

# Wastewater treatment facility

## Contract operator guidelines – March 2026

Minn. Stat. §§ 115.71 to 115.77 and Minn. R. 9400 require that a wastewater treatment facility (WWTF) and/or wastewater collection system that is owned and operated separately from the WWTP that serves it maintain at least one person that is certified in a class equal to or higher than the class of the system or facility. Additionally, the certified operator must have direct responsibility for the operation of the facility and/or the collection system. Direct responsibility means the wastewater operator has full and active responsibility for the operation of a portion of, or all of, a facility or wastewater collection system. A city manager, superintendent of public works, or other administrative official shall not be deemed to have direct responsibility for a wastewater treatment facility unless they have obtained proper certification.

The goal for wastewater operators is for a facility to maintain compliance with National Pollutant Discharge Elimination (NPDES)/State Disposal System (SDS) permit requirements, and/or Minnesota Rules and Statutes, which in turn means environmental and human health protection. The NPDES/SDS or SDS permitting program is designed to allow Permittees to self-monitor and self-report, and to demonstrate that compliance with permit conditions, state statutes and rules, and federal regulations is being achieved. Therefore, it is important that an operator become familiar with detailed facility operation, permit conditions, submittal dates, and resources, in order to ensure compliance.

Operators are the people who operate and maintain the WWTF and/or collection system and make day-to-day decisions on how the WWTF and/or collection system will be operated. The Permittee/Owner of the WWTF is responsible for providing the necessary tools, materials, equipment, time, and funds needed to operate and maintain the WWTF and/or collection system.

It is allowable for a Permittee to contract with a properly certified operator to meet this requirement, provided that the contract (and any subsequent updates) is submitted to the Commissioner of the MPCA within 30 days of a change in operator certification or contract status. To fulfill the certification requirement, the contract must include the following:

- Certified operator name and certificate number
- Period covered by the contract and provisions for renewal
- Duties and responsibilities of the certified operator
- Duties and responsibilities of the Permittee
- Provisions for notifying the MPCA 30 days in advance of termination if the contract is terminated prior to expiration date

The Permittee or collection system Owner needs to have the operator onsite as often as necessary to ensure the WWTF and/or collection system maintains compliance with the NPDES/SDS or SDS permit requirements and Minnesota Rules and Statutes. Non-compliance that results from non-contracted operational time will be the responsibility of the Permittee and/or the operator. Contracted operational time can increase as facilities increase in classification, complexity, or other changes with permit compliance.

If an unexpected event leaves a Permittee without a certified operator, the permit holder is responsible for contracting with or hiring a certified operator as soon as possible. Please note that the Permittee must notify the MPCA of a change of certified operator within 30 days.

Please submit a copy within 30 days of a change in operator certification or contract status to:

Wastewater Certification Program Administrator  
Minnesota Pollution Control Agency  
Attn: Water Quality Submittals  
520 Lafayette Rd N  
St. Paul, MN 55155