester shall have at least a high school diploma or GED."	3. **Adopt as proposed.** The issue is addressed in section 060(3)(b) and in the definition in section 010(52). The rule expands the definition of water-related experience with the intent to allow plumbing inspectors and others to obtain their cross-connection control specialist certification. This rule is intended to encourage more plumbers to become cross-connection control specialists. 4. **Adopt as proposed.** The rule has flexibility to allow different kinds of water experience. In our guidance we will clarify how different water-related experiences meet the intent of the rule.