

Review of Operator Certification Program Data Management

Division of Water Resource Management

Report: A-1819DEP-024

Office of Inspector General

Internal Audit Section

Florida Department of Environmental Protection

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Report: A-1819DEP-024

Table of Contents

Scope and Objectives	1
Methodology	1
Background.....	1
Results	3
Conclusions	6
Finding and Recommendation.....	7
Management Comment	8
Division Response.....	10

Report: A-1819DEP-024

The Office of Inspector General (OIG) conducted a review of the Division of Water Resource Management (Division) Operator Certification Program (Program) Data Management. This review was requested by the Division in support of the Environmental Protection Agency's (EPA) Baseline Standards for State Programs.

Scope and Objectives

The scope of this review included data management practices for Program records and activities during the fiscal year 2017-2018, as well as other years relevant to the most recent certification renewal cycle.

The objectives were to:

- determine the validity of data collected and maintained for the purpose of meeting Program requirements
- evaluate the reliability of data collection processes and the level of security of the Program data management system

Methodology

This review was conducted under the authority of Section 20.055, Florida Statutes (F.S.), and in conformance with the current *International Standards for the Professional Practice of Internal Auditing*, published by the Institute of Internal Auditors. Our procedures included review of EPA guidelines, Section 403, F.S., Chapter 62-602, Florida Administrative Code (F.A.C.), interviews with Division and Program staff, as well as a review of Program data systems and records.

Background

In accordance with the Safe Drinking Water Act (SDWA) as amended in 1996, EPA has established Operator Certification Guidelines with nine Baseline Standards which state drinking

Review of Operator Certification Program Data Management
Division of Water Resource Management

Report: A-1819DEP-024

water Programs must be equivalent to qualify for full funding of the Drinking Water State Revolving Fund (DWSRF) capitalization grant. Baseline Standard IX requires Programs to perform periodic internal reviews and occasional peer reviews. These can include review of the Program's data management system.

While federal guidelines address state programs for operator certification requirements, Section 403.867, F.S., states that *a person may not perform duties of an operator of a water treatment plant, water distribution system, or a domestic wastewater treatment plant unless he or she holds a current operator's license issued by the Department.* Sections 403.872, through 403.88, F.S. outline specific requirements for license levels and classifications.

Applicants for licensure and license renewal are required to meet specific criteria outlined in Chapter 62-602, F.A.C. Licenses are classified between Class A and Class D Treatment Plan Operators, and Level 1 through Level 4 Water Distribution System Operators. Depending on the Class and Level, operators must pass a licensing exam, meet specific education and experience requirements, and maintain Continuing Education Units (CEU).

The Program's operator license data is stored in an Operator Certification Program (OCP) database. Documents which support information in the OCP database are filed electronically in an OCP OCULUS¹ catalog. As of January 2019, there were approximately 13,400 active operator licenses on file with the Department. Of the 13,400 active licenses, 12,551 were due to expire April 30, 2019.

¹ OCULUS is the Department's electronic storage management system.

Report: A-1819DEP-024

Results

Data Support for Program License Requirements

A portion of the Program's active licenses are held by individuals working in facilities as Wards of the State. Due to the increased level of controls and documentation for these licensees, the Program demonstrated a thorough methodology of verifying exam results, education, experience and CEUs through information available from the Department of Corrections. For all other licensees, the Program is reliant on varying sources of information, based on the type of facility. For example, source documents for experience may not be available for privately owned facilities. We reviewed available documentation supporting license applications, exam results, education, experience, and CEUs for a sample of 35 licenses in the OCP database. The 35 licenses in the sample belonged to 22 individuals.

For the 35 sampled licenses, the Program had maintained application documents for 33². From the 33 applications reviewed, exams documenting a passing score were on file, with the exception of one³. Experience represented in the OCP database was consistent with documented hours in license applications for 24. The number of hours experience represented in the OCP database was higher than hours supported on applications for nine. In some cases, this was due to inconsistencies between reported timeframes and reported weeks experience by the applicant. However, we noted an instance where discrepancies between documented experience in the OCP database and documented experience per application time frames resulted in the applicant not meeting the specific license requirements under Chapter 62-602.300, F.A.C.

² The two license applications not on file were applications from 1991 and 2008.

³ The missing exam document was associated with an application from 1989.

Review of Operator Certification Program Data Management
Division of Water Resource Management

Report: A-1819DEP-024

Chapter 62-555, F.A.C., outlines the permitting, construction, operation, and maintenance of public water systems, and includes requirements for submission of Monthly Operation Reports (MOR) for certain types of facilities. Facility licensed operators are listed on these forms. We reviewed eight licensees that submitted drinking water applications where facility MORs were maintained by the Division. Of these, MOR reports were consistent with applicant information since 2016.

Chapter 62-699.310, F.A.C., outlines the classification, staffing, and lead supervisor or lead operator requirements for drinking water and wastewater facilities. Licensees must obtain the supervisor or lead operator's signature attesting that the experience listed meets the definition of the plant's operational experience and that their duties were performed in a satisfactory manner. We compared the requirements listed on the applications for the facilities to the supervisor approving the work experience. Of the 35 licenses reviewed, six were signed by supervisors that held a license in a class that was the same or lower level as the applicant.

According to Chapter 62-602.710, F.A.C., all licenses remain active until the end of the current biennium, which extends through April 30 of odd numbered years. For renewal, the licensee must submit certification acknowledging completion of required CEUs, based on their license and class. CEU courses must be taken in accordance with the Department's Manual for Approving Continuing Education Courses for Operator Licensing. Certificates of completion or electronic confirmation of completion from the contracted institution providers must be submitted and approved for renewal. Certificates may be provided by the applicant or from providers. Providers upload CEU credits to the OCP database based on the attendance roster for the course. All CEU documents are retained in the database and reviewed by Program staff to

Report: A-1819DEP-024

ensure duplicate courses are not used. Of the 35 licenses reviewed, we verified correct CEUs were documented in the OCP database and OCULUS for 27. Of the remaining eight, only one license had been renewed. For the renewed license, the CEU documentation provided was a class roster that listed the licensee as a “no show”. The provider had given the licensee CEU credit in error. However, the licensee had additional CEU credits for a separate license that was applicable, negating a license deficiency.

Program Data Collection and Security

Applications, required support documents, and fees are received by Program staff and documented in an internal tracking spreadsheet. Once the application packet is reviewed for completion, Program staff create an individual profile with a specific profile identification number in the OCP database. Program staff then send notice to individuals eligible to take the requested license exam. All application documents are uploaded in the licensee’s file in OCULUS and any physical documents received are shredded. Physical documents pending completion of a user profile are maintained in a secure location. Due to license requirements for operators under Chapter 62-602.710, F.A.C., licensee’s social security numbers are required.

Section 110.1127(2)(a), F.S. requires the Department to designate positions that are responsible for sensitive information as positions of trust, and further conduct a background check and Level 2 screening, per Department Directive 422. We obtained a list of positions identified by the Bureau of Human Resource Management as positions of trust. According to Program staff, access to the OCP database and OCULUS catalogs is restricted only to Program staff. Based on OCP database user information obtained from the Office of Technology and Information Services (OTIS), 27 users were listed with access. Of these, seven were current

Review of Operator Certification Program Data Management
Division of Water Resource Management

Report: A-1819DEP-024

Program employees. Subsequent to this inquiry, the Program deleted access for the user accounts of staff formerly working in the Program. From the list of OCP OCULUS user accounts obtained from OTIS, 125 users had access and 38 users had administrative access. Program management indicated that the list contained former Program staff and they were not aware that the access had not been terminated. Of the 125 OCULUS users, four have access to the OCP database, and two have since had access removed from the OCP database. We reviewed the 125 users with OCULUS access and found 21 users are in a position of trust. Position descriptions of OCP staff include two positions responsible for reviewing license applications, which contain sensitive information. The two positions are not designated as positions of trust.

According to Department Directive 335, the Department must adhere to Section 257.36, F.S. and Chapter 1B-26, F.A.C., and follow the Retention Schedule (GS1-SL) set by the Department of State. Records not subject to this Retention Schedule must follow the Department's Retention Schedule. Pursuant to Item 303 of the Department's Retention Schedule for Environmental Occupational Licenses, retention is five years from the time the certificate or license expires. Based on discussions with Program management, expired licensee information is used as a reference for new applications and is not purged from either the OCP database or OCULUS files. During our review, we noted many instances where profile information had been maintained for individuals with licenses expired more than five years prior.

Conclusions

Based on our review, the Program has a well-established process for managing data associated with license applications and renewals in conformance with Section 403, F.S., and Chapter 62-602, F.A.C. However, we noted areas of risks regarding the current process of

Report: A-1819DEP-024

applicant review. In addition, there were control weaknesses identified in the security and retention of license information in the Program's data systems.

Finding and Recommendation

Finding: Access Control and Adherence to Retention Schedule

All license profile information is stored in the Program's OCP database. License source documents are maintained in the licensee's file in OCULUS. Due to the confidential nature of licensee information, access to the OCP database and OCULUS catalogs should be restricted only to Program staff. According to OCP database user information obtained from OTIS, 27 users were listed with access. Of these, seven were current Program employees. Subsequent to this inquiry, the Program deleted access for the user accounts of staff no longer working in the Program. From the list of OCP OCULUS user accounts, 125 users had access and 38 users had administrative access. Program management indicated that the list contained former Program staff and they were not aware that the access had not been terminated. Management has since taken measures to reduce the number of users who have access to the OCP OCULUS catalog. Upon further review of catalog records and employee positions of trust, we found that only 21 of the 125 users are in a position of trust. Position descriptions of OCP positions include the review of sensitive information but are not designated as positions of trust.

Section 119.021(2)(b), F.S. requires the Department to comply with the Retention Schedule and disposal process for public records set forth by the Department. According to Item 303 of the Department's Retention Schedule for Environmental Occupational Licenses, Retention is five years from the time the certificate or license expires. During our review, we noted many instances where profile information had been maintained for individuals with

Report: A-1819DEP-024

licenses expired more than five years prior. According to Program management, expired licensee information is used as a reference for new applications and is not purged from either the OCP database or OCULUS files. However, this practice is not consistent with the Department's Retention Schedule for Environmental Occupational license records.

Recommendation:

We recommend the Division work with Program management to put access controls in place to ensure only necessary Program staff have access to the OCP database and OCULUS records on an on-going basis. The Division should also ensure that positions that are in contact with sensitive information are designated as positions of trust and necessary background screenings are performed. In addition, the Division should ensure that license records are maintained only as required under the Department's Retention Schedule.

Management Comment

Chapter 62-699.310, F.A.C., outlines the classification, staffing, and lead supervisor or lead operator requirements for drinking water and wastewater facilities. Licensees must obtain the supervisor or lead operator's signature attesting that the experience listed meets the definition of the plant's operational experience and that their duties were performed in a satisfactory manner. Of the 35 licenses reviewed, six were signed by supervisors that held a license in a class at or below the level of the applicant. While Chapter 62-602, F.A.C. does not specifically require that an applicant's supervisor hold a license in a higher class, this should serve as an indication of risk of peer assurance, rather than supervisory assurance.

For license renewals, documentation of CEUs is required. Certificates may be provided by the applicant or from providers who upload CEU credits directly to the OCP database. Based

Review of Operator Certification Program Data Management
Division of Water Resource Management

Report: A-1819DEP-024

on our review of CEUs, one from a provider documented the CEU in error using a class roster, which listed the licensee as a “no show”. The provider had given the licensee CEU course credit in error. While the licensee had additional CEU credits for a separate license which were applicable for the deficiency, failure to verify CEU documents uploaded directly by providers poses a risk of renewing licenses without required CEUs.

The Program would benefit from incorporating additional review measures in areas susceptible to risks of misrepresentation. Where applicable, this would include verification of supervisors and applicant experience from the MOR or other facility documents and additional verification of the consistency between applications and the database. This would also include additional verification of CEU documents uploaded directly from providers.

To promote accountability, integrity, and efficiency in state government, the OIG completes audits and reviews of agency programs, activities, and functions. Our review was conducted under the authority of Section 20.055, F.S., and in conformance with the International Standards for the Professional Practice of Internal Auditing, published by the Institute of Internal Auditors, and Principles and Standards for Offices of Inspector General, published by the Association of Inspectors General. The review was conducted by Christine Cullen and supervised by Valerie J. Peacock.

Please address inquiries regarding this report to the OIG’s Audit Director by telephone at (850) 245-3151. Copies of final reports may be viewed and downloaded via the internet at <https://floridadep.gov/oig/internal-audit/content/final-audit-reports>. Copies may also be obtained by telephone (850) 245-3151, by fax (850)245-2994, in person or by mail at Department of Environmental Protection, Office of Inspector General, 3900 Commonwealth Boulevard, Mail Station #41, Tallahassee, FL 32399.

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MEMORANDUM

TO: Valerie Peacock, Audit Director
Office of Inspector General

FROM: Alex Reed, Director *AR*
Division of Water Resource Management

SUBJECT: Response to 2019 Audit of the Operator Certification Program (OCP)

DATE: June 28, 2019

After reading and reviewing the complete audit, I would like to focus our response to the “Recommendation” paragraph of the audit on page 8. There are four items that are potential areas of risk in this paragraph. These areas are:

- 1) Access controls to OCP database
- 2) Access controls to Oculus
- 3) Positions of Trust
- 4) Record Retention

Please accept the following as the Division’s response to these findings.

Area of risk #1 – The OCP agrees with this finding and shares the auditor’s concern that this is an area of risk. As a result of this finding, Program management immediately contacted OTIS staff and deleted database access of those personnel that did not require access to the OCP database. Current access to the OCP database is restricted to only four staff members and two database administrators in OTIS. In addition to “Production” environment, this access restriction has also been duplicated in both the “Beta” and “Development” environments of the database. Moving forward, Program management will periodically request, from OTIS, a list of individuals that have access to the OCP database in an effort to monitor this area of risk more closely.

Area of risk #2 – The OCP agrees with this finding and shares the auditor’s concern that this is an area of risk. As a result of this finding, Program management immediately contacted OTIS staff and deleted database access of those personnel that did not require access to OCP files in Oculus. Additionally, OCP and OTIS staff identified the problem in Oculus that led to personnel having inadvertent access to the restricted OCP catalog. OTIS staff adjusted how OCP was “grouped” within other programs which will prevent further inadvertent access to the restricted OCP catalog. Moving forward, Program

management will periodically request a list of individuals that have access to the OCP catalog in Oculus in an effort to monitor this area of risk more closely.

Area of risk #3 – The OCP agrees with this finding and shares the auditor’s concern that this is an area of risk. As result of this finding, Program management immediately contacted Human Resources. Program management has received approval from Department Leadership to designate OCP staff as Positions of Trust and the process has been initiated.

Area or risk #4 – The OCP acknowledges the auditor’s recommendation with regards to record retention. Program management will make efforts to identify these records and handle appropriately. A document review process, retention protocol and disposition plan will be developed during FY2019-20.

Regarding the “**Management Comment**” section on page 8 of the report, the program is currently working on additional review measures to minimize those areas identified as susceptible to risk. As stated previously in the audit on page 3, *“A portion of the Program’s active licenses are held by individuals working in facilities as Wards of the State. Due to the increased level of controls and documentation for these licensees, the Program demonstrated a thorough methodology of verifying exam results, education, experience and CEUs through information available from the Department of Corrections.”* Program management is working on similar processes that will allow the program to continue to operate within the confines of Rule 62-602 F.A.C. and identify additional verification options to increase program consistency.

In closing, I would like to thank the Office of Inspector General for their timely response to our request for audit. It has been a pleasure to work with all those involved with this process. I believe that the final report was compiled fairly, accurately and completely.

If you have any questions, please feel free to contact me.