

Procedure for Attestation of Field Personnel Taking Samples for Water Study Purposes

Regulation No. 3 of 11 January, 2002 of the Minister of the Environment

This Regulation is imposed pursuant to subsection 3, section 122 of the Water Act (RT I 1994, 40, 665; 1996, 13, 241; 1998, 2, 47; 61, 987; 1999, 10, 155; 54, 583; 95, 843; 2001, 7, 19; 42, 234; 50, 283; 94, 557; 2002,1,1).

§ 1. General provisions

(1) This Regulation establishes the procedure for evaluation of the technical competence, knowledge gained during training and experience (hereinafter referred to as attestation) of field personnel taking samples for water study purposes and the procedure for issuing attestation certificates (hereinafter referred to as the certificate).

(2) Field personnel shall be attested based on the following fields of sampling:

- 1) sampling from sewage sludge;
- 2) sampling from marine water
- 3) sampling from surface water
- 4) sampling from ground water
- 5) sampling from sewage and waste water

§ 2. Attestation commission

Field personnel is to be attested by an attestation commission (hereinafter referred to as the Commission), appointed by the Minister of the Environment and consisting of seven members. When establishing the Commission, the Minister of the Environment shall appoint a chairman of the Commission (hereinafter referred to as the Chairman).

§ 3. Rules of procedure of the Commission

The Chairman shall, from members of the Commission, appoint a Vice Chairman who will replace the Chairman in his/her absence, and a Secretary.

Commission meetings shall be convened by the Chairman and be held on necessity, depending on the existence of persons applying for attestation.

The Secretary of the Commission shall, in the written form, inform all members of the Commission and persons applying for attestation of the time and venue of the meeting.

The Commission is competent to take decisions if at least four members,

including the Chairman or Vice Chairman, are present.

The Commission shall take decisions by majority vote. In case of equal distribution of votes, the Chairman, or in his/her absence the Vice Chairman, has the casting vote.

The Secretary of the Commission shall produce an official protocol on the course of attestation, the results and the decision of the meeting. If the Chairman, the Vice-Chairman or a member of the Commission has a dissenting opinion compared with that of the Commission, the dissenting opinion shall be recorded in the minutes, if so requested by the dissenter. The minutes shall be signed by all members of the Commission.

The Commission shall make its decision about the results of attestation not later than three days after the day of attestation. The Secretary of the Commission shall inform attested persons about the results of attestation not later than three days after the Commission decision.

The attestation documents shall be stored by the Commission during six years.

§ 4. Applying for attestation

(1) The person applying for attestation shall submit the following documents to the Chairman of the Commission:

written application;

upon first attestation, and if the person did not pass the re-attestation laid down in

section 7, certificate about the passed training, providing the name of the training organisation, the date, scope and content of the training;

3) upon first attestation – written certificate confirming at least one year practical sampling experience, providing the name, position and contact data of the supervisor as well as time and venue and an evaluation of the results of practical work.

(2) The application shall include the following information about the person applying for attestation:

name and surname;

ID code, in its absence date of birth;

place of work and official title;

contact data;

information about previous sampling practice;

date of previous attestation (if the person has been attested before);

field of sampling, which the applicant wishes to be attested in.

(3) The Secretary of the Commission shall register the documents submitted by the person applying for attestation on the day of submission.

(4) If the person applying for attestation and submitting the application fails to provide the documents listed in subsection 1, the application does not include all data required in subsection 2 or there are other shortcomings, the Commission shall appoint a due date for the elimination of those.

(5) If the person applying for attestation fails to submit missing documents by due date, the Commission can decide not to process the application.

§ 5. Requirements for persons applying for attestation

(1) The persons applying for attestation shall, dependent on the field of sampling he/she wants to be attested in:

be able to make official sampling reports;

be able to make official sampling reports for identification of pollution from ships, storage facilities for oil products and toxic substances and from other potential sources of pollution;

be able to make official sampling reports for samples from treated and untreated sludge;

be able to take samples at different depths of water bodies, sea, drilled wells, wells and sewerage facilities;

be able to take samples in different weather conditions;

be able to select a suitable sampling method;

be able to take all sample types (grab, selective, continuous, series and composite samples as well as samples of great volume);

be able to measure pH, electrical conductivity, content of dissolved gases or other substances at the sampling site;

be able to take samples from ships, storage facilities for oil products and toxic substances and from other potential sources of pollution;

be able to measure flow rate, flow velocity of running water as well as groundwater level in drilled wells;

be able to take samples polluted with oil and grease;

be able to take samples from water bodies in space and time in such a manner that

the scope and dynamics of studied pollution is represented;

be able to select a proper sampling point;

if necessary, be able to prepare sampling points for taking samples from surface, ground or waste water and for measuring low rate;

be able to maintain, transport and preserve samples, if needed;

be able to handle sampling equipment in such a manner that the sample will be representative and authentic;

be able to avoid dangerous situations, which may occur during sampling at sea, inland water bodies, from sewerage facilities, storages of fuel and toxic substances and at other sampling sites;

be familiar with the Water Act, Metrology Act (RT I 1994,71,1224; 2000, 71, 442); Act on Environmental Monitoring (RT I 1999, 10, 154; 54, 583; 200, 92, 597) and legislation established on the basis of the mentioned acts;

be able to determine the material of bottles to be used depending on components to be analysed;

know which external factors (temperature, stratification of water body, currents, uneven flow velocity, light, oxygen, material of sampling bottle, content of the sample, freezing of the sample, preservation of the sample) influence the results of water analysis and how;

be familiar with the requirements that materials, construction and purity level of sampling equipment have to comply with;

know the requirements for preparation of sampling bottles for transportation and maintenance;

know how samples are received at a laboratory;

know which requirements are imposed on laboratories, whose analysing results are nationally and internationally acceptable;

25) know how to use analyses results;

26) know how pollution loads are determined;

(2) The person who is applying for attestation is subject to at least 20 hours training at a company or with a person, whose one statutory activity is training and have at least 1 year practical sampling experience.

(3) Starting from the second attestation, the person who has already been attested once shall not pass training again, except in the case laid down in subsection 3, section 7.

§ 6. Attestation

(1) Attestation consists of:

1) written test

2) conversation with the Commission

3) practical exercises

(2) The attestation test shall consist of 10 questions, 7 of which shall be answered correctly to be entitled to proceed with the examination. The content of conversation and practical exercise is up to the Commission to decide, taking into consideration test results, the field of activity the person wishes to be attested in and the requirements listed in subsection 1, section 5.

(3) The Commission shall evaluate the competence and skills of the person who applied for attestation in the following way:

attestation passed;

attestation not passed.

§ 7. Contestation of attestation results and re-attestation

The person who applied for attestation and is not satisfied with his/her result, can

appeal to the Chairman of the Commission for explanation or apply for re-attestation within two weeks from the day he/she was informed about the results of attestation.

The time for the re-attestation shall be set by the Chairman of the Commission.

The person who did not pass the re-attestation shall prior to next attestation once

pass the training course once again.

§ 8. Issuing of attestation certificates and sampling licenses

The Commission shall give the person who passed the attestation a certificate

(hereinafter referred to as the certificate) confirming his/her skills and competence. The template of the certificate is provided in the Annex to the Regulation.

The certificate shall include:

name and surname of the person who passed attestation;

ID code or in its absence date of birth;

date of attestation;

field(s) of attestation;

registration number;

place and date of issue;

expiry date;

impression of the seal

name and signature of the Chairman of the Commission

name and signature of the Secretary of the Commission

The certificate shall be signed by the Chairman or the Vice Chairman and by the Secretary.

(4) The attestation certificate shall be valid for two years.

The Commission shall, on the basis of the attestation certificate, issue the person who passed attestation a relevant sampling license suitable to carry along.

(6) The sampling license shall include the following entries:

number of attestation certificate;

name and surname of the person attested to do the sampling;

attested field(s) of activity;

expiry date.

(7) The sampling license shall be signed by the Chairman or Vice Chairman of the Commission.

(8) The sampling license shall be provided with a document photo (3x 4 cm) of the person attested to do the sampling.

The attestation certificate and the sampling license shall be given to the recipient against a written receipt.

If the attestation certificate or the sampling license is destroyed or stolen or if

its text is illegible, the Commission shall, on the basis of an application of the holder of the certificate, issue a duplicate of the attestation certificate or a sampling license.

§ 9. Implementing provision

Until 1 January 2004, even previously attested persons shall pass the training stipulated on subsection 2, section 5 and when applying for attestation submit a relevant certificate proving the fact that training has been passed.

Minister Heiki Kranich

Secretary General Sulev Vare

Annex to Regulation No. 3 of 11 January, 2002

of the Minister of the Environment laying down the Procedure for Attestation of Field Personnel Taking Samples for Water Study purposes