
SUBSTITUTE SENATE BILL 6325

State of Washington

65th Legislature

2018 Regular Session

By Senate Energy, Environment & Technology (originally sponsored by Senators McCoy, Palumbo, Takko, Hunt, Chase, and Sheldon; by request of Department of Ecology)

READ FIRST TIME 01/24/18.

1 AN ACT Relating to wastewater operator certifications; and
2 amending RCW 70.95B.090 and 70.95B.095.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.95B.090 and 1987 c 357 s 6 are each amended to
5 read as follows:

6 The issuance and renewal of a certificate shall be subject to the
7 following conditions:

8 (1) A certificate shall be issued if the operator has
9 satisfactorily passed a written examination, or has met the
10 requirements of RCW 70.95B.080, and has met the requirements
11 specified in the rules and regulations as authorized by this chapter,
12 and has paid the department an application fee as established by the
13 department under RCW 70.95B.095. (~~Such application fee shall not~~
14 ~~exceed fifty dollars.~~)

15 (2) The term for all certificates shall be from the first of
16 January of the year of issuance until the thirty-first of December of
17 the renewal year. The renewal period, not to exceed three years,
18 shall be set by agency rule. Every certificate shall be renewed upon
19 the payment of a renewal fee as established by the department under
20 RCW 70.95B.095 and satisfactory evidence presented to the director

1 that the operator demonstrates continued professional growth in the
2 field. (~~Such renewal fee shall not exceed thirty dollars.~~)

3 (3) Individuals who fail to renew their certificates before
4 December 31 of the renewal year, upon notice by the director shall
5 have their certificates suspended for sixty days. If, during the
6 suspension period, the renewal is not completed, the director shall
7 give notice of revocation to the employer and to the operator and the
8 certificate will be revoked ten days after such notice is given. An
9 operator whose certificate has been revoked must reapply for
10 certification and will be requested to meet the requirements of a new
11 applicant.

12 **Sec. 2.** RCW 70.95B.095 and 1987 c 357 s 9 are each amended to
13 read as follows:

14 (~~Effective January 1, 1988,~~) (1)(a) The department shall
15 establish (~~rules for the collection of~~) and collect fees for the
16 issuance and renewal of wastewater treatment plant operator
17 certificates as provided for in RCW 70.95B.090. (~~Beginning January~~
18 1, 1992, these fees shall be sufficient to recover the costs of the)

19 (b) The department, with the advice of an advisory committee,
20 shall establish an initial fee schedule by rule. Fees shall be
21 established in amounts to fully recover and not to exceed expenses
22 incurred by the department to administer the wastewater operator
23 certification program, to include evaluating applications necessary
24 to verify compliance with certification requirements, maintaining and
25 administering credible examinations, ensuring operators receive
26 necessary training, outreach, and technical assistance, enforcing
27 certification program requirements, providing necessary education and
28 training to program staff, and supporting the overhead expenses
29 related to administering the wastewater operator certification
30 program.

31 (c) The department shall conduct a workload analysis to determine
32 a biennial budget estimate for the wastewater treatment plant
33 operator certification program each biennium. The workload analysis
34 must determine fees sufficient to recover the costs of expenses
35 incurred by the department to administer the wastewater operator
36 certification program.

37 (2) Thereafter, the department shall assess and collect fees from
38 all wastewater treatment plant operators at a level that fully
39 recovers the costs identified in its biennial operating budget.

1 (3) If fee increases above the state's fiscal growth factor are
2 proposed, due to an expansion of the wastewater operator
3 certification program, the department must submit a report to the
4 legislature describing the need for the increase.

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