



WATER RESOURCE MANAGEMENT

2025 Licensed Operator Rule Revisions

November 2024



Agenda

Rule History

Rulemaking Stakeholder Efforts

Potential Rule Revisions

Other Upcoming Changes

Discussion/Questions



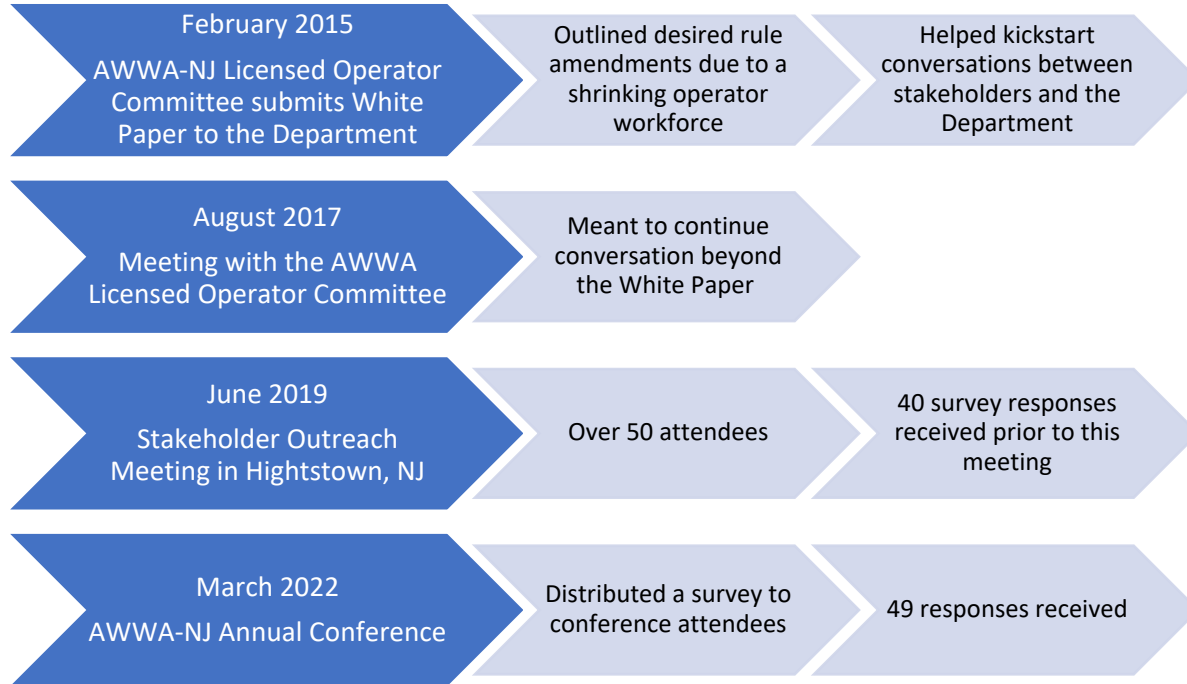
Rule History

DEP regulates water supply and wastewater system operators through a licensing program pursuant to N.J.S.A. 58:11-64 et seq. (The Water Supply and Wastewater Operators Licensing Act) and its implementing regulations at N.J.A.C. 7:10A (Chapter 10A).

- Chapter 10A was established (with partial recodification from then Chapter 13) in 1997.
- In 2000 Chapter 10A was amended and in 2002 and 2008 it was readopted with minor substantive amendments.
- In 2015 and 2022 Chapter 10A was readopted without any substantive amendments.
- In 2020 Chapter 10A was modified by EO 103 to include some COVID-19 provisions.



Past Stakeholder Outreach





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Rulemaking Outreach Efforts

Focus Groups

- 4 virtual focus groups
- Topics: Licensing Exams & Renewals, Operator Roles & Responsibilities, Workforce Development, Small System Considerations
- 15-30 participants each
- Designed to foster discussion on specific aspects of the rule

Conferences

- AEA Spring Conference: March 12, 2024
- AWWA-NJ Annual Conference: March 20-21, 2024
- NJWEA Annual Conference: May 7, 2024
- NJWA Annual Conference: October 2024

Trainings

- Rutgers Safe Drinking Water Act Regulatory Update (virtual)
- NJWA Safe Drinking Water Act Regulatory Update (in-person)
- AEA Summer Academy (in-person)



Key Feedback

Takeaways

- Attracting and retaining new, skilled operators is a top priority. Rule revisions should be carefully considered to avoid creating new barriers to entry, and should aim to reduce existing barriers
- Systems are diverse in size and treatment type; it is often difficult to prescribe a “one-size-fits-all” approach in the rule

Broadly Supported

- Revising the definition for “direct responsible charge experience” (DRC)
- Removing the requirement to earn required DRC at the license level one below the level being sought
- Development of a provisional license for operators in training

Programmatic Updates

- Some of the feedback received will be better addressed through programmatic changes instead of rulemaking



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Potential Rule Revisions

AMENDMENTS

Enhancing
Workforce
Development

Regulation of
Contract
Companies

Clarify Roles &
Responsibilities
of Licensed
Operators

Administrative &
Miscellaneous
Updates



Potential Rule Revisions

Workforce Development

Provisional License for Operators in Training

Models exist in at least 19 states

Adjust restrictions on when operators are eligible for exams

“Direct Responsible Charge” Revisions

Focus on supervision of system processes; not supervision of staff

Create easier pathway for LOs to advance from Class 2 to Class 4 (if they have the required years of experience)

Operating Experience Revisions

Transparency and consistency in application review



Potential Rule Revisions

Contract Companies

Define Contract Company/Contract Operator

Formalize and recognize their role

Improve regulation and enforcement

Registration Form

Ability to track companies, staff, and systems

Models in other states

Contract Requirements

Ensure all requirements in 7:10A will be met

Each party knows and understands their responsibilities

Reevaluate the number of systems per LO

Trigger level vs. a hard limit

Increase oversight while allowing for exceptions



Potential Rule Revisions

Roles & Responsibilities

Define Licensed Operator of Record (LOR) and Backup Operator

Clarify roles & duties

Improve regulation and enforcement

Clarify N.J.A.C. 7:10A-1.12

Clarify When an LO is Required

Revise Automated System Definition & Their Exemptions

Licensee onsite 24/7 at Class 4 treatment systems



Potential Rule Revisions

Misc. Updates

Remove Grandparenting Provision

Necessary to meet EPA guidelines & secure funding

Maintain enforcement discretion

Training Contact Hours (TCHs)

Adjust submission deadline to reduce administrative backlog

Require Ethics & Incident Command System Training

System Classification

Add a point value for advanced oxidation processes (AOP)

Minimal stakeholder feedback received



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Other Upcoming Changes

Program Updates

Internal Activity Tracking

Automatic Emails

Application Progress Updates

Online Application Portal

Expedite Administrative Reviews

Online Payment

DEP-065 Form Submission Portal

Online Submission

TCH Provider Portals

Online TCH Course Registration

Online Roster Submission for Providers



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