

## Appendix O: Contract Operators

### Minnesota Department of Health Contract Water Operators Guidelines

#### Contracting For Certified Water Operators

The Advisory Council for Operator Certification has passed guidelines that will allow water systems to achieve compliance with the Certification Law by contracting with an operator that is not a direct employee of the system. The Minnesota Department of Health (MDH) Certification Office must approve all contracts that are intended to achieve compliance for certification. The Certification Office must have an actual copy of your contract for the approval. The contract must address six areas as described on the attached sheet.

**The premise of a contract operator is that he/she must be in direct charge of your water/wastewater system;** however, he/she can have other people work under his supervision. He/she does not necessarily have to perform every day-to-day operating task including sampling. One of the key areas to be examined by the Certification Office for its approval is the number of on-site visits per week to the water system and the duration of these visits. **Please note that this is NOT a contract to sample for a water system—It is a contract to run and be in direct responsible charge of all matters pertaining to the system.**

#### Section 1-Parties Involved

The following are required :

1. Name, address, and contact phone number(s) of contract operator
2. Certificate number(s) and company name (if applicable) of contract operator
3. Water system name and address, owner or responsible-party contract name, address, and phone number(s)

#### Section 2-Period Covered by the Contract

Give a description of the length of the contract, and provisions for renewal of the contract. The start and end date for the contract is required. The MDH will not approve any contracts lasting more than five years.

#### Section 3-Duties and Responsibilities of the Contract Operator

Should include but not be limited to such duties as:

1. Collect, analyze, and submit all water system samples and report results
2. Distribution System Maintenance
  - Annual hydrant flushing
  - Exercise all hydrants and valves on a regular basis
  - Maintain and test all customer meters on a regular basis
3. Answer customer complaints on water quality/quantity issues

4. Maintain and calibrate chemical feed equipment.
  - Take total and free chlorine residual measurements and maintain a free chlorine level of at least 0.3 mg/l in all areas of the distribution system
  - Take fluoride level measurements and maintain a fluoride level of 0.9 -1.5 mg/l in all areas of the distribution system
5. Be on-site for all MDH inspections
6. Keep operational, maintenance, and administrative records of all water system activities
7. Maintain efficient system operation and maintenance (on-going, preventative, and housekeeping)
8. Develop budget for water system
9. Provide good safe working environment
10. Analyze operational data to determine changes and improvements for more efficient operation
11. Establish an operator training program
12. Be available during all operating shifts for emergency situations. \*The distances between a contract operator and a water system should be such that, if there is an emergency, the contract operator is able to reach the water system within one hour of the first notification of the emergency.
13. Supervise contractee's system personnel and their work activities
14. Shall be on-site at least \_\_\_\_\_ days per week and at least \_\_\_\_\_ hours per week with the requirement that the contract operator document and submit to the system owner the actual amount of time spent at the water system. \*The "time served" document must remain on-site at all times and be accessible for MDH inspection.
15. Shall maintain a valid operator certificate while this contract is in effect

#### **Section 4-Duties and Responsibilities of the System Owner**

The owner is responsible for communicating all required regulatory information to the operator.

#### **Section 5-Contract Termination**

If the contract is terminated for any reason, the owner will notify the MDH 30 days in advance of cancellation or termination. Failure to do so may result in fines of up to \$10,000.

#### **Section 4-Signatures of All Parties Involved**

Submit a copy of the contract, and the "Public Water System Designated Operator" form to the

MDH Certification Office  
625 North Robert Street  
P.O. Box 64975  
St. Paul, MN, 55164-0975

Questions about contract operation should be directed to Mark Sloan at 651-201-4652, [mark.sloan@state.mn.us](mailto:mark.sloan@state.mn.us).

# Minnesota Pollution Control Agency Contract Operator Guidelines

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Wastewater Treatment Facility  
Contract Operator Guidelines  
August 1998

Minn. Stat. §§ 115.71 - 115.77 and Minn. R. ch. 9400 require that the person who has direct responsibility for the operation of a wastewater facility be properly certified. It is allowable to contract with a properly certified operator to meet this requirement provided the contract is submitted to the Commissioner of the Minnesota Pollution Control Agency (MPCA). In order to fulfill the certification requirement, the contract must specify the number of visits that the certified operator will make and the length of each visit. Because each facility is unique and has different management needs, it is difficult to establish set criteria. Although each situation will be reviewed individually, the following table presents recommended minimums. It is recommended that each visit be a minimum of two hours in length and at the following frequency:

Facility Classification	Number of Visits
D	1/month December - February 1/two weeks March - November
C	1/week
B	2/week
A	3/week

It is emphasized that these hours do NOT include the time needed to actually do facility operation and maintenance, only to direct those activities.

In addition, the contract must include the following items:

1. the certified operator's name and certificate number (and company name if appropriate);
2. the period covered by the contract and provisions for renewal;
3. the duties and responsibilities of the certified operator;
4. the duties and responsibilities of the permittee; and
5. provisions for notifying the MPCA 30 days in advance of termination if the contract is terminated prior to the expiration date.

Please submit a copy of the contract to:

Dianne Navratil  
Major Facilities Section  
Policy and Planning Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 5155-4194  
(651) 296-9269

Source: Minnesota Pollution Control Agency  
520 Lafayette Rd. N., St. Paul, MN 55155-4194; (651) 296-6300 (Voice) (651) 292-5332 (TTY)  
St. Paul \* Brainerd \* Detroit Lakes \* Duluth \* Mankato \* Marshall \* Rochester \*  
Willmar  
[www.pca.state.mn.us](http://www.pca.state.mn.us)