

## CHAPTER 302 VIOLATIONS

CITATION	CHAPTER 302 TEXT	VIOLATOR
§302.202(c)	<p>(c) The annual service fee paid by system owners must be accompanied by a nonrefundable check or money order payable to the "Commonwealth of Pennsylvania." The system Public Water Supply ID or NPDES Permit Number should be printed on the check or money order. The annual service fee for systems in subsection (d) is a fee per public water supply ID, NPDES permit number (for discharge systems), Clean Streams Law permit number (for nondischarge systems) or satellite collection system. If this annual service fee is not remitted within 60 days of notification by the Department that the fee is due, interest shall accrue on the entire amount from the original date payment was due, at a rate of 12% per annum until payment is remitted.</p>	OWNER
§302.308(b)	<p>(b) The Board may suspend, revoke or modify a certificate for misconduct for reasons including:</p> <ul style="list-style-type: none"> <li>(1) Negligence in the operation of a water or wastewater system.</li> <li>(2) Fraud.</li> <li>(3) Falsification of an application or other State, local or Federal documents or records relating to the operation of a water or wastewater system.</li> <li>(4) Incompetence or failure to use reasonable care and professional judgment in performing the duties of a certified operator as described in § 302.1201 (relating to duties of operators).</li> <li>(5) Violation of State or Federal laws and the rules and regulations promulgated thereunder associated with the operation of a water or wastewater treatment system.</li> </ul>	OPERATOR
§302.1201(a)	<p>(a) A certified operator shall comply with the act, this chapter, and other Federal or State law or rules and regulations promulgated thereto applicable to the operation of water and wastewater systems to protect the environment and public health and safety. A certified operator shall provide for the suitable operation and maintenance of a water or wastewater system utilizing available resources needed to comply with applicable laws, rules and regulations and permit conditions or requirements. The Department will consider reports submitted to the owner in accordance with subsection (c) and the owner's response as defined in § 302.1202(a)(4) (relating to duties of owners) when deciding if a certified operator is in compliance.</p>	OPERATOR

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§302.1201(c)	(c) Certified operators shall report to the system owner known violations or system conditions that may be or are causing violations of Federal or State law or rules and regulations promulgated thereto or permit conditions and requirements applicable to the operation of water or wastewater systems. When submitted, the report must include the following: * * * * *	OPERATOR
§302.1202(a)(1)	(a) An owner of a water or wastewater system shall: (1) Comply with Federal or State law or rules and regulations promulgated thereto or permit conditions and requirements applicable to the operation of water or wastewater systems.	OWNER
§302.1202(a)(2)	An owner of a water or wastewater system shall: * * * * * (2) Insure process control decisions at the systems are made by available operators with a valid operator's certificate with the appropriate classes and subclassifications.	OWNER
§302.1202 (a)(3)	(a) An owner of a water or wastewater system shall: * * * * * (3) Post the names of the available operators in the treatment area of the system, including the method of contacting them if they are not onsite.	OWNER
§ 302.1202(a)(4)	(a) An owner of a water or wastewater system shall: * * * * * (4) Take appropriate action in a timely manner in response to reports required under § 302.1201(c) (relating to duties of operators) from certified operators.	OWNER
§302.1202(a)(5)	(a) An owner of a water or wastewater system shall: * * * * * (5) Provide a copy of all current, relevant water and wastewater permits to all available operators, unless the owner submits a written request to the Department.	OWNER
§302.1202(b)	(b) Upon written request, a system owner shall report to the Department: (1) The system name, address, phone number and e-mail address (if available). (2) The name and title of the system representative providing the information. (3) The system owner name, address, phone number and e-mail address (if available). (4) The Public Water System Identification number, NPDES permit numbers or Water Quality Management Part II permit numbers for the system. (5) The name, client ID, address, phone number	OWNER

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	<p>and email address (if available) of available operators employed by the owner at the system and the operators' classes and subclassifications.</p> <p>(6) The designation of an operator in responsible charge if the owner chooses to develop and utilize standard operating procedures.</p>	
§302.1202(c)	(c) A system owner shall notify the Department in writing within 10 calendar days of the addition, loss, change or replacement of an available operator. The owner shall provide at that time the name, client ID, and class and subclassification of all operator changes.	OWNER
§302.1203(a)	(a) An available operator shall make all process control decisions. These decisions may be made onsite, from a remote site, by the use of standard operating procedures approved by the operator in responsible charge, or by using a PLC system as provided under § 302.1208 (relating to PLCs and SCADA).	OPERATOR
§302.1203(c)	(c) The Department may require a system to have a process control plan that includes, as necessary, the following:	OWNER
§302.1204(b)	<p>SOP's must:</p> <ul style="list-style-type: none"> <li>(1) Include the name of the operator in responsible charge</li> <li>(2) Identify the operators that may utilize the SOP to make process control decisions.</li> <li>(3) State which treatment processes are covered by the SOP...</li> <li>(4) identify the trigger parameters for the treatment processes and the appropriate actions to be taken...</li> </ul>	OWNER/ OPERATOR
§302.1204(c)	SOP's shall be approved in writing and dated by the operator in responsible charge, and available at the system for review.	OWNER/ OPERATOR
§302.1205.	A system shall have the number of available operators necessary to comply with Federal and State laws, and rules and regulations associated with water or wastewater systems to protect the environment and public health and safety.	OWNER
§302.1206(a)	(a) The system owner shall notify the Department of changes in the operator in responsible charge within 10 days of the change, including the name, client ID, and certificate number of the operators in responsible charge. System owners shall notify the operators in responsible charge of this designation in writing.	OWNER
§302.1206(b)	(b) Upon request of the Department, a system owner shall provide the name, client ID, and certificate number of any operators in responsible charge.	OWNER

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§302.1206(c)	(c) An operator in responsible charge shall hold a valid certificate with the classes and subclassifications as defined in §§ 302.1002 and 302.1003 (relating to certification classes and subclassifications of water system operators; and certification classes and subclassifications of wastewater system operators) that correspond to the system's classification and subclassification as defined in §§ 302.901 and 302.902 (relating to classification and subclassifications of water systems; and classification and subclassifications of wastewater systems).	OPERATOR
§302.1207(d)	(d) A system owner shall notify the Department within 10 days when a circuit rider is employed to operate the system.	OWNER
§302.1207(e)	(e) Unless the following information is specified in a contract between the circuit rider and the owner, the circuit rider shall develop and submit a general work plan to the owner of each system that includes: <ol style="list-style-type: none"> <li>(1) The name and location of the circuit rider's primary business.</li> <li>(2) The name and location of each system to be included in the circuit rider program.</li> <li>(3) The classification and subclassification of each system included in the circuit rider program.</li> <li>(4) The number of estimated hours per week the circuit rider works at each system, with the method of documentation to be used for each visit.</li> </ol>	OPERATOR (CR)
§302.1207(f)	(f) A circuit rider shall develop and submit a system specific management plan to the owner of each system describing the information relevant to the owner's system. This management plan must include: <ol style="list-style-type: none"> <li>(1) The names and contact information of the available operators for that system, with a copy of the operators' certificate to be prominently displayed at the system.</li> <li>(2) The standard operating procedures and a process control plan for the system.</li> <li>(3) The name and method of contacting the circuit rider in case of an emergency.</li> <li>(4) An estimate of the response time necessary to be physically present at the system.</li> </ol>	OPERATOR (CR)