



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WATER QUALITY
John K. Mackey, P.E.
Interim Director

Water Quality Board
Steven K. Earley, Chair
James Webb, Vice Chair
Carly Castle
Brandon Gordon
Michela Harris
Joseph Havasi
Trevor Heaton
Michael D. Luers
Kimberly D. Shelley
John K. Mackey
Interim Executive Secretary

Utah Water Quality Board Meeting
Via [Zoom](#)

MASOB
195 North 1950 West
Board Room 1015
Salt Lake City, UT 84116

April 27, 2022
Work Meeting Begins at 8:30 am
Board Meeting Begins at 9:30 am

AGENDA

Work Meeting:

Update on New Funding Sources..... Water Quality Engineering Staff

Water Quality Board Meeting – Roll Call

A. Minutes:

Approval of Minutes for March 23, 2022 Water Quality Board Meeting Steven Earley

B. Executive Secretary’s Report

John Mackey

C. Funding:

- 1. Financial Report.....Krystol Carfaro
- 2. Hinckley – Planning Advance.....George Meados

D. Other

- 1. Utah Wastewater Operator Certification Program 2021 Annual Report..... Chad Burrell

E. Public Comment Period

F. Meeting Adjournment

Next Meeting May 25, 2022 at 8:30 am
DEQ Board Room 1015
195 North 1950 West
Salt Lake City, UT 84116
Via [Zoom](#)

Revised 4/21/2022
DWQ-2022-005452

In compliance with the American Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Larene Wyss, Office of Human resources, at (801) 536-4281, TDD (801) 536-4284, or by email at lwys@utah.gov at least five working days prior to the scheduled meeting.

195 North 1950 West • Salt Lake City, UT
Mailing Address: PO Box 144870 • Salt Lake City, UT 84114-4870
Telephone (801) 536-4300 • Fax (801) 536-4301 • TDD (801) 536-4284
www.deq.utah.gov



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WATER QUALITY
John K. Mackey, P.E.
Interim Director

Water Quality Board
Steven K. Earley, Chair
James Webb, Vice Chair
Carly Castle
Brandon Gordon
Michela Harris
Joseph Havasi
Trevor Heaton
Michael D. Luers
Kimberly D. Shelley
John K. Mackey
Interim Executive Secretary

MEMORANDUM

TO: Utah Water Quality Board

THROUGH: John K. Mackey, PE

FROM: DWQ Engineering Section

DATE: April 27, 2022

SUBJECT: Work Meeting – Update on New Funding Sources

BACKGROUND

There has been a significant amount of activity regarding funding in the State Legislature and Federal government appropriations related to financing for water quality and infrastructure projects. The purpose of this meeting is to facilitate a discussion of the various funding sources and inform the Water Quality Board (Board) on what we have learned about them to date. It should be noted that guidance is still being developed at the federal level regarding elements of the federal funding and therefore this information will likely need to be revised as new information comes to light. The EPA has started posting information about the Bipartisan Infrastructure Law (BIL) at <https://www.epa.gov/infrastructure>.

FEDERAL FUNDING - BIPARTISAN INFRASTRUCTURE LAW

On November 15, 2021, the President signed the Infrastructure Investment and Jobs Act (IIJA) into law. The IIJA, also referred to as the BIL, has important impacts on the Clean Water and Drinking Water SRF programs. For Clean Water SRF BIL included three new major appropriation of funds awarded to the Board to administer:

1. General Supplemental Capitalization Grant
2. Emerging Contaminants Capitalization Grant
3. Sewer Overflow and Stormwater Reuse Municipal Grant (OSG)

1. EPA BIL Memo

EPA has recently provided some guidance including a memo dated March 8, 2022 titled “Implementation of the Clean Water and Drinking Water State Revolving Fund Provisions of the Bipartisan Infrastructure Law” located at the following website: https://www.epa.gov/system/files/documents/2022-03/combined_srf-implementation-memo_final_03.2022.pdf

As mentioned above, the EPA is continuing to post guidance documents as they become available on their website at: <https://www.epa.gov/infrastructure>

2. Authorization of Appropriations to CWSRF Capitalization Grants

The BIL proposes increases in funding to the Clean Water State Revolving Fund (CWSRF) capitalization grant. This provides authorization for increased funding of the Capitalization Grant; however, BIL does not appropriate the funds for it. BIL authorizes approximately a 30% increase in FY22 with incremental increases to an 80% increase in FY26. The increase will not be realized unless and until each year's budget is passed with the actual appropriations.

As a demonstration of how these funding levels may not be realized; H.R.2471 - Consolidated Appropriations Act, 2022 was signed into law **without funding an increase for FY 2022**. The budget was funded at similar levels to past years and budgetary earmarks returned to the CWSRF in the budget. There was one Utah project included in the earmarks of \$3.5 million to “The Town of Manila for a sewage system project”. As there have not been earmarks for several years, at this time, it is not known by DWQ or EPA staff how this funding will be handled, or exactly how it will affect the capitalization grant appropriations to the states. In the past the funds for earmarks were administered EPA with division staff providing on-scene coordination. Due to these earmarks staff now anticipates the Utah allocated Cap Grant to decrease from approximately \$8,400,000 to just under \$6,000,000.

3. General Supplemental Capitalization Grant

The BIL includes new appropriations which provide five (5) years of new additional funding for CWSRF through a General Supplemental Capitalization Grants. The BIL requires 49% of funding from the General Supplemental Capitalization Grant to be provided as additional subsidy (Principal Forgiveness) to address affordability. Unlike the additional subsidization in the normal cap grant, this is an exact amount rather than a range. Table 1 provides estimates for the General Supplemental Capitalization Grant.

**Table 1: BIL General Supplemental Grant
 (Based on Estimated Utah allocation (0.5%)***

Fiscal Year	General Grant	Supplemental	Required State Match	Total (Supplemental Grant + State Match)
2022	\$9,378,000**		\$978,000	\$10,356,000
2023	\$10,294,350		\$1,029,435	\$11,323,785
2024	\$11,234,025		\$2,246,805	\$13,480,830
2025	\$12,169,025		\$2,433,805	\$14,602,830
2026	\$12,169,025		\$2,433,805	\$14,602,830
TOTAL	\$55,244,425		\$9,121,850	\$64,366,275

*Infrastructure Bill Total Appropriations and Estimated Utah allocation (based on 0.5% of total appropriation, therefore, actual allocation will likely be different)

**Based on value published in “Implementation of the Clean Water and Drinking Water State Revolving Fund Provisions of the Bipartisan Infrastructure Law” Attachment 1 – Appendix A

Options for Implementing BIL - General Supplemental Grant funds

The Board may determine the process for implementing BIL General Supplemental Grant Funding and there are a couple of alternatives that could be considered.

1. Use Current SRF application funding process (Status Quo);
2. Create a new competitive process focusing on certain types of projects or areas with hardship. This may require a rule change modifying the project priority system; or
3. Continue with the Status Quo for the first year and re-evaluate later.

3. Emerging Contaminants Capitalization Grant

The BIL includes new appropriations which include new funding for CWSRF for Addressing Emerging Contaminants. Guidance for this new funding source is still being developed. Unlike the other Capitalization Grants this program is not subject to matching or cost share requirements. Also, this program will be administered as 100% principal forgiveness.

Eligibilities for Emerging Contaminants Capitalization Grant

- Eligible: CWSRF-eligible projects that address substances and microorganisms, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or reemerging risks to human health, aquatic life, or the environment.

- Not Eligible: Projects that address contaminants with water quality criteria established by EPA under CWA section 304(a), except for PFAS.

**Table 2: BIL Emerging Contaminants
 (Based on Estimated Utah allocation (0.5%))**

Fiscal Year	Emerging Contaminants Utah
2022	\$493,000
2023	\$1,125,000
2024	\$1,125,000
2025	\$1,125,000
2026	\$1,125,000

Options for Implementing BIL - Emerging Contaminants Grant funds

The Water Quality Board may determine the process for implementing BIL Emerging Contaminants Capitalization Grant Funding there are a couple of alternatives that could be explored.

1. Use Current SRF application funding process; or
2. Create a new competitive process focusing on certain types of projects or areas with hardship. (Although hardship is not a requirement for this funding, as it is a grant, projects from areas that have hardship should be encouraged.)
3. With both General Supplemental and Emerging Contaminates the Board may also want to consider if they wish to authorize a single year's worth of funding or multiple years' worth of funding.

4. Sewer Overflow and Stormwater Reuse Municipal Grant (OSG)

The America's Water Infrastructure Act of 2018 amended section 221 of the Clean Water Act (CWA) to reauthorize the Sewer Overflow and Stormwater Reuse Municipal Grants Program. The OSG program is intended to address local governments' infrastructure needs for combined sewer overflows (CSO), sanitary sewer overflows (SSO), water reuse, and stormwater management.

Staff is pursuing the FY20 and FY21 OSG of \$138,600 and \$198,000, respectively. During the August 2021 meeting, staff received approval for the Utah OSG competitive program from the Board. This program included a requirement for applicants to bring 20% of local funding to meet the 20% non-Federal share requirement. Under the requirements of BIL 25% of funds must go to distressed communities and 60% of those funds must go to rural communities. In addition, distressed or rural communities cannot be required to bring matching funds to meet the

requirements of the OSG from EPA. Due to changes from the BIL, the proposed Utah OSG program requires changes. Based on discussions with EPA to address how to meet the requirements for the 20% non-Federal share requirement:

- A. OSG requires a 20% State match of non-Federal share.
- B. In this case Second Round funds can be used as a non-Federal share.
- C. Additional Subsidization (such as Principal Forgiveness) can be brought from Second Round balances.
- D. Thus, distressed and/or rural communities could be provided CWSRF additional subsidization drawn from Second Round Funds to meet the cost share requirement. Only non-equivalency CWSRF agreements may be used.

Finally, The BIL includes additional appropriations for the Sewer Overflow and Stormwater Reuse Municipal Grant (OSG) program.

Table 2: BIL Sewer Overflow and Stormwater Reuse Municipal Grant (Based on Estimated Utah allocation (0.5%))

Fiscal Year	OSG Utah
2022	\$1,400,000
2023	\$1,400,000
2024	\$1,400,000
2025	\$1,400,000
2026	\$1,400,000

It is worth noting that although we used a 0.5% share of the nationwide allocation in estimating the available funds, this program will utilize a different formula that uses information in the Clean Watersheds Needs Survey to determine allocations. Additional information for the OSG program can be found at: <https://www.epa.gov/cwsrf/sewer-overflow-and-stormwater-reuse-municipal-grants-program>

Options for Implementing Sewer Overflow and Stormwater Reuse Municipal Grant (OSG)

The Water Quality Board may determine the process for implementing Sewer Overflow and Stormwater Reuse Municipal Grant Funding there are a couple of alternatives that could be explored.

1. The Board would obligate the 20% non-Federal share from the CWSRF Second Round Funds and use the funding process established at the August 25, 2021 Water Quality Board Meeting; or
2. The Board would obligate the 20% non-Federal share from the CWSRF Second Round Funds and use the funding process established at the August 25, 2021 Water Quality Board Meeting for the FY20 and FY21 grants and Create a new program for FY22-FY26; or
3. Create a new competitive process focusing on certain types of projects or areas with hardship. Although hardship is not a requirement for this funding, as it is a grant, projects from areas that have hardship should be encouraged.

5. Utah Wastewater Loan Fund Potential Impacts

Due to the increases in the grants detailed above, additional funding will be required from Utah in the form of State Match which varies from 0% to 20%. If these matching funds are not provided for as an appropriation by the State there could be an impact to other state funding sources as these would need to be utilized to make up shortfalls. It should be noted that during the Utah Legislative Process appropriations were made to cover FY22 and FY23 state matches for the General Supplemental funds for Drinking Water and Clean Water SRFs, which hopefully indicates a willingness to address this need at the state level.

The State of Utah Legislature and Governor have passed the FY23 Utah state budget. Included in the budget was "IJA Water Quality - State Match" for a one time appropriation of \$3,280,000. This appropriation is intended to meet the requirements of the BIL state match for the first two years of state match required.

6. Build America, Buy America Act (BABAA)

BIL included the *Build America, Buy America Act* (BABAA) which affects all of the federal funding.

- This adds new BABAA provisions to ALL construction materials on federally funded projects.
 - At the time of this writing both Water Quality staff and Region 8 EPA staff are uncertain as to details of how these requirements will be enacted May 14, 2022, as guidance has yet to be published by the Office of Management and Budget.

STATE APPROPRIATIONS (ARPA ASSISTANCE)

During the legislative session the legislature provided ARPA funds appropriations for three groups of projects that will either be evaluated by the Director of DWQ or the Water Quality Board. These are not the same as federal funds or normal state funds, therefore, staff believes that a proposal and review process can be set up to determine how to distribute the funds as these funds are outside of the scope of current rule.

Staff sourced information on these appropriations from the Compendium of Budget Information (COBI) which details the Utah state budget and related financial authorizations. It is provided as a companion to appropriations bills considered in the 2022 General Session of the Utah State Legislature.

There were three (3) ARPA appropriations related to the Division of Water Quality made during the 2022 legislative session: 1. *Utah Lake Preservation*, 2. *Southern Utah - Recycle/Reuse*, and 3. *West Weber Site Sewer Infrastructure*.

1. *Utah Lake Preservation* - Appropriation: \$30,000,000 (S.B. 3)

Description: “Competitive grant program to fund water quality improvements in Utah Lake and its watershed including wastewater upgrades (beyond current requirements), stormwater improvements, agricultural nonpoint source as well as in-lake water quality improvements. A portion of the funds will also be used for outreach and education activities and to establish a water quality trading program for Utah Lake. DEQ and partners are working on criteria for the competitive grant program and plan to collaborate with legislators to ensure funds meet legislative intent.” (<https://cobi.utah.gov/2022/1/issues/18763>)*

The Utah Lake Preservation appropriation is funded as a competitive grant program. This program has been assigned to the Director to oversee. Staff does not intend to compete these grants until the Department hires a new Division Director.

2. *Southern Utah - Recycle/Reuse* - Appropriation: \$15,000,000 (H.B. 2)

Description: “Competitive grant program for wastewater reuse projects in Southern Utah with priority for projects that mitigate the impacts of drought on rural communities and the agricultural sector. (This item may be eligible for American Rescue Plan Act Funding)”(<https://cobi.utah.gov/2022/1/issues/18697>)*

The Southern Utah - Recycle/Reuse appropriation is funded as a competitive grant program. The Board, Staff, or a Committee could be used to set up a scoring and award system; or recommendation system to be brought back to the Board for final approval of funding. Staff intends to bring a competitive grant program to the Board during a future Board meeting.

3. *West Weber Site Sewer Infrastructure* - Appropriation: \$5,000,000 (S.B. 3)

Description: “The West Weber Mega Site is a 6,000-acre master-planned Utah Certified Mega Site. The anticipated impact of this site in the next 20 years is approximately 25,000,000 sq. ft. of industrial/commercial space 25,000 new jobs, 7000 units of adjacent workforce, mixed use, and diverse housing, and \$784 million in new state revenue, with \$63 million generated in the first five years. The site has water, utilities, and ongoing road infrastructure improvements, but inadequate sewer infrastructure. Expanded sewer infrastructure is critical for the Mega Site and housing projects to launch. [The applicant requested] \$20,000,000 to expand and upgrade the current sewer system.” (<https://cobi.utah.gov/2022/1/issues/19245>)*

Staff have been in communication with Weber County who is viewed as the earmark for this funding. Weber County is currently in the process of attempting to get local ARPA funds committed to the project. It is anticipated Weber County will appear at the Board to introduce their project in late 2023.



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WATER QUALITY
Erica Brown Gaddis, PhD
Director

Water Quality Board
Steven K. Earley, Chair
James Webb, Vice Chair
Brandon Gordon
Michela Harris
Joseph Havasi
Trevor Heaton
Michael D. Luers
Emily Niehaus
Kimberly D. Shelley
Erica Brown Gaddis, PhD
Executive Secretary

MINUTES

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD**

MASOB
and
Via Zoom

March 23, 2022
8:30 am Board Meeting

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Carly Castle	Trevor Heaton
Steven Earley	Mike Luers
Brandon Gordon	Kim Shelley
Michela Harris	James Webb

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Jennifer Berjikian	Andrea Kilbane
Paul Burnett	John Mackey
Harry Campbell	George Meados
Emily Canton	Glen Lischeske
Krystol Carfaro	Leanna Littler-Woolf
Eric Castrejon	Meg Osswald
Skyler Davies	Jen Robinson
Erica Gaddis	Danny Ryan
Jodi Gardberg	Lonnie Shull
Dan Griffin	Jeff Studenka
Clanci Hawks	Sarah Ward
Samantha Heusser	Susan Woeppel
Ken Hoffman	Beth Wondimu
David Jamison	Yan Yan
Brenda Johnson	

OTHERS PRESENT

Soren Simonson	Jordan River Commission
Nakeasha Scovill	Staker Parson Companies
Dustyn Shaffer	Sunrise Engineering (Big Water)
Brandon Heidelberg	Central Valley WRF

Phil Heck	Central Valley WRF
Justin Zollinger	Central Valley WRF
Jed Maxwell	Salina City
David Schmuker	Big Water
Jesse Ralphs	Sunrise Engineering (Salina City)
Ryan Zollinger	Millville City
David Hair	Millville City
Corey Twedt	Millville City
Lance Houser	Fransom Engineering (Millville City)
Melissa Reynolds	Holland & Hart
Marian Rice	Salt Lake City Dept of Public Utilities
Renn Lambert	LimnoTech
Sarah Guzman	

Mr. Earley called the Meeting to order at 8:30 AM.

ROLL CALL

Mr. Earley took roll call for the members of the Board and audience.

APPROVAL OF MINUTES OF FEBRUARY 23, 2022 BOARD MEETING

Motion: Mr. Webb moved to approve the amended minutes adding Kim Shelley as present at the February 23, 2022 Board meeting.

Mr. Heaton seconded the motion. The motion passed unanimously.

EXECUTIVE SECRETARY REPORT

Dr. Gaddis addressed the Board with the following updates.

National

- Waters of the United States (WOTUS)
 - Rulemaking continues to be discussed
 - WQ hosting a regional concepts workshop in August 2022
- EPA
 - Cyber security concerns regarding water and wastewater utilities around the country associated with the war in Ukraine

Water Quality Core Program

- Funding/Engineering
 - American Rescue Plan Act (ARPA)
 - \$5 million - West Weber sewer extension
 - \$30 million – Utah Lake Preservation Program

- Bipartisan Infrastructure Law (BIL)
 - State supplemental funds
 - Emerging containments
 - Storm water grants
- Intended Use Plan (IUP)
 - State Revolving Funds (SRF) based capitalization grant
 - Supplemental BIL funding
- Water Quality Board April work meeting
 - Discuss ARPA and BIL funds
 - Asset Management Rulemaking ([HB269](#) Capital Assets Related to Water)
 - Asset management for all water and wastewater utilities in the state
 - Water Quality, Drinking Water and Water Resources Boards tasked with Rulemaking action to define asset management
 - Clean Water Needs survey completed by all state water utilities within 1 year
- Integrated Report
 - 2022 Integrated Report approved by EPA on March 8, 2022
- Standards and Technical Services
 - Request for Proposal for Harmful Algal Bloom (HAB) treatment
 - Gilbert Bay in the Great Salt Lake salinity concerns

Division Management

- Staff Introductions
 - Daniel Ryan, Spills Coordinator with Compliance & Enforcement
 - Paul Barnett, Non-Point Source Coordinator with Standards & Technical Services
 - David Jamison, Permit Writer, with Individual Permitting
 - Andrea Kilbane, 401 Water Quality Coordinator with General Permitting
 - Ellen Bailey, Field Coordinator with Monitoring & Reporting
 - Marshall Baillie, Field Coordinator with Monitoring & Reporting

FUNDING REQUESTS

Financial Report: Ms. Carfaro updated the Water Quality Board on the Loan Funds and Hardship Grant Funds as indicated in the packet.

Central Valley Water Reclamation Facility (CVWRF) - Bond Indenture Modification Authorization: Mr. Davies presented the Board with a request to approve the Bond Indenture modification.

Motion: Mr. Luers moved to approve the requested Indenture Amendment, with the requirement that CVWRF maintain a minimum debt service coverage ratio of 1.25 throughout the life of the loan.

Mr. Heaton seconded the motion. The motion passed with a majority vote with Mr. Webb opposed.

Salina – Planning Advance Conversion to Grant: Mr. Hoffman presented the Board with a request to reauthorize an advance as a hardship design grant in the amount of \$400,000.

Motion: Mr. Webb moved to approve the request to reauthorize the advance as a hardship design grant in the amount of a \$400,000.

Mr. Gordon seconded the motion. The motion passed unanimously.

Big Water – Planning Advance: Mr. Lischeske presented the Board with a request for a hardship planning advance.

Motion: Mr. Webb moved to approve the request to authorize a hardship planning grant of \$52,500 with the following special condition.

1. The Division of Water Quality must approve the engineering agreement and plan of study before the advance will be executed.

Mr. Havasi seconded the motion. The motion passed unanimously.

Millville City – Supplemental Funding Authorization: Mr. Hoffman presented the Board with a request for additional \$4.7 million in additional assistance due to increased construction costs.

Motion: Mr. Luers moved to approve the request to authorize a \$4,700,000 loan at 0% for a term of 30 years, in addition to the previous authorizations by the Board. This is subject to the following special conditions:

1. Millville City must agree to participate annually in the Municipal Wastewater Planning Program (MWPP).
2. As part of the facility planning, Millville City must complete a Water Conservation and Management Plan.
3. Millville City must pursue and retain remaining funding necessary to fully implement the collection system project.
4. Millville City must develop and implement an asset management program that is consistent with EPA's Fiscal Sustainability Plan guidance.
5. The funding authorizations will expire on May 14, 2022 if the City has not awarded the construction contract by that date.
6. Staff may negotiate with the City an escalating principal repayment schedule.
7. Staff may allow for a debt service ratio of 1.1.

Ms. Harris seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS

No public comments

MEETING ADJOURNMENT

Motion: Mr. Webb moved to adjourn the meeting.

Mr. Havasi seconded the motion. The motion passed unanimously.

To view the full recording of the Water Quality Board meeting.
<https://deq.utah.gov/boards/utah-water-quality-board-meetings>

**Next Meeting –April 27, 2022
Meeting begins at 8:30 am**

**In-Person
MASOB
195 North 1950 West
Board Room 1015
Salt Lake City, UT 84116**

Via Zoom
<https://us02web.zoom.us/j/7074990271>

Steven Earley, Chair
Utah Water Quality Board

LOAN FUNDS FINANCIAL STATUS REPORT APRIL 2022

STATE REVOLVING FUND (SRF)	State Fiscal Year 2022	State Fiscal Year 2023	State Fiscal Year 2024	State Fiscal Year 2025	State Fiscal Year 2026	State Fiscal Year 2027
Funds Available						
Capitalization Grants Awards (FFY21)	\$ 5,435,801.00	\$ -	\$ -	\$ -	\$ -	\$ -
State Match	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Future Capitalization Grant	\$ 5,970,000.00	\$ 6,000,000.00	\$ 6,000,000.00	\$ 6,000,000.00	\$ 6,000,000.00	\$ 6,000,000.00
Future State Match (estimated)	\$ 1,194,000.00	\$ 1,200,000.00	\$ 1,200,000.00	\$ 1,200,000.00	\$ 1,200,000.00	\$ 1,200,000.00
SRF - 2nd Round	\$ 39,768,568.21	\$ 11,799,744.26	\$ (3,499,950.98)	\$ (15,875,202.36)	\$ 11,489,387.60	\$ 38,853,642.69
Interest Earnings at 0.4676%	\$ 46,489.46	\$ 50,172.51	\$ -	\$ -	\$ 48,852.88	\$ 165,205.69
Loan Repayments (5255)	\$ 3,220,885.59	\$ 17,484,132.25	\$ 20,400,748.62	\$ 20,164,589.96	\$ 20,115,402.22	\$ 18,678,940.92
Total Funds Available	\$ 55,635,744.26	\$ 36,534,049.02	\$ 24,100,797.64	\$ 11,489,387.60	\$ 38,853,642.69	\$ 64,897,789.30
Project Obligations						
Central Valley Water Reclamation Facility	\$ (5,300,000.00)	\$ (6,800,000.00)	\$ -	\$ -	\$ -	\$ -
Moab City	\$ (80,000.00)	\$ -	\$ -	\$ -	\$ -	\$ -
Provo City	\$ (14,045,000.00)	\$ (20,000,000.00)	\$ (8,800,000.00)	\$ -	\$ -	\$ -
South Salt Lake City (A)	\$ (2,290,000.00)	\$ (234,000.00)	\$ -	\$ -	\$ -	\$ -
Millville City	\$ (3,650,000.00)	\$ -	\$ -	\$ -	\$ -	\$ -
Loan Authorizations						
South Davis Sewer District (with NPS)		\$ (7,000,000.00)	\$ (7,176,000.00)		\$ -	\$ -
Mountain Green	\$ (1,500,000.00)	\$ (4,000,000.00)	\$ (1,500,000.00)			
Payson City		\$ (2,000,000.00)	\$ (12,500,000.00)			
Provo City	\$ (5,000,000.00)		\$ (10,000,000.00)			
Millville	\$ (10,211,000.00)					
South Salt Lake City	\$ (1,760,000.00)					
Planned Projects						
Total Obligations	\$ (43,836,000.00)	\$ (40,034,000.00)	\$ (39,976,000.00)	\$ -	\$ -	\$ -
SRF Unobligated Funds	\$ 11,799,744.26	\$ (3,499,950.98)	\$ (15,875,202.36)	\$ 11,489,387.60	\$ 38,853,642.69	\$ 64,897,789.30

UTAH WASTEWATER LOAN FUND (UWLF)	State Fiscal Year 2022	State Fiscal Year 2023	State Fiscal Year 2024	State Fiscal Year 2025	State Fiscal Year 2026	State Fiscal Year 2027
Funds Available						
UWLF	\$ 20,635,484.33	\$ 18,496,048.74	\$ 15,435,936.34	\$ 18,632,627.33	\$ 22,163,761.90	\$ 25,542,015.29
Sales Tax Revenue	\$ -	\$ 3,587,500.00	\$ 3,587,500.00	\$ 3,587,500.00	\$ 3,587,500.00	\$ 3,587,500.00
General Supplemental Match Appropriation	\$ 3,280,000.00					
Loan Repayments (5260)	\$ 750,864.41	\$ 2,495,987.60	\$ 2,473,790.99	\$ 2,808,234.57	\$ 2,655,353.39	\$ 2,270,341.35
Total Funds Available	\$ 24,666,348.74	\$ 24,579,536.34	\$ 21,497,227.33	\$ 25,028,361.90	\$ 28,406,615.29	\$ 31,399,856.64
General Obligations						
State Match Transfers Base Cap Grant	\$ (1,194,000.00)	\$ (1,200,000.00)	\$ (1,200,000.00)	\$ (1,200,000.00)	\$ (1,200,000.00)	\$ (1,200,000.00)
DWQ Administrative Expenses	\$ (832,300.00)	\$ (1,664,600.00)	\$ (1,664,600.00)	\$ (1,664,600.00)	\$ (1,664,600.00)	\$ (1,664,600.00)
Project Obligations						
South Salt Lake City (B)	\$ (3,112,000.00)	\$ (1,779,000.00)	\$ -	\$ -	\$ -	\$ -
Loan Authorizations						

LOAN FUNDS FINANCIAL STATUS REPORT APRIL 2022

Spanish Fork	\$ -	\$ (4,500,000.00)	\$ -	\$ -	\$ -	\$ -
South Salt Lake City	\$ (1,032,000.00)					
Planned Projects		\$ -	\$ -	\$ -	\$ -	\$ -
Total Obligations	\$ (6,170,300.00)	\$ (9,143,600.00)	\$ (2,864,600.00)	\$ (2,864,600.00)	\$ (2,864,600.00)	\$ (2,864,600.00)
UWLF Unobligated Funds	\$ 18,496,048.74	\$ 15,435,936.34	\$ 18,632,627.33	\$ 22,163,761.90	\$ 25,542,015.29	\$ 28,535,256.64
Total Loan Fund Balance	\$ 30,295,793.00	\$ 11,935,985.36	\$ 2,757,424.97	\$ 33,653,149.50	\$ 64,395,657.98	\$ 93,433,045.94
Project Reserve		\$ (5,000,000.00)	\$ (10,000,000.00)	\$ (15,000,000.00)	\$ (20,000,000.00)	\$ (25,000,000.00)
Total Available Loan Funds	\$ 30,295,793.00	\$ 6,935,985.36	\$ (7,242,575.03)	\$ 18,653,149.50	\$ 44,395,657.98	\$ 68,433,045.94

*WQB Agenda Items

HARDSHIP GRANT FUNDS FINANCIAL STATUS REPORT APRIL 2022

HARDSHIP GRANT FUNDS (HGF)	State Fiscal Year 2022	State Fiscal Year 2023	State Fiscal Year 2024	State Fiscal Year 2025	State Fiscal Year 2026	State Fiscal Year 2027
Funds Available						
Beginning Balance		\$ 1,584,088.94	\$ 1,836,284.87	\$ 2,228,511.42	\$ 2,537,696.00	\$ 2,663,972.12
Federal HGF Beginning Balance (5250)	\$ 3,651,201.21	\$ -	\$ -	\$ -	\$ -	\$ -
State HGF Beginning Balance (5265)	\$ 2,533,669.11	\$ -	\$ -	\$ -	\$ -	\$ -
Interest Earnings at 0.4676%	\$ 7,230.11	\$ 6,735.55	\$ 7,807.88	\$ 9,475.63	\$ 10,790.28	\$ 11,327.21
UWLF Interest Earnings at 0.4676%	\$ 24,122.88	\$ 78,645.20	\$ 65,633.60	\$ 79,225.93	\$ 94,240.32	\$ 108,604.65
Hardship Grant Assessments (5255)	\$ 323,764.48	\$ 1,097,076.99	\$ 1,021,543.78	\$ 945,012.10	\$ 767,302.44	\$ 690,077.49
Interest Payments - (5260)	\$ 88,949.92	\$ 319,738.19	\$ 297,241.29	\$ 275,470.91	\$ 253,943.08	\$ 232,596.63
Advance Repayments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Funds Available	\$ 6,628,937.71	\$ 3,086,284.87	\$ 3,228,511.42	\$ 3,537,696.00	\$ 3,663,972.12	\$ 3,706,578.09
Financial Assistance Project Obligations						
Big Water Planning Grant	\$ (52,500.00)					
Eagle Mountain City - Construction Grant	\$ (510,000.00)	\$ -	\$ -	\$ -	\$ -	\$ -
Emigration Sewer Imp Dist - Planning Grant	\$ (26,158.04)	\$ -	\$ -	\$ -	\$ -	\$ -
Hanksville Planning Advance	\$ (36,600.00)					
Lewiston City - Design and Construction	\$ (274,000.00)	\$ -	\$ -	\$ -	\$ -	\$ -
Millville City - Design and Construction	\$ (1,000,000.00)					
Millville City - Loan Payoff Grant	\$ (158,000.00)					
Mount Pleasant Planning Advance	\$ (50,000.00)					
Spanish Fork - Hardship Grant	\$ (250,000.00)	\$ (250,000.00)	\$ -	\$ -	\$ -	\$ -
Salina Design Grant	\$ (400,000.00)					
Non-Point Source/Hardship Grant Obligations						
Fitzgerald ARDL interest-rate buy down	\$ (51,056.00)	\$ -	\$ -	\$ -	\$ -	\$ -
McKees ARDL interest-rate buy down	\$ (55,261.00)	\$ -	\$ -	\$ -	\$ -	\$ -
Munk Dairy ARDL interest-rate buy down	\$ (16,017.00)	\$ -	\$ -	\$ -	\$ -	\$ -
(FY12) Utah Department of Agriculture	\$ (177,928.28)	\$ -	\$ -	\$ -	\$ -	\$ -
(FY15) DEQ - Ammonia Criteria Study	\$ (27,242.43)	\$ -	\$ -	\$ -	\$ -	\$ -
(FY17) DEQ - Utah Lake Water Quality Study	\$ (348,300.75)	\$ -	\$ -	\$ -	\$ -	\$ -
USU - Historic Trophic State/Nutrient Concentrations Paleo	\$ (78,070.26)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2018 - Remaining Payments	\$ (7,100.00)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2019 - Remaining Payments	\$ (111,836.35)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2020 - Remaining Payments	\$ (332,604.30)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2021 - Remaining Payments	\$ (234,969.09)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2022 - Remaining Payments	\$ (884,705.27)	\$ -	\$ -	\$ -	\$ -	\$ -
Future NPS Annual Allocations		\$ (1,000,000.00)	\$ (1,000,000.00)	\$ (1,000,000.00)	\$ (1,000,000.00)	\$ (1,000,000.00)
Planned Projects						
Hinckley Hardship Planning Grant	\$ (15,000.00)					
Total Obligations	\$ (5,044,848.77)	\$ (1,250,000.00)	\$ (1,000,000.00)	\$ (1,000,000.00)	\$ (1,000,000.00)	\$ (1,000,000.00)
HGF Unobligated Funds	\$ 1,584,088.94	\$ 1,836,284.87	\$ 2,228,511.42	\$ 2,537,696.00	\$ 2,663,972.12	\$ 2,706,578.09

State of Utah
Wastewater Project Assistance Program
Project Priority List

As of April 12, 2022

Rank	Project Name	Funding Authorized	Total Points	Point Categories			
				Project Need	Potential Improvement	Population Affected	Special Consideration
1	Provo City	X	144	50	24	10	60
2	South Salt Lake City (CVWRF)	X	143	50	23	10	60
3	South Davis Sewer District	X	138	50	18	10	60
4	Payson	X	120	35	17	8	60
5	Spanish Fork Water Reclamation Facility	X	117	50	19	8	40
6	Millville City	X	114	45	46	3	20
7	Mountain Green	X	108	50	14	4	40
8	Salina City		108	35	10	3	60
9	Lewiston City	X	67	10	16	1	40

X - funding authorized; R - Additional Funding Requested; 0 - Funding Not Yet Authorized



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WATER QUALITY
John K. Mackey P.E.
Interim Director

Water Quality Board

Steven K. Earley, Chair
James Webb, Vice Chair
Carly Castle
Brandon Gordon
Michela Harris
Joseph Havasi
Trevor Heaton
Michael D. Luers
Kimberly D. Shelley
John K. Mackey
Interim Executive Secretary

**WATER QUALITY BOARD
REQUEST FOR HARDSHIP PLANNING ADVANCE FOR
WASTEWATER CAPITAL FACILITIES PLAN**

APPLICANT: Hinckley Town
161 East 300 North
Hinckley, UT 84635

PRESIDING OFFICIAL: Mayor Brian Florang

CONTACT: Tresa Taylor, Town Clerk
(435) 864-3522

TREASURER/RECORDER: Chris Palmer

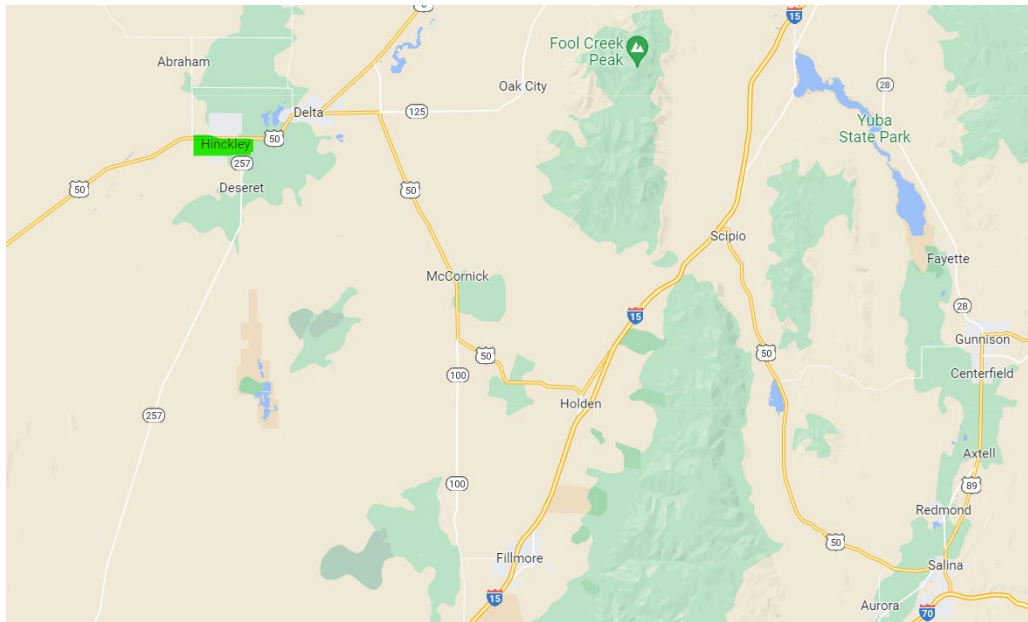
CONSULTING ENGINEER: Daniel Hawley, P.E.

APPLICANT'S REQUEST

Hinckley Town is requesting a **hardship planning advance** in the amount of \$15,000 to review the existing sewer collection and treatment facilities and the impact of future growth on these facilities.

APPLICANT'S LOCATION

Hinckley Town is located in Millard County.



PROJECT NEED

Hinckley Town’s wastewater treatment facility is a non-discharging wastewater treatment lagoon permitted under the General Operating Permit for Non-discharging Lagoons Coverage No. UTOP00121. Hinckley Town is having trouble maintaining a water depth of 18 inches in their lagoons due to a low flow. To compensate for this the Town is pumping well water into the lagoons to maintain the minimum depth at three feet.

PROJECT DESCRIPTION

Hinckley Town is requesting funding to review the existing Town sewer collection and treatment facilities. This review will help the town determine how to maintain a consistent depth in their lagoons, and help develop a plan on increasing connections to the sewer lagoons.

IMPLEMENTATION SCHEDULE

The estimated plan completion date is June 2022.

COST ESTIMATE

Hinckley Town is requesting \$15,000 from the Water Quality Board. The proposed scope of work will not result in a complete capital facilities plan.

STAFF COMMENTS AND RECOMMENDATION

The planning advance would allow the Town to perform the necessary assessment to determine lagoon deficiencies and the best corrective actions. The City has indicated they intend to seek construction funding assistance from Community Impact Board (CIB), US Dept Ag. Rural Development (USDA-RD), or Community Development Block Grant (CDBG). This is a small rural community with limited capital reserves, as well if funded by CIB, USDA-RD, or CDBG a funding package would likely not be able to repay a Board Planning Advance, as such staff believes a planning grant is more appropriate than an advance.

Staff recommends the Board **authorize a hardship planning grant of \$15,000** to Hinckley Town under the following special conditions:

1. The Division of Water Quality must approve the engineering agreement and plan of study before the advance will be executed.
2. The City must agree to participate annually in the Municipal Wastewater Planning Program (MWPP).
3. As part of the facility planning, the City must complete a Water Conservation and Management Plan.



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WATER QUALITY
John K. Mackey, P.E.
Interim Director

Water Quality Board
Steven K. Earley, Chair
James Webb, Vice Chair
Carly Castle
Brandon Gordon
Michela Harris
Joseph Havasi
Trevor Heaton
Michael D. Luers
Kimberly D. Shelley
John K. Mackey
Interim Executive Secretary

MEMORANDUM

TO: Utah Water Quality Board

THROUGH: John K. Mackey
Division Director

FROM: Judy Etherington
Wastewater Certification Program Coordinator

DATE: April 27, 2022

SUBJECT: Presentation of the Utah Wastewater Operator Certification Program 2021 Annual Report to the Water Quality Board

The Utah Water Quality Board has requested a yearly report of the wastewater operator certification program activities. The Utah Wastewater Operator Certification Program 2021 Annual Report is being presented by Mr. Chad Burrell, who currently serves as Chair of the Council. The information contained within the attached report is for the 2021 calendar year.

JKM/JAE/blj

Enclosure: 1. Utah Wastewater Operator Certification Council 2021 Annual Report

U:\ENG_WQ\ETHERINGTON\OPCERT\ANNUAL REPORT\2020ARPT\WWOCC2020ANNUALREPORTMEMOTOWQB.DOCX
FILE: WWOCC/ANNUAL REPORT 2021
DWQ-2022-006156



UTAH DEPARTMENT of
**ENVIRONMENTAL
QUALITY**

Utah Wastewater Operator Certification Program 2021 Annual Report

Sunrise from North Davis Sewer District



Photo courtesy of Brian Lamar

Prepared by
The Division of Water Quality

April 2022

UTAH WASTEWATER OPERATOR CERTIFICATION PROGRAM 2021 ANNUAL REPORT

Prepared by

Judy Etherington

Wastewater Operator Certification Program Coordinator

Utah Department of Environmental Quality

Division of Water Quality

195 North 1950 West

Salt Lake City, UT 84116

Presented to the Water Quality Board on April 27, 2022

by the Utah Wastewater Operator Certification Council

CONTENTS

Introduction.....	1
THE UTAH WASTEWATER OPERATOR CERTIFICATION COUNCIL.....	1
Examinations.....	2
EXAMINATION PROCEDURES	2
EXAM CONTENT	3
EXAMINATION REVIEW	4
Training.....	5
COOPERATION WITH TRAINING PROVIDERS	5
Renewal and Compliance.....	6
Certification Council Meetings	8

Introduction

In March of 1991, following over 20 years of voluntary certification, wastewater works operator certification became mandatory. Wastewater operator certification is administered by the Division of Water Quality under rules adopted by the Utah Water Quality Board. The Board established the Utah Wastewater Operator Certification Council to provide guidance and stakeholder involvement in the program. During 2014, the Board adopted major revisions to Rule R317-10 that incorporated changes required by Senate Bill 21 (2012 General Session) which changed the duties and responsibilities of the environmental boards, their executive secretaries, and division directors. In response to those changes, the Board approved a revision of the rule that organizes the Utah Wastewater Operator Certification Council with members appointed by the Board to work in an advisory capacity to the director of the Division of Water Quality for the certification program.

THE UTAH WASTEWATER OPERATOR CERTIFICATION COUNCIL

On January 31, 2021, the terms of two council members expired. During the January 2021 Utah Water Quality Board meeting, the Board approved appointments of Chad Burrell and Rob Jaterka to fill the vacancies for the next 3-year term. The Council members serving during 2021 were:

Chad Burrell, Chair, represented certified wastewater treatment operators. He is the Operations and Safety Manager for Snyderville Basin Water Reclamation District and is certified as both a Grade IV Wastewater Treatment Operator and Grade IV Collection Operator. His term expires January 31, 2024.

Brian Lamar, Vice-chair, represented certified wastewater treatment operators. He currently works at North Davis Sewer District and is certified as a Grade IV Wastewater Treatment Operator, Grade IV Collections Operator, and Grade II Biosolids Land Application Operator. His term expires January 31, 2022

Giles Demke, represented the management of municipal wastewater systems. He is the Facility Manager at the Orem City Water Reclamation Facility and is certified as a Grade IV Wastewater Treatment Operator. His term expires January 31, 2022.

Phil Harold represented vocational training. He is the wastewater circuit rider for the Rural Water Association of Utah and is certified as both restricted Grade II Collection Operator and restricted Small Lagoon System Operator. His term expires January 31, 2023.

Rob Jaterka, represented certified wastewater collection operators. He is the District Inspector for Magna Water District and is certified as both a Grade IV Collection Operator and Grade I Wastewater Treatment Operator. His term expires January 31, 2024.

Blaine Shipley, represented certified wastewater collection operators. He is employed as Plant Superintendent for Price River Water Improvement District and is certified as both a Grade IV Collection Operator and Grade IV Wastewater Treatment Operator. His term expires January 31, 2022.

Dr. Jennifer Weidhaas represented Utah universities. She is an Associate Professor in the Department of Civil and Environmental Engineering at the University of Utah who teaches and does research in wastewater treatment and waterborne pathogen detection. Her term expires January 31, 2023.

The council held three meetings during the year to evaluate requests for continuing education courses, consider reciprocity requests, plan for administering exams, review exam scores and comment forms, and discuss ways to improve the certification program. Due to continuing COVID-19 protocols, meetings included some participants using teleconferencing platforms, and most communications with the program coordinator were done virtually—striving for majority consensus before any actions were taken.

Examinations

The Divisions of Water Quality and Drinking Water continued to maintain combined membership as a certifying authority with the Association of Boards of Certification (ABC), an environmental control testing service headquartered in Ankeny, Iowa. The role of ABC is to provide examination services to the certification program, which includes exam development, scoring, and compilation of exam results. A contract for exam services between ABC and the Division of Water Quality was in effect for state fiscal years 2019-23. Exams were offered in conjunction with the Rural Water Association of Utah's Annual and Fall Conferences. The regularly scheduled Spring exams were held in multiple locations with morning and afternoon sessions when needed so that COVID-19 protocols could be enforced. The regular Fall session was able to return to “normal”. All sessions used the standard paper-based format (PBT).

The registration and attendance of the 2021 exam sessions are shown in Table 1. These totals include the traditional mandatory exams, as well as the voluntary ones that are provided by ABC, but not required by Utah’s certification program.

Table 1 - 2021 Exam Registration and Attendance

	Spring Exam Sessions		Fall Exam Sessions		
	March	April	September	November	
Locations	St. George (in conjunction with RWAU Annual Conference)	American Fork (TSSD)	Layton (in conjunction with RWAU Fall Conference)	Bluffdale (SVSD)	
		Bluffdale (SVSD)		Ogden (CWSID)	
		Ogden (CWSID)		Provo (UTHJB)	
		Orem (WRF)		Richfield	
		Price (PRWID)		Salt Lake	
		Salt Lake (DEQ)		St. George	
		Sandy (CID)			
		St. George (ACSSD)			
		Vernal (AVWSID)			
	Applications Received	83	227	110	214
	Total Scored*	80	221	103	201

* Some individuals did not show up to take the exams at that time, but may have rescheduled to Spring 2022.

EXAMINATION PROCEDURES

Exam sessions were proctored by members of DWQ staff, DEQ District Engineers, current Council members, or other individuals delegated by Council members.

All examinations, regardless of grade, consist of 100 scored questions using a multiple-choice format. Answer sheets for PBT format are shipped to ABC for scoring. ABC compiles the results and returns them to DWQ by electronic format for recording in the database and dissemination to the examinees. Due to the complexity of scheduling multiple exam formats, no web-based (WBT) exams were administered in 2021. Each examinee is

provided an individual statistical report, and several variations of summary reports showing the cumulative results of the general areas detailed in the need-to-know criteria for all Utah examinees taking the same test during that session. Current ABC exams use a cut score of 70 for passing an exam.

EXAM CONTENT

The exams used in 2021 were compiled from ABC's data bank, including the Small Lagoon System exam, which is a customized exam using questions from the same data bank, but developed with 50 Wastewater Treatment I and 50 Collection I items to meet the need of smaller wastewater systems in Utah. The wastewater treatment and collection exams are "ABC 2019 standardized" exams which meet ISO 17024 standard to ensure the validity, reliability, and legal defensibility of the certification exams. Exam questions are reviewed by ABC's technical committees on a regular basis to ensure applicability to current wastewater technologies and processes. The Collection and Wastewater Treatment exams also have ten unscored, unidentified questions that are being pre-tested to see whether they would be good questions to use in future exams.

Three voluntary classifications of wastewater related certifications were again offered in 2021. They include Biosolids Land Applier Grades I - II, Wastewater Laboratory Analyst Grades I - IV, and Plant Maintenance Technologist Grades I - III. Mandatory exams include Collections Grades I - IV, Wastewater Treatment Grade I - IV, and Small Lagoons System Grade I. Cumulative Totals for the 2021 mandatory wastewater exam classifications are shown in Table 2.

Table 2 - Cumulative 2021 Exam Scores (Mandatory)

Exam-Grade	Total Examinees	High Score	Low Score	#Pass (≥70%)	Pass %
C-I	29	86	43	14	48
C-II	81	95	30	35	43
C-III	37	76	42	2	5
C-IV	122	90	38	36	30
SLS-I	14	91	65	10	71
T-I	79	84	26	23	29
T-II	80	79	37	20	25
T-III	33	74	43	6	18
T-IV	105	83	35	13	12
Totals	580			159	27

This is the second year using the 2019 version standardized exams that are based on the same need-to-know criteria as the previous 2017 version. As predicted by ABC, the overall passing rates may dip when the new forms are introduced, but without any prerequisites for testing, there is really no basis for comparison. Table 3 shows overall passing rates for mandatory exams for the past three years.

Table 3 - Passing Rate Comparison for Mandatory Exams in 2019, 2020 and 2021

Exam-Grade	2019 Pass %	2020 Pass %	2021 Pass %
C-I	62	59	48
C-II	46	35	43
C-III	24	21	5
C-IV	20	26	30
SLS-I	71	52	71

Exam-Grade	2019 Pass %	2020 Pass %	2021 Pass %
T-I	23	30	29
T-II	26	25	25
T-III	13	6	18
T-IV	19	13	12
Overall	29	27	27

EXAMINATION REVIEW

No further changes have been made to the certification rule since it was amended January 24, 2018, removing the option of a post-exam review of actual questions and answers by the examinees. The rule still provides the opportunity for the Council to review the questions, along with the ABC accepted answers, for any questions for which a comment form was submitted during the testing sessions. This provides an opportunity for the Council to respond directly to the examinee's comment and also evaluate whether a recommendation should be made to ABC regarding the validity of the question in future exams. Responses from the Council to the comments received are sent to the individuals following the review. In a few instances, the Council requested clarification or further review of the question item by ABC. Each individual has previously been provided a statistical breakdown of their proficiency in the areas of testing as described in the published need-to-know criteria. The examinee, as well as those assisting them in their exam preparations, are able to use those results to focus study efforts for future testing opportunities.

Training

COOPERATION WITH TRAINING PROVIDERS

During 2021, many of the usual in-person training events returned following the previous halt due to COVID-19 protocols. Modifications were made to most of the certification-related training classes offered through cooperative efforts with the Rural Water Association of Utah or the Water Environment Association of Utah so that they could be delivered virtually or in a dual format. Division of Water Quality staff and Certification Council members participated as instructors and presenters at conferences, seminars, and training sessions which provided training to wastewater personnel. The objective of these training opportunities was to facilitate compliance with UPDES permits, review subject matter in preparation for operator examinations, and earn required continuing education credits for renewals.

Some council members and staff also continue supporting the Utah Water and Wastewater Training Coalition providing a centralized calendar of seminars and training to make it easier for water and wastewater professionals to find local training and continuing education for their respective fields. The council continues to support participation in an “on-line” calendar format. This calendar has facilitated the communication and coordination between the members of the Coalition as well as the operators. Division of Water Quality staff and representatives of the member organizations maintain their respective calendar information. Members of the Coalition are: Division of Drinking Water, Division of Water Quality, American Water Works Association, Water Environment Association of Utah, Rural Water Association of Utah, American Backflow Prevention Association, and Rural Community Assistance Corporation.

Individual wastewater facility owners and managers continue to provide updated training for their personnel either “in house” or using professional training and assistance providers. Often training was conducted through virtual meeting platforms, as well as in person, allowing interactive participation by all. As the pandemic continued, dedication and ingenuity were definitely observed while meeting compliance, certification, and safety requirements. Nearly all operators were able to obtain the required continuing education required for renewals—if they desired—and made the effort. The majority of those not renewing particular certifications were no longer in the industry due to retirement or change of employment, or had advanced to a higher certification and no longer needed to maintain the lower one.

Renewal and Compliance

Wastewater Operator Certifications may be valid for up to three years. Certifications will expire on December 31st of the expiration year unless they have been renewed. Continuing education during the three-year period prior to the expiration date, in wastewater-related subject matter, is a prerequisite for renewal. The number of credits required is dependent upon the grade of certification being renewed. Reinstatement of the certificate is also allowed within the year following expiration, provided that the operator has earned the required training credits prior to the certificate's expiration. All publicly-owned wastewater works are required to have adequately certified individuals "in charge" of both the wastewater treatment and collection systems as specified in Rule R317-10 Certification of Wastewater Works Operators. The statistics in Table 3 represent the certification actions taken during 2021 to comply with various aspects of the certification rule.

Table 4 - Certification Actions for 2021

Action	Number
Number of "new operators" added to wastewater certification database during 2021	147
Certificates expired December 31, 2020– final notices mailed December 2021	97
Certificates expired 2020, reinstated prior to December 31, 2021 deadline	87
Certificates expired 2020, reinstated with "Change in Status" prior to December 31, 2021 deadline	2
"Change in Status" certificates issued for current certifications	15
Certificates expiring December 31, 2021 – notices mailed February 2021	576
Certificates expiring December 31, 2021 – notices mailed August 2021	425
Certificates expiring 2021 renewals received prior to December 31, 2021	380
Certificates expiring 2021, renewed along with "Change in Status" requests	15
Early renewals for certificates expiring after 2021	4
Early renewal with "Change in Status" for certificates expiring after 2021	5
Certificates issued by "reciprocity" (equivalent certification from another state)	8
Issued Letter-of-Intent to issue certificate by "reciprocity"	0
Number of "reciprocity" requests denied in 2021	0
Number of "active" individuals in database (participated in certification within last 3 years)	1,750
Number of certified wastewater operators as of January 1, 2022(all categories)	1,323
Number of certified "treatment" operators	522
WW Treatment Grade I	121
WW Treatment Grade II	143
WW Treatment Grade III	48
WW Treatment Grade IV	247
Number of certified "collection" operators	894
Collection Grade I	107
Collection Grade II	287
Collection Grade III	81
Collection Grade IV	461
Number of certified "small lagoon system" operators	139
Total number of current wastewater operator certifications as of January 1, 2022	1,706
Number of operators holding two classes of certifications, but not more than two during 2021	259
Number of operators holding three classes of certifications	31
Total number of current voluntary certifications (Biosolids Land Applier, WW Laboratory, Plant Maintenance)	85
Total number of publicly owned wastewater collection systems	195

Action	Number
Municipal Collection Class I systems	95
Municipal Collection Class II systems	51
Municipal Collection Class III systems	28
Municipal Collection Class IV systems	21
Total number of publicly owned wastewater treatment facilities	122
Municipal Treatment Class I facilities	73
Municipal Treatment Class II facilities	9
Municipal Treatment Class III facilities	22
Municipal Treatment Class IV facilities	18
Municipal Small Lagoon System I facilities (combination Treatment I & Collection I included in the above numbers)	63

As an alternative to employing a certified operator as Direct Responsible Charge (DRC), the owner of a municipal wastewater system may choose to contract with an individual or another entity with an appropriately certified operator to meet the certification requirement. New contracts to meet the requirements for Direct Responsible Charge (DRC) operators were submitted and approved during 2021 for Powder Mountain Water and Sewer Improvement District, and the Town of Manila. Other contracts are in place for Canyon Land Improvement District, Little Mountain Service Area, Mexican Hat Special Service District, Oakley City, and Wolf Creek Water and Sewer Improvement District.

Systems with no certified DRC operator of record as of January 1, 2022, are Pitman Farms (Moroni City Wastewater Treatment Plant), Henefer Town, Hideout Town, and Elk Ridge. All are within the one-year grace period after losing the operator.

Weber County has notified us that their attorney has not been able to locate any documentation that the entity known as “Ski Lake Special Service District” was actually created. At present, the county has assumed responsibility for the wastewater system and uses the existing maintenance agreement by local certified personnel to operate the system.

Certification Council Meetings

There were three Council meetings held during 2021. The following items may be of special note:

- The Council discussed requests for “preapproval” of continuing education courses submitted from vendors outside of Utah. The response would be that Utah currently does not have such a process, but generally gives credit for wastewater-related training since we don’t have a tracking program to collect and distribute the information. With limited resources for review of the training materials, the Council prefers to only consider training that is actually used by Utah operators as evidenced by their submission of certificates of completion or attendance rosters. If the certification database is upgraded in the future, that policy may change.
- The newer Small Lagoon System exam format seems to better evaluate the overall competency of the operators since it includes 50 collection and 50 treatment questions from the Grade I Standardized exams. The new exams were first used during the Fall 2017 exam sessions.
- Using COVID-19 protocols, the Council was able to provide paper-based testing opportunities at the RWAU Annual Conference in March and during the regular multiple sessions in April with morning and afternoon sessions.
- Changes in the certification fees were adopted by the legislature and implemented as of July 1, 2021.

Certification Action	Previous Fee	New Fee
Certification Examination	\$50.00	\$100.00
Renewal of Certificate or New Certificate Change in Status	\$25.00	\$50.00
Renewal of Lapsed Certificate plus Renewal (per month) (Maximum \$150)	\$25.00	\$50.00
Duplicate Certificate	\$25.00	\$25.00
Certification by reciprocity with another state	\$50.00	\$100.00
(Grandfather Certificate is eliminated)	\$20.00	NA

- Accommodations were made by council members and staff to administer a couple exams orally in conjunction with regular testing dates.
- The Council brought up a question about future plans for meeting the needs of certification for direct-potable reuse operators. It is our understanding that the Division of Drinking Water will be taking the lead to assure that operators are properly trained.
- The Council meetings were conducted both in person and virtually to accommodate meeting limitations due to COVID-19 protocols. It allowed for discussion of the necessary agenda items, but also reduced travel for the participants.
- There were more in-depth discussions between the Division of Water Quality and Rural Water Association of Utah about the future of testing opportunities on a more frequent basis. The current obstacles include the move of the association to a new campus, and the limitations of the current certification database that limits the ease of ordering, tracking, and recording multiple exam formats. The Division is pursuing new tracking database options that may facilitate that process. There are different requirements for ordering, testing site equipment requirements, and proctor training depending on the format of the exams.