

Dear Senators HEIDER, Souza, Jordan, and
Representatives RAYBOULD, Thompson, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Bureau of Occupational Licenses - Board of Drinking Water and Wastewater Professionals:
IDAPA 24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals - Proposed Rule (Docket No. 24-0501-1801).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 10/24/2018. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/23/2018.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Environment, Energy & Technology Committee

FROM: Deputy Division Manager - Katharine Gerrity

DATE: October 05, 2018

SUBJECT: Bureau of Occupational Licenses - Board of Drinking Water and Wastewater Professionals

IDAPA 24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals - Proposed Rule (Docket No. 24-0501-1801)

Summary and Stated Reasons for the Rule

The Board of Drinking Water and Wastewater Professionals submit notice of proposed rule at IDAPA 24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals. According to the board, the purpose of the rulemaking is to allow the board to approve apprenticeship programs which provide an opportunity for individuals to obtain experience and education to qualify for a Class II or Class III license in less time. In addition, the board notes that the rule will lower the number of semester credit hours which are considered equivalent to one year from thirty-five to thirty and increases the continuing education course approval period from two to five years, saving course providers time and money. The board states that the rule clarifies the one year of experience Class I operator license requirement and deletes obsolete language. The board also notes that it worked with the Idaho Rural Water Association, Workforce Development Council, Career Technical Education and the Department of Environmental Quality to address these workforce issues.

Negotiated Rulemaking / Fiscal Impact

The board states that negotiated rulemaking was not conducted but that the proposed changes were discussed during noticed, open meetings of the board. The board indicates that there is no fiscal impact as a result of this rulemaking.

Statutory Authority

The rulemaking appears to be authorized pursuant to Section 54-2406, Idaho Code.

cc: Bureau of Occupational Licenses - Board of Drinking Water and Wastewater Professionals
Tana Cory

*** PLEASE NOTE ***

Kristin Ford, Manager
Research & Legislation

Paul Headlee, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
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Per the Idaho Constitution, all administrative rules must be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES

24.05.01 – RULES OF THE BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS

DOCKET NO. 24-0501-1801

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-2406, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 17, 2018.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Drinking Water and Wastewater Professionals has been working with the Idaho Rural Water Association, Workforce Development Council, Career Technical Education, and the Department of Environmental Quality to address workforce issues. This proposed rule is a result of that collaboration and will confer a benefit to applicants and licensees by reducing barriers to employment and providing additional pathways to licensure.

The proposed rule allows the Board to approve apprenticeship programs which provides an opportunity for individuals to obtain experience and education to qualify for a Class II or Class III license in less time. It lowers the number of semester credit hours, which are considered equivalent to one (1) year, from thirty-five (35) to thirty (30) hours, and increases the continuing education course approval period from two (2) to five (5) years, saving course providers time and money. The rule also clarifies one (1) year of experience. Finally, the rule deletes obsolete language regarding the wastewater grandparent provision and removes language regarding Operator-in-Training covered in other subsections of these rules.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Jennifer Carr at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 24, 2018.

Dated this 29th day of August, 2018.

Tana Cory, Bureau Chief
Bureau of Occupational Licenses
700 W. State Street
P.O. Box 83720
Boise, ID 83720
Phone: (208) 334-3233
Fax: (208) 334-3945

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 24-0501-1801
(Only Those Sections With Amendments Are Shown.)

010. DEFINITIONS (RULE 10).

- 01. Board.** The Idaho Board of Drinking Water and Wastewater Professionals. (3-24-05)
- 02. Bureau.** The Idaho Bureau of Occupational Licenses. (3-24-05)
- 03. Class I Restricted License.** Class I restricted license means a water or wastewater license associated with a specific class I system. A restricted license is available for water distribution or treatment or for wastewater collection or treatment. A restricted license is not transferable and does not qualify for endorsement. (3-29-10)
- 04. DEQ.** The Idaho Department of Environmental Quality. (3-24-05)
- 05. Direct Supervision.** Supervision in a way that will ensure the proper operation and maintenance of the public drinking water or public wastewater system. Supervision shall include, but not be limited to, providing written, hands-on, or oral instruction as well as verification that the instructions are being completed. The supervisor has an active on-site or on-call presence at the specific facility. (3-21-12)
- 06. Endorsement.** Endorsement (often referred to as “reciprocity”) is that process by which a person licensed in another jurisdiction may apply for a license in Idaho. (3-24-05)
- 07. EPA.** The United States Environmental Protection Agency. (3-24-05)
- 08. Experience.** One (1) year of experience is ~~equivalent to~~ based upon a minimum of one thousand six hundred hours (1,600) worked. ~~(2-26-08)~~ ()
- 09. On-Site Operating Experience.** On-site operating experience means experience obtained while physically present at the location of the system. (3-21-12)
- 10. Operating Personnel.** Operating personnel means any person who is employed, retained, or appointed to conduct the tasks associated with the day-to-day operation and maintenance of a public drinking water system or a public wastewater system. Operating personnel shall include every person making system control or system integrity decisions about water quantity or water quality that may affect public health. (3-24-05)
- 11. Person.** A human being, municipality, or other governmental or political subdivision or other public agency, or public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent or other legal representative of the foregoing or other legal entity. (3-24-05)
- 12. Public Drinking Water System or Public Water System.** Public drinking water system or public water system means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days of the year. Such term includes any collection, treatment, storage, and distribution facilities under control of the operator of such system, and used primarily in connection with such system, and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Every community and nontransient noncommunity water system, and each transient water system using a surface water source or ground water source directly influenced by surface water, shall be operated by a certified drinking water operator. (3-24-05)
- 13. Public Wastewater System or Wastewater System.** Public wastewater system or wastewater system means those systems, including collection systems and treatment systems, that are owned by a city, county,

state or federal unit of government, a nonprofit corporation, district, association, political subdivision or other public entity, or that generate or collect two thousand five hundred (2,500) or more gallons a day; or that have been constructed in whole or in part with public funds. This does not include any wastewater treatment system operated and maintained exclusively by a single family residence or any wastewater system consisting solely of a gravity flow, nonmechanical septic tank and subsurface treatment and distribution system, or industrial wastewater systems under private ownership. (3-24-05)

14. Responsible Charge (RC). Responsible charge means active, daily on-site or on-call responsibility for the performance of operations or active, on-going, on-site and on-call direction of employees and assistants at a public drinking water system or public wastewater system. (3-21-12)

15. Responsible Charge Operator. An operator of a public drinking water system or wastewater system, designated by the system owner, who holds a valid license at a class equal to or greater than the drinking water system or wastewater classification, who is in responsible charge of the public drinking water system or the wastewater system. (3-21-12)

16. State. The State of Idaho. (3-24-05)

17. Substitute or Back-Up Responsible Charge Operator. An operator of a public drinking water or wastewater system who holds a valid license at a class equal to or greater than the drinking water or wastewater system classification, designated by the system owner to replace and to perform the duties of the responsible charge operator when the responsible charge operator is not available or accessible. (3-21-12)

18. Very Small Public Drinking Water System. A community or non-transient non-community public water system that serves five hundred (500) persons or less and has no treatment other than disinfection or has only treatment which does not require any chemical treatment, process adjustment, backwashing or media regeneration by an operator (e.g. calcium carbonate filters, granular activated carbon filters, cartridge filters, ion exchangers). (3-21-12)

19. Very Small Wastewater System. A public wastewater system that serves five hundred (500) connections or less and includes a collection system with a system size of six (6) points or less on the Department of Environmental Quality (DEQ) system classification rating form and is limited to only one (1) of the following wastewater treatment processes: (3-21-12)

- a.** Aerated lagoons: (3-21-12)
- b.** Non-aerated lagoon(s); (3-21-12)
- c.** Primary treatment; or (3-21-12)
- d.** Primary treatment discharging to a large soil absorption system (LSAS). (3-21-12)

(BREAK IN CONTINUITY OF SECTIONS)

300. GENERAL REQUIREMENTS FOR LICENSE (RULE 300).

Applicants shall submit an application together with the required fees and such documentation as is required. (3-24-05)

01. Examination Requirement. Applicants must pass a written examination for each individual classification in each type of licensure with a minimum score of seventy percent (70%). (3-21-12)

a. The examination will reflect different levels of knowledge, ability and judgment required for the established license type and class. The Board will administer examinations at such times and places as the Board may determine. (3-24-05)

b. The examination for all types and classes of licensure shall be validated and provided by the Association of Boards of Certification (ABC). The American Backflow Prevention Association (ABPA) backflow assembly tester examination is also approved for backflow assembly tester licensure. (5-8-09)

c. Applicants who fail an examination must make application to retake the same type and class examination and pay the required examination fees prior to retaking the examination. (3-24-05)

d. Applicants must take and pass the examination within one (1) year of application approval. After one (1) year a new application and applicable fees must be submitted. (3-30-07)

02. Education Requirements. Documentation must be provided showing proof of education required for the type and level of license being sought. (3-21-12)

03. Experience Requirement. Only actual verified on-site operating experience at a treatment, distribution or collection system will be acceptable except as may be allowed by substitution as set forth in these rules. Experience as a laboratory analyst can be counted as wastewater operating experience for up to one-half (1/2) of the wastewater operating experience requirement but cannot be counted as responsible charge experience. Experience as a wastewater operator can be counted as laboratory analyst experience for up to one-half (1/2) of the laboratory analyst experience. Applicants shall not receive more than one (1) year of experience for hours worked in excess of one thousand six hundred (1,600) hours in a calendar year unless specifically approved by the Board based upon documentation submitted by the Applicant. (~~3-21-12~~)()

04. Apprenticeship Program. The Board may approve Apprenticeship Programs that are designed to provide either experience or experience and education for individuals seeking licensure in Idaho as an Operator-In-Training, or a Class I, II or III Water or Wastewater Operator. A basic Apprenticeship Program is designed to provide hands on experience and education related to the operation of Class I and II facilities. An advanced Apprenticeship Program is designed to provide hands on experience and education related to Class III facilities. All approved Apprenticeship Programs shall be registered with the U.S. Department of Labor, Office of Apprenticeship, meet the Standards of Apprenticeship developed by the U.S. Department of Labor and meet the intent of these rules regarding the education and experience necessary for Operator-In-Training, Class I, II and III licensure. Sponsors of Apprenticeship Programs shall seek Board approval by application along with all supporting documentation necessary to establish the program meets the intent of these rules regarding education and experience. The Board may revoke the approval of any program that fails to comply with the Board's rules. ()

301. -- 309. (RESERVED)

310. REQUIREMENTS FOR OPERATOR-IN-TRAINING LICENSE (RULE 310). Each applicant for an Operator-In-Training License must meet the following requirements: (3-21-12)

01. Education. Possess a high school diploma or GED; and (3-21-12)

02. Examination. Pass the relevant Class I examination or be enrolled in an Apprenticeship Program approved by the Board. (~~3-21-12~~)()

(BREAK IN CONTINUITY OF SECTIONS)

328. REQUIREMENTS FOR A CLASS I OPERATOR LICENSE (RULE 328). To qualify for a Class I operator license an applicant must meet the following requirements: (3-21-12)

01. Education. Possess a high school diploma or GED; and (3-21-12)

02. Experience. Document one (1) year of acceptable relevant on-site operating experience at a Class I or higher system or successfully complete one (1) year of an Approved Apprenticeship Program; and (~~3-21-12~~)()

03. Examination. Pass the relevant Class I examination. (3-21-12)

~~**04. Operator In Training License Upgrade.** To upgrade an operator in training (OIT) license to a Class I the applicant must provide documented proof to the Board of having completed one (1) year of supervised on-site operating experience in a Class I or higher public drinking water or wastewater system, and payment of the required fees. (3-21-12)~~

329. (RESERVED)

330. REQUIREMENTS FOR A CLASS II OPERATOR LICENSE (RULE 330).

To qualify for a Class II license an applicant must meet the following requirements: (3-21-12)

01. Education. Possess a high school diploma or GED; and (3-21-12)

02. Experience. Document three (3) years of acceptable relevant on-site operating experience at a Class I or higher system or successfully complete an Approved Apprenticeship Program; and ~~(3-21-12)~~()

03. Examination. Pass the relevant Class II examination. (3-21-12)

331. -- 334. (RESERVED)

335. REQUIREMENTS FOR A CLASS III OPERATOR LICENSE (RULE 335).

To qualify for a Class III license an applicant must meet the following requirements: (3-21-12)

01. Education. Possess a high school diploma or GED and two (2) years of post-high school education in the environmental control field, engineering or related science; and (3-21-12)

02. Experience. Document four (4) years of acceptable relevant on-site operating experience, including two (2) years of responsible charge of a major segment of a system in the same or next lower class, of a Class I or higher system for collection or distribution or Class II or higher system for treatment or successful completion of an Approved Apprenticeship Program; and ~~(3-25-16)~~()

03. Examination. Pass the relevant Class III examination. (3-21-12)

(BREAK IN CONTINUITY OF SECTIONS)

375. SUBSTITUTIONS (RULE 375).

01. Substituting Education for Experience. Applicants may substitute approved education for operating and responsible charge experience as specified below. (3-21-12)

a. No substitution for on-site operating experience shall be permitted for licensure as a very small system operator or a Class I operator. (3-21-12)

b. For Classes II, III and IV, substitution shall only be allowed for the required experience when fifty percent (50%) of all stated experience (both on-site operating and responsible charge) has been met by actual on-site operating experience. (3-21-12)

c. For Class II, a maximum of one and one-half (1½) years of post-high school education in the environmental control field, engineering or related science may be substituted for one and one-half (1½) years of operating experience. (3-21-12)

d. For Class III and IV, a maximum of two (2) years of post-high school education in the environmental control field, engineering or related science may be substituted for two (2) years of on-site operating experience; however the applicant for Class III must still have one (1) year of responsible charge experience and the

applicant for Class IV must have two (2) years of responsible charge experience. (3-21-12)

e. Education substituted for on-site operating experience may not be also credited toward the education requirement. (3-21-12)

f. One (1) year of post-high school education may be substituted for one (1) year experience up to a maximum of fifty percent (50%) of the required on-site operating or responsible charge experience. (3-21-12)

02. Substituting Experience for Education. Where applicable, approved on-site operating and responsible charge experience may be substituted for education as specified below: (3-21-12)

a. One (1) year of on-site operating experience may be substituted for two (2) years of grade school or one (1) year of high school with no limitation. (3-21-12)

b. For Class III and IV, additional responsible charge experience (that exceeding the two-year class requirements) may be substituted for post-high school education on a one (1) for one (1) basis: one (1) year additional responsible charge equal one (1) year post-high school education. (3-21-12)

03. Substituting Experience for Experience. Related experience may be substituted for experience up to one-half (1/2) of the operating experience requirement for Class II, III and IV. Experience that may be substituted includes, but is not limited to, the following: (3-21-12)

a. Experience as an environmental or operations consultant; (3-21-12)

b. Experience in an environmental or engineering branch of federal, state, county, or local government; (3-21-12)

c. Experience as a wastewater collection system operator; (3-21-12)

d. Experience as a wastewater treatment plant operator; (3-21-12)

e. Experience as a water distribution system operator and/or manager; (3-21-12)

f. One (1) year of post-high school education may be substituted for one (1) year experience up to a maximum of fifty percent (50%) of the required operating or responsible charge experience. (3-21-12)

g. Experience in waste treatment operation and maintenance. (3-21-12)

h. Experience as a laboratory analyst can be counted as wastewater operating experience for up to one-half (1/2) of the wastewater operating experience requirement but cannot be counted as responsible charge experience. (3-21-12)

i. Experience as a wastewater operator can be counted as laboratory analyst experience for up to one-half (1/2) of the laboratory analyst experience requirement. (3-21-12)

04. Equivalency Policy. Substitutions for education or experience requirements needed to meet minimum requirements for license will be evaluated upon the following equivalency policies: (3-21-12)

a. High School - High School diploma equals GED or equivalent as approved by the Board equals four (4) years. (3-21-12)

b. College - Thirty-five (35) credits equal one (1) year (limited to curricula in environmental engineering, environmental sciences, water/wastewater technology, and/or related fields as determined by the Board). (3-21-12) ()

c. Continuing Education Units (CEU) for operator training courses, seminars, related college courses, and other training activities. Ten (10) classroom hours equal one (1) CEU; forty-five (45) CEUs equal one (1) year of

college. (3-21-12)

450. WASTEWATER GRANDPARENT PROVISION (RULE 450).

The board issued grandparent licenses to wastewater operators who provided documentation satisfactory to the board of being in responsible charge of an existing public wastewater system on or before April 15, 2006. ~~Grandparent licenses for drinking water operators and backflow assembly testers shall not be issued.~~ (3-21-12)()

01. Grandparent License. A grandparent license shall allow~~ed~~ the licensee to operate in responsible charge ~~only~~ of the specific facility identified in the original application. The license shall be is site specific and non-transferable and shall does not grant authority for the holder to practice at any other system in any capacity as an operator. (3-21-12)()

~~02. Application Limitations. The board must receive all applications for a grandparent license no later than April 15, 2006. The provisions for allowing the Board to issue grandfather licenses has expired.~~ (3-21-12)

~~03. License Requirements.~~ A grandparent licensed wastewater operator is required to meet all other requirements including the continuing education and renewal requirements. (3-21-12)

~~04. Wastewater System Classification Limitations.~~ The grandparent license shall become invalid any time the classification of the wastewater system changes to a higher classification. (3-24-05)

~~05. One System Limitation. A wastewater operator who is the wastewater operator in responsible charge of more than one (1) public wastewater system shall not be eligible for more than one (1) grandparent license.~~ (3-24-05)

451. -- 499. (RESERVED)

500. CONTINUING EDUCATION (RULE 500).

In order to further protect the health, safety and welfare of Idaho's public, and to facilitate the continued competence of persons licensed under the drinking water and wastewater professionals licensing act, the Board has adopted the following rules for continuing education. (3-24-05)

01. Continuing Education Requirement. Each licensee must successfully complete a minimum of six (6) hours (0.6 CEUs) of approved continuing education annually for license renewal, except that backflow assembly testers shall complete an eight (8) hour refresher course every two (2) years for license renewal. Continuing education must be earned in a subject matter relevant to the field in which the license is issued. A licensee holding one (1) or more drinking water license(s) shall be required to meet the annual continuing education requirement for only one license. A licensee holding one (1) or more wastewater license(s) shall be required to meet the annual continuing education requirement for only one license. A licensee holding both drinking water and wastewater class licenses must complete a minimum of six (6) hours annually for the drinking water license plus six (6) hours annually for the wastewater license. (3-30-06)

a. Each licensee shall submit to the Board an annual license renewal application form, together with the required fees, certifying by signed affidavit that compliance with the CE requirements have been met. The Board may conduct such continuing education audits and require verification of attendance as deemed necessary to ensure compliance with the CE requirements. (3-24-05)

b. A licensee shall be considered to have satisfied their CE requirements for the first renewal of their license. (3-24-05)

c. A water or wastewater licensee may carryover a maximum of six (6) hours of continuing education to meet the next year's continuing education requirement. The same hours may not be carried forward more than one (1) renewal cycle. (3-24-05)

d. Continuing Education hours for approved operator training courses, seminars, related college courses, and other training activities may be converted to Continuing Education Units (CEU) as follows: Six (6) classroom hours = point six (0.6) CEU. (3-24-05)

02. Subject Material. The subject material of the continuing education requirement shall be relevant to the license for which the continued education is required. “Relevant” shall be limited to material germane to the operation, maintenance and administration of drinking water and wastewater systems as referenced in Chapter 24, Title 54, Idaho Code, and includes those subjects identified in the “need to know” criteria published by the Associations of Boards of Certification. (3-30-06)

03. Course Approval. All course providers must submit requests for approval of continuing education courses to the Board in writing no less than thirty (30) days prior to the course being offered, on a form approved by the Board that includes: (3-30-06)

- a. The name and qualifications of the instructor or instructors; (3-24-05)
- b. The date, time and location of the course; (3-24-05)
- c. The specific agenda for the course; (3-24-05)
- d. The type and number of continuing education credit hours requested; (3-24-05)
- e. A statement of how the course is believed to be relevant as defined; (3-24-05)
- f. Any certificate of approval from a governmental agency if the course has been previously approved for continuing education; (3-30-06)
- g. The training materials; (3-24-05)
- h. Other information as may be requested by the Board. (3-24-05)
- i. Upon review of all information requested, the Board may either approve or deny any request for a course. Board approval of a course shall be granted for a period not to exceed ~~two (2)~~ five (5) years or until the course materials or instructors are changed. (3-30-06)()

04. Approved Courses. Those continuing education courses which are relevant and approved by the states of Nevada, Oregon, Montana, Utah, Wyoming, and Washington are deemed approved by the Board. (2-26-08)

05. Verification of Attendance. It shall be necessary for each licensee to maintain verification of attendance by securing authorized signatures or other documentation from the course instructors or sponsoring institution substantiating any and all hours attended by the licensee. This verification shall be maintained by the licensee and provided upon request of the Board or its agent. (3-24-05)

06. Distance Learning and Independent Study. The Board may approve a course of study for continuing education credit that does not include the actual physical attendance of the licensee in a face-to-face setting with the course instructor. The licensee shall maintain documentation of the nature and details of the course and evidence that the licensee successfully completed the course, which shall be made available to the Board upon request. (3-30-06)

07. Failure to Fulfill the Continuing Education Requirements. The license will not be renewed for those licensees who fail to certify or otherwise provide acceptable documentation of meeting the CE requirements. Licensees who make a false attestation regarding compliance with the CE requirements shall be subject to disciplinary action by the Board. (3-24-05)

08. Exemptions. The Board may waive the continuing education requirement or extend the deadline up to ninety (90) days for any one or more of the following circumstances. The licensee must request the exemption and provide any information requested to assist the Board in making a determination. An exemption may be granted at the sole discretion of the Board. (3-30-06)

- a. The licensee is a resident of another jurisdiction recognized by the Board having a continuing

professional education requirement for licensure renewal and has complied with the requirements of that state or district. (3-24-05)

b. The licensee is a government employee working outside the continental United States. (3-24-05)

c. The licensee documents individual hardship, including health (certified by a medical doctor) or other good cause. (3-24-05)

501. -- 599. (RESERVED)

600. RENEWAL OR REINSTATEMENT OF LICENSE (RULE 600).

01. Expiration Date. All licenses expire and must be renewed annually on forms approved by the Board in accordance with Section 67-2614, Idaho Code. Licenses not so renewed will be cancelled in accordance with Section 67-2614, Idaho Code. (3-24-05)

02. Reinstatement. Any license cancelled for failure to renew may be reinstated in accordance with Section 67-2614, Idaho Code, with the exception that the applicant shall submit proof of having completed the total number of required continuing education for each year the license or certificate was cancelled. (2-26-08)

03. Operator-in-Training License. Applicants for the operator-in-training license shall, upon compliance with the requirements of Subsections 300.01 and 300.02, be issued a “one-time” non-renewable license for the purpose of gaining supervised experience as an operator-in-training (OIT). This license will be valid for three (3) years from the date of issue. ~~To upgrade an OIT license to a Class I the applicant must provide documented proof to the Board of having completed one (1) year of supervised operating experience in a Class I or higher public drinking water or wastewater system, and payment of the required fees.~~ (2-26-08)()

04. Backflow Assembly Testers. Backflow assembly testers shall complete a Board-approved eight (8) hour refresher course every two (2) years for license renewal. (3-30-06)

05. Wastewater Land Application License. Wastewater land application licenses shall not be renewed unless the licensee also maintains a current wastewater treatment license. (3-30-06)