

Dear Senators LODGE, Broadsword, Bock, and
Representatives RAYBOULD, Harwood, Elaine 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 (Docket No. 24-0501-1101).

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 10/20/2011. 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 11/18/2011.

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 334-4845, or send a written request to the address or FAX number indicated on the memorandum enclosed.



Jeff Youtz
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: Principal Legislative Research Analyst - Katharine Gerrity

DATE: September 30, 2011

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 (Docket No. 24-0501-1101)

The Bureau of Occupational Licenses submits notice of a proposed rule at IDAPA 24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals. According to the Bureau, the rule is being updated to bring them in line with current national standards and to provide clarification. The Bureau notes that it is also amending the requirements section and separating the requirements into individual subsections of the rule to lessen confusion. The Bureau states that the rule changes will also reduce the length of time it takes to reach various license classes by eliminating the step approach currently in place.

Negotiated rulemaking was not conducted. The rule appears to be authorized by Section 54-2406, Idaho Code.

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

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

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

DOCKET NO. 24-0501-1101

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(s) 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 19, 2011.

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 is amending several sections of its rules to update them to be in line with current national standards and to provide clarification. It is also amending the requirements section and separating the requirements into individual sections of rule to lessen confusion. This amendment will also reduce the length of time it takes to reach various license classes by eliminating the step approach currently in place.

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 rule changes were discussed in a noticed open meeting.

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 Cherie Simpson 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 26, 2011.

DATED this 29th day of August, 2011.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State
Boise, ID 83702
(208) 334-3233 Ph. (208) 334-3945, fax

THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 24-0501-1101

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 ~~and~~ or on-call presence at the specific facility. (~~2-26-08~~)()
- 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 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. ()
- ~~09~~**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)
- ~~10~~**1. 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)
- ~~11~~**2. 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)
- ~~12~~**3. 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. ()

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. ()

136. 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. ()

18. Very Small Public Drinking Water System. A community or nontransient noncommunity 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). ()

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: ()

a. Aerated lagoons: ()

b. Non-aerated lagoon(s): ()

c. Primary treatment; or ()

d. Primary treatment discharging to a large soil absorption system (LSAS). ()

(BREAK IN CONTINUITY OF SECTIONS)

175. LICENSE TYPES AND CLASSIFICATIONS (RULE 175).

The Board shall issue each of the following licenses under the provisions of Chapter 24, Title 54, Idaho Code. (3-24-05)

01. Drinking Water Distribution Operator. (3-24-05)

a. Class Operator-In-Training. (3-24-05)

~~**b. Class Very Small Water System.**~~ (~~3-24-05~~)

~~**b.**~~ **Class I Restricted.** (3-29-10)

~~**c.**~~ **Class I.** (3-24-05)

~~**d.**~~ **Class II.** (3-24-05)

~~**e.**~~ **Class III.** (3-24-05)

~~**f.**~~ **Class IV.** (3-24-05)

02.	Drinking Water Treatment Operator.	(3-24-05)
a.	Class Operator-In-Training.	(3-24-05)
b.	Class I Restricted.	(3-29-10)
c.	Class I.	(3-24-05)
d.	Class II.	(3-24-05)
e.	Class III.	(3-24-05)
f.	Class IV.	(3-24-05)
03.	Wastewater Treatment Operator.	(3-24-05)
a.	Class Operator-In-Training.	(3-24-05)
b.	Class Very Small Wastewater System.	(3-29-10)
eb.	Lagoon.	(3-24-05)
dc.	Class I Restricted.	(3-29-10)
ed.	Class I.	(3-24-05)
fe.	Class II.	(3-24-05)
gf.	Class III.	(3-24-05)
hg.	Class IV.	(3-24-05)
ih.	Land Application.	(3-24-05)
04.	Wastewater Collection Operator.	(3-24-05)
a.	Class Operator-In-Training.	(3-24-05)
b.	Class Very Small Wastewater System.	(3-29-10)
eb.	Class I Restricted.	(3-29-10)
dc.	Class I.	(3-24-05)
ed.	Class II.	(3-24-05)
fe.	Class III.	(3-24-05)
gf.	Class IV.	(3-24-05)
05.	Wastewater Laboratory Analyst.	(3-24-05)
a.	Class I.	(3-24-05)
b.	Class II.	(3-24-05)

- c. Class III. (3-24-05)
- d. Class IV. (3-24-05)
- 06. **Backflow Assembly Tester.** (3-24-05)
- 07. **Drinking Water Very Small System Operator.** ()
- 08. **Wastewater Very Small System Operator.** ()

176. -- 199. (RESERVED)

200. FEES FOR EXAMINATION AND LICENSURE (RULE 200).

The fees for each license type and classification shall be as follows: (3-24-05)

- 01. **Application Fee.** Application fee -- twenty-five dollars (\$25). (3-24-05)
- 02. **Examination Fee.** The examination fees shall be those fees charged by the Association of Boards of Certification (ABC) or other approved examination provider. Fees paid by applicants approved for a scheduled examination are not refundable. New examination fees are required for each scheduled additional examination. (3-24-05)()
- 03. **Endorsement Fee.** Endorsement fee -- thirty-five dollars (\$35). (3-29-10)
- 04. **Original License Fee.** Original license fee -- thirty-five dollars (\$35). (3-29-10)
- 05. **Annual Renewal Fee.** Annual renewal fee -- thirty-five dollars (\$35). (3-29-10)
- 06. **Reinstatement Fees.** Reinstatement fee -- twenty-five dollars (\$25). (3-24-05)
- 07. **Refund of Fees.** No refund of fees shall be made to any person who has paid such fees for application, ~~examination, reexamination, or reinstatement of a license.~~ (3-24-05)()

201. -- 249. (RESERVED)

250. LICENSE REQUIRED -- SCOPE OF PRACTICE (RULE 250).

All water and wastewater operating personnel, including those in responsible charge and those in substitute responsible charge, of public water systems and public wastewater systems, and all backflow assembly testers ~~or inspectors~~, shall be licensed under the provisions of these rules and Chapter 24, Title 54, Idaho Code. (3-24-05)()

- 01. **Drinking Water Operator Scope.** Operating personnel shall only act in accordance with the nature and extent of their license. Those in responsible charge or substitute responsible charge of a public water system must hold a valid license equal to or greater than the classification of the public water system where the responsible charge or substitute responsible charge operator is in responsible charge. The types of water systems are distribution and treatment. (3-24-05)
- 02. **Wastewater Operator Scope.** Operating personnel shall only act in accordance with the nature and extent of their license. Those in responsible charge or substitute responsible charge of a public wastewater system shall hold a valid license equal to or greater than the classification of the public wastewater system where the responsible charge or substitute responsible charge operator is in responsible charge. The types of wastewater systems are collection, laboratory analyst, and treatment. Responsible charge duties shall not be included in the scope of the laboratory analyst category. (3-24-05)()
- 03. **Backflow Assembly Tester.** Individuals licensed as backflow assembly testers may inspect and test backflow prevention assemblies as defined in Title 54, Chapter 24, Idaho Code. (3-24-05)

04. Operator-in-Training. Operators-in-training shall practice only under the direct supervision of a licensed operator of a type, category, and classification higher than operator-in-training. No operator-in-training shall accept or perform the designated responsible charge duties at any system. (3-24-05)

251. -- 299. (RESERVED)

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%). ~~For those classifications of Class II through IV, successful completion of the examinations from the immediate lower type and classification shall be a prerequisite to examination eligibility for the next higher classification of the same type, except that applicants for wastewater collection operator or wastewater laboratory analyst or drinking water distribution operator licenses may apply for any classification examination for which they hold the required education and experience.~~ (3-30-06)()

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 and Experience Requirements. ~~Only actual verified on-site operating experience at a treatment, distribution or collection system will be acceptable.~~ Documentation must be provided showing proof of education required for the type and level of license being sought. (3-24-05)()

~~**a.** Each applicant for an Operator-In-Training License must have a high school diploma or GED and pass the Class I exam or pass the very small water system exam.~~ (5-8-09)

~~**b.** To qualify for a Very Small Water System license an operator must have a high school diploma or GED and eighty-eight (88) hours of acceptable operator in training experience at a water system and complete an approved six-hour water treatment or chlorination course and an approved six-hour water distribution course for a combined total of one hundred (100) hours.~~ (3-29-10)

~~**c.** To qualify for a Very Small Wastewater System license, an operator must have a high school diploma or GED and fifty (50) hours of acceptable operator in training experience at a wastewater collection system and fifty (50) hours of acceptable operator in training experience at a wastewater treatment system and complete an approved six-hour pumps and motors course; and an approved six-hour lagoon operation and maintenance course; or an approved six-hour large soil absorption system course for a combined total of one hundred twelve (112) hours.~~ (3-29-10)

~~**d.** To qualify for a Class I Restricted water or wastewater license an operator must have a high school diploma or GED and obtain two hundred sixty (260) hours of acceptable work experience with the system in one (1) year and work a full operating year with the system and complete sixteen (16) hours of continuing education relevant to the license and pass the relevant Class I examination. Upon obtaining one thousand six hundred (1,600) hours of supervised operating experience for each license, the operator shall be eligible to apply for an unrestricted Class I license. There is no limit on the amount of time needed to obtain the necessary experience to qualify for the~~

~~unrestricted license. A restricted license is limited to a specific system. (3-29-10)~~

~~**e.** To qualify for a Class I license an applicant must have a high school diploma or GED and one (1) year of acceptable experience at a Class I or higher system. 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)~~

~~**f.** To qualify for a Class II treatment or lab analyst license II an applicant must have a high school diploma or GED and three (3) years of acceptable Class I operating experience at a Class I or higher system. (2-26-08)~~

~~**g.** To qualify for a Class III treatment or lab analyst III license an applicant must have 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 four (4) years of acceptable Class II operating experience of a Class II or higher system, including two (2) years of experience in daily on-site charge, supervision of personnel, or management of a major segment of a system in the same or next lower class. (2-26-08)~~

~~**h.** To qualify for a Class IV treatment or lab analyst IV license an applicant must have a high school diploma or GED; and four (4) years of post high school education in the environmental control field, engineering or related science; and four (4) years of acceptable Class III operating experience at a Class III or higher system, including two (2) years of experience in daily on-site charge, supervision of personnel, or management of a major segment of a system in the same or next lower class. (2-26-08)~~

~~**i.** To qualify for a Class II collection or distribution license an operator must have a high school diploma or GED and three (3) years of acceptable operating experience at a Class I or higher system. (3-24-05)~~

~~**j.** To qualify for a Class III collection or distribution license an operator must have 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 four (4) years of acceptable operating experience of a Class I or higher system, including two (2) years of experience in daily on-site charge, supervision of personnel, or management of a major segment of a system in the same or next lower class. (3-24-05)~~

~~**k.** To qualify for a Class IV collection or distribution license an operator must have a high school diploma or GED; and four (4) years of post high school education in the environmental control field, engineering or related science; and four (4) years of acceptable operating experience at a Class I or higher system, including two (2) years of experience in daily on-site charge, supervision of personnel, or management of a major segment of a system in the same or next lower class. (3-24-05)~~

~~**l.** To qualify for a lagoon license, an operator must have a high school diploma or GED and twelve (12) months of acceptable supervised operating experience at a Lagoon system. (3-24-05)~~

~~**m.** To qualify for a Wastewater Land Application license, an operator must have a high school diploma or GED, a current wastewater treatment license that is at least Class I or higher, and minimum six (6) months of hands on operating experience at a wastewater land application system. The wastewater land application operator that is a responsible charge or substitute responsible charge operator must be licensed at the type and class equal to or greater than the classification of the wastewater system. (3-29-10)~~

~~**n.** To qualify for a backflow assembly tester license, an applicant must have a high school diploma or GED, and shall document successful completion of a Board-approved backflow assembly tester training program in compliance with the Cross Connection Control Accepted Procedure and Practice Manual and consisting of theory instruction, practical instruction, and a practical examination in compliance with the USC Test procedures. (3-30-06)~~

~~**o.** To qualify for an original wastewater laboratory analyst license, an applicant must hold a current water treatment, wastewater treatment or lagoon license. (3-24-05)~~

~~**03. Substituting Education for Experience Requirement.** Applicants may substitute approved~~

~~education for operating and responsible charge experience as specified below. 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.~~ (3-24-05)()

~~a. No substitution for operating experience shall be permitted for licensure as a very small system operator or a Class I operator. (3-24-05)~~

~~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 operating and responsible charge) has been met by actual on-site operating experience. (3-24-05)~~

~~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. (3-24-05)~~

~~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 operating experience; however the applicant must still have one (1) year of responsible charge experience. (3-24-05)~~

~~e. Education substituted for operating experience may not be also credited toward the education requirement. (3-24-05)~~

~~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. (3-24-05)~~

~~04. **Substituting Experience for Education.** Where applicable, approved operating and responsible charge experience may be substituted for education as specified below: (3-24-05)~~

~~a. One (1) year of operating experience may be substituted for two (2) years of grade school or one (1) year of high school with no limitation. (3-24-05)~~

~~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 two (2) for one (1) basis: two (2) years additional responsible charge equal one (1) year post high school education. (3-24-05)~~

~~05. **Substituting Experience for Experience.** Related experience may be substituted for experience up to one-half (½) of the operating experience requirement for Class II, III and IV. Experience that may be substituted includes but is not limited to the following: (3-24-05)~~

~~a. Experience as an environmental or operations consultant; (3-24-05)~~

~~b. Experience in an environmental or engineering branch of federal, state, county, or local government; (3-24-05)~~

~~c. Experience as a wastewater collection system operator; (3-24-05)~~

~~d. Experience as a wastewater treatment plant operator; (3-24-05)~~

~~e. Experience as a water distribution system operator and/or manager; (3-24-05)~~

~~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. (3-24-05)~~

~~g. Experience in waste treatment operation and maintenance. (3-24-05)~~

~~06. **Equivalency Policy.** Substitutions for education or experience requirements needed to meet minimum requirements for license will be evaluated upon the following equivalency policies: (3-24-05)~~

~~a. **High School**—High School diploma equals GED or equivalent as approved by the Board equals four (4) years. (3-24-05)~~

~~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). (3-24-05)~~

~~e. **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. (3-24-05)~~

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: ()

01. Education. Possess a high school diploma or GED; and ()

02. Examination. Pass the relevant Class I examination. ()

311. -- 314. (RESERVED)

315. REQUIREMENTS FOR A VERY SMALL WATER SYSTEM LICENSE (RULE 315).

To qualify for a Very Small Water System license an operator must meet the following requirements: ()

01. Education. Possess a high school diploma or GED and; ()

02. Experience. Document eighty-eight (88) hours of acceptable on-site operating experience at a water system; and ()

a. Complete an approved six-hour water treatment or chlorination course; and ()

b. Complete an approved six-hour water distribution course; and ()

03. Examination. Pass the relevant very small water system examination. ()

316. - 319. (RESERVED)

320. REQUIREMENTS FOR A VERY SMALL WASTEWATER SYSTEM LICENSE (RULE 320).

To qualify for a Very Small Wastewater System license, an operator must meet the following requirements:()

01. Education. Possess a high school diploma or GED; and ()

02. Experience. Document fifty (50) hours of acceptable on-site operating experience at a wastewater collection system; and ()

a. Fifty (50) hours of acceptable relevant on-site operating experience at a wastewater treatment system or lagoon; and ()

b. Complete an approved six-hour pumps and motors course; and ()

c. Complete an approved six-hour lagoon operation and maintenance course; or an approved six-hour

large soil absorption system course; and ()

03. Examination. Pass the relevant lagoon examination. ()

321. -- 324. (RESERVED)

325. REQUIREMENTS FOR CLASS I RESTRICTED WATER OR WASTEWATER LICENSE (RULE 325).

To qualify for a Class I Restricted water or wastewater license an operator must meet the following requirements: ()

01. Education. Possess a high school diploma or GED; and ()

02. Experience. Document two hundred sixty (260) hours of acceptable relevant on-site operating experience during twelve (12) consecutive months with the system and complete sixteen (16) hours of continuing education relevant to the license; and ()

03. Examination. Pass the relevant Class I examination. ()

04. Restricted License Upgrade. Upon obtaining one thousand six hundred (1,600) hours of supervised on-site operating experience for each license, the operator shall be eligible to apply for an unrestricted Class I license. There is no limit on the amount of time needed to obtain the necessary experience to qualify for the unrestricted license. A restricted license is limited to a specific system. ()

326. -- 327. (RESERVED)

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: ()

01. Education. Possess a high school diploma or GED; and ()

02. Experience. Document one (1) year of acceptable relevant on-site operating experience at a Class I or higher system; and ()

03. Examination. Pass the relevant Class I examination. ()

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. ()

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: ()

01. Education. Possess a high school diploma or GED; and ()

02. Experience. Document three (3) years of acceptable relevant on-site operating experience at a Class I or higher system; and ()

03. Examination. Pass the relevant Class II examination. ()

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: ()

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 ()

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

03. Examination. Pass the relevant Class III examination. ()

336. -- 339. (RESERVED)

340. REQUIREMENTS FOR A CLASS IV OPERATOR LICENSE (RULE 340).

To qualify for a Class IV license an applicant must meet the following requirements: ()

01. Education. Possess a high school diploma or GED and four (4) years of post high school education in the environmental control field, engineering or related science; and ()

02. Experience. Document four (4) years of acceptable relevant on-site operating experience at a Class I or higher system for collection or distribution or Class III or higher system for treatment, including two (2) years of responsible charge of a major segment of a system in the same or next lower class; and ()

03. Examination. Pass the relevant Class IV examination. ()

341. -- 344. (RESERVED)

345. REQUIREMENTS FOR A LAGOON OPERATOR LICENSE (RULE 345).

To qualify for a lagoon license, an operator must meet the following requirements: ()

01. Education. Possess a high school diploma or GED; and ()

02. Experience. Document twelve (12) consecutive months of acceptable on-site operating experience at a Lagoon system; and ()

03. Examination. Pass the relevant Lagoon examination. ()

346. -- 349. (RESERVED)

350. REQUIREMENTS FOR A WASTEWATER LAND APPLICATION LICENSE (RULE 350).

To qualify for a Wastewater Land Application license, an operator must meet the following requirements:()

01. Education. Possess a high school diploma or GED; and ()

02. Experience. Document a minimum six (6) months of on-site operating experience at a wastewater land application system; and ()

03. Examination. Pass the relevant Wastewater Land Application examination; and. ()

04. Other. Possess a wastewater Class I or higher operation license. The wastewater land application operator that is a responsible charge or substitute responsible charge operator must be licensed at the type and class equal to or greater than the classification of the wastewater system. ()

351. - 354. (RESERVED)

355. REQUIREMENTS FOR A BACKFLOW ASSEMBLY TESTER LICENSE (RULE 355).

To qualify for a backflow assembly tester license, an applicant must meet the following requirements: ()

01. Education. Possess a high school diploma or GED, and ()

02. Experience. Document successful completion of a Board-approved backflow assembly tester training program in compliance with the Cross Connection Control Accepted Procedure and Practice Manual and consisting of theory instruction, practical instruction, and a practical examination in compliance with the USC Test procedures; and ()

03. Examination. Pass the relevant Backflow Assembly Tester examination. ()

356. -- 359. (RESERVED)

360. REQUIREMENTS FOR WASTEWATER LABORATORY ANALYST LICENSE (RULE 360).

To qualify for a wastewater laboratory analyst license, an applicant must meet the following requirements for the relevant class: ()

01. Class I. ()

a. Possess a high school diploma or GED; and ()

b. Document one (1) year of acceptable lab experience at a class I or higher system; and ()

c. Pass the relevant class I laboratory analyst examination. ()

02. Class II. ()

a. Possess a high school diploma or GED; and ()

b. Document three (3) years of acceptable lab experience at a class I or higher system; and ()

c. Pass the relevant class II laboratory analyst examination. ()

03. Class III. ()

a. 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 ()

b. Document four (4) years of acceptable lab experience at a class II or higher system; and ()

c. Pass the relevant class III laboratory analyst examination. ()

04. Class IV. ()

a. Possess a high school diploma or GED and four (4) years of post high school education in the environmental control field, engineering or related science; and ()

b. Document four (4) years of acceptable lab experience at a class III or higher system; and ()

c. Pass the relevant class IV laboratory analyst examination. ()

361. -- 374. (RESERVED)

375. SUBSTITUTIONS (RULE 375).

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

a. No substitution for on-site operating experience shall be permitted for licensure as a very small

system operator or a Class I operator. ()

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. ()

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. ()

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. ()

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

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. ()

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

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. ()

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. ()

c. At least 50% of education is mandatory and cannot be substituted by experience. ()

03. Substituting Experience for Experience. Related experience may be substituted for experience up to one-half (½) of the operating experience requirement for Class II, III and IV. Experience that may be substituted includes but is not limited to the following: ()

a. Experience as an environmental or operations consultant; ()

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

c. Experience as a wastewater collection system operator; ()

d. Experience as a wastewater treatment plant operator; ()

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

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. ()

g. Experience in waste treatment operation and maintenance. ()

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. ()

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. ()

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

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

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). ()

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. ()

(BREAK IN CONTINUITY OF SECTIONS)

450. WASTEWATER GRANDPARENT PROVISION (RULE 450).

~~Upon application, the board may issue a grandparent license to a wastewater operator who provides documentation satisfactory to the board of being in responsible charge of an existing public wastewater system on or before April 15, 2006 and to the present.~~ Grandparent licenses for drinking water operators and backflow assembly testers shall not be issued. (3-24-05)()

01. Grandparent License. A ~~license issued under the~~ grandparent ~~provision~~ license shall allow the ~~applicant~~ licensee to ~~continue as~~ operator in responsible charge only of the specific facility identified in the original application. The license shall be site specific and non-transferable and shall not grant authority for the holder to practice at any other system in any capacity as an operator. (3-24-05)()

02. Application Limitations. The board must receive all applications for a grandparent license no later than April 15, 2006. ~~Applicants shall be subject to the application fee and the original license fee. The owner of the system shall attest under oath that the applicant has served as the system operator in responsible charge and shall specify the duties of the applicant and the dates of employment. The provisions for allowing the Board to issue grandfather licenses has expired.~~ (3-24-05)()

03. License Requirements. ~~Upon receiving a~~ grandparent licensed ~~the~~ wastewater operator shall be required to meet all other requirements including the continuing education and renewal requirements. (3-24-05)()

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)

~~**06. Grandparent Professional Growth Requirement.** In the first license renewal cycle, every holder of a grandparent license must complete and maintain documentation of completing a one-time training requirement. The one-time training shall include all information covered by the qualifying license exam for the license class the operator holds. Following the first renewal cycle, the operator must meet the regular continuing education requirements. (3-24-05)~~