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June 5, 2020

**VIA E-MAIL AND OHIO EPA COVID-19 ONLINE REQUEST**

Ohio EPA - Division of Drinking and Ground Water  
c/o Chief Amy Klei  
[amy.klei@epa.ohio.gov](mailto:amy.klei@epa.ohio.gov)  
P.O. Box 1049  
Columbus, OH 43215

**Re: Request for an Extension of Deadline for Compliance with Ohio EPA's  
"Contact Hours" Requirements in Ohio Administrative Code Chapter 3745-7  
in Light of COVID-19 Pandemic**

Dear Ms. Klei:

The Association of Ohio Metropolitan Wastewater Agencies ("AOMWA") submits this request for an extension of the deadline to complete Ohio EPA's operator certification contact hours requirements in light of the COVID-19 pandemic and associated restrictions. AOMWA is a not-for-profit trade association that represents the interests of public wastewater agencies across the state of Ohio, serving more than 4 million Ohioans and successfully treating more than 300 billion gallons of wastewater each year.<sup>1</sup> Our membership agencies employ hundreds of certified wastewater plant and collections systems operators in the State of Ohio.

AOMWA and its members have a significant interest in the contact hours requirements, which, as you know, are the formal and informal training and continuing education requirements set forth in Ohio Adm. Code §§ 3745-7-01(C)(4), 3745-7-02, and 3745-7-15(D). Pursuant to Ohio Adm. Code § 3745-7-15(A), contact hours must be completed by December 31, 2020 for operators who received a new or renewed certification in 2018. We request that the Agency consider either (1) a modest six month extension of this deadline or (2) a six month extension of this deadline for 50 percent of the hours required for each operator (i.e., if an operator currently must complete 12 hours to renew their certification, then 6 hours must be completed by December 31, 2020, while the remaining 6 hours may be completed by June 30, 2021). This extension would significantly aid Ohio's water and wastewater professionals and their employers, which in many cases are facing immense pressures due to decreased revenues and limited staffing. Accordingly, AOMWA provides the following comments in support of this request:

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<sup>1</sup> AOMWA members include cities of Akron, Avon Lake, Bowling Green, Canton, Columbus, Dayton, Fairfield, Hamilton, Lancaster, Lima, Marysville, Middletown, Newark, Portsmouth, Solon, Springfield, Wadsworth, Warren, and Butler County, Hamilton County, Summit County, the Metropolitan Sewer District of Greater Cincinnati and the Northeast Ohio Regional Sewer District.

- Local governments statewide are facing budgetary restrictions in light of the COVID-19 pandemic. The financial conditions in wastewater and water treatment systems have been stretched further as a result of Ohio EPA's March 31, 2020 Order *In the Matter of Public Water Systems Under ORC Chapter 6109*, which not only prohibited publicly owned water and wastewater treatment systems from disconnecting service for nonpayment of water or sewer service, but also required Public Water Systems to reconnect many users who had previously been disconnected for nonpayment, reducing revenues and requiring further expenditures for both Public Water Systems and publicly owned wastewater treatment works. In conjunction with this order and economic conditions, a number of local governments have either already implemented or are in the process of implementing austerity measures, including, but not limited to, hiring freezes, discretionary spending cuts/postponements and reduced staffing. As a result, staff at many public water and wastewater facilities face significant and unprecedented operational challenges at a time when they also have fewer staff available to address these challenges.
- Professional operators face challenges in obtaining contact hours from in-person conferences, seminars and training locations as a result of (1) the Ohio Department of Health's April 30, 2020 Stay Safe Ohio Order and associated social distancing requirements, and (2) individual utilities' own social distancing and travel restrictions, among other issues.
- Online training courses have proven to be a slightly better solution than in-person training courses, but only when resources are available to individual professional operators. For example, online alternatives may not be feasible in light of operational challenges and budgetary circumstances facing operators and their employers. Furthermore, while many certified operators have easy access to computers and online resources, others do not.

We understand that at least one informal request for an extension of the contact hours deadline has been held in abeyance while the Agency monitors the changing circumstances surrounding COVID-19 and associated measures, as well as operators' ability to complete the contact hours requirements through online resources. If the Agency has concerns regarding the duration of the requested extension, or other concerns related to the extension, please do not hesitate to let us know. We appreciate that circumstances are evolving and that the statewide operational restrictions may improve between now and the end of the year. Nonetheless, full staffing at local utilities is expected to lag behind improvements at the statewide level. Furthermore, completing contact hours requires months of planning before the year-end deadline. As a result, this extension would provide immediate relief, in the near future, for professional operators and their employers – it would provide the opportunity to focus more exclusively on operations and maintenance issues at this critical time.

In addition, these same challenges affect certified operators who received a new or renewed certification in 2019. For these individuals, the deadline for completing contact hours under Ohio Adm. Code § 3745-7-15(A) is December 31, 2021. The COVID-19 pandemic and associated restrictions have equally impacted these individuals during this period, and we therefore request an equivalent extension of their deadline.

Relatedly, Ohio EPA's Division of Drinking and Ground Waters website indicates that "[t]he May 6, 2020 water and wastewater examinations have been postponed and will be rescheduled once the Governor's State of Emergency ends." Does the Agency have any additional information as to when the test will occur?

AOMWA appreciates your consideration of these comments. We look forward to working with the Agency on this and other operator certification issues moving forward. Should you have any questions, please contact Rees Alexander at [rees.alexander@squirepb.com](mailto:rees.alexander@squirepb.com) or (614) 365-2798. Thank you for your attention to and consideration of these comments.

Sincerely,



Brian M. Gresser, P.E.  
President, AOMWA

cc: (via e-mail)  
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