

**e ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION – OPERATOR CERTIFICATION PROGRAM**

**DIVISION 335-10
CLASSIFICATION OF WATER AND WASTEWATER TREATMENT PLANTS,
WATER DISTRIBUTION SYSTEMS, AND PUBLIC WASTEWATER
COLLECTION SYSTEM;
CERTIFICATION OF OPERATORS**

TABLE OF CONTENTS

335-10-1-.01	Purpose
335-10-1-.02	Definitions
335-10-1-.03	Staffing Requirements
335-10-1-.04	Examinations
335-10-1-.05	Re-Examination
335-10-1-.06	Classification of Systems
335-10-1-.07	Qualification for Certification – Water Distribution and Water Treatment Systems
335-10-1-.08	Qualification for Certification – Public Wastewater Collection Systems and Wastewater Treatment Plants
335-10-1-.09	General Qualifications for Certification
335-10-1-.10	Certification Required for Operation
335-10-1-.11	Certification Expiration and Renewal
335-10-1-.12	Reciprocal Certificates
335-10-1-.13	Certification by Examination
335-10-1-.14	Continuing Education
335-10-1-.15	Lapsed Certification due to Insufficient Continuing Education Hours
335-10-1-.16	Revocation of Certification
335-10-1-.17	Violations
335-10-1-.18	Process Control Decisions

335-10-1-.01 Purpose. The purpose of this Division is to protect public health and welfare and prevent pollution by classifying all water and wastewater treatment plants, water distribution systems, and public wastewater collection systems, and by establishing a program for the certification of the competency of operators to operate such plants and systems. All community, transient non-community, and non-transient non-community water systems must be under the supervision of a duly certified operator of the proper grade. All wastewater utility systems, whether privatized or not, that are connected to a public collection system must be under the supervision of a duly certified operator of the proper grade. All public water distribution systems and public wastewater collection systems must be under the operation of a duly certified operator of the proper grade. The provisions of this Chapter shall not be applicable to the owner or operator of a water treatment plant, water distribution system, wastewater treatment plant or public wastewater collection system that does not offer service to the public generally.

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335-10-1-.02 Definitions. For the purposes of this Division, the following words and phrases, unless a different meaning is plainly required by the context, shall have the following meanings:

- (1) Biosolid - any liquid, semi-solid, sludge, or dried organic material generated by a biological wastewater treatment plant, including but not limited to the material or byproduct produced from digestion and dewatering processes. [Note that other State and Federal rules may describe biosolid material further, such as 40 CFR Part 503.]
- (2) Surface Water Treatment Plant - a conventional water treatment plant designed and operated for the treatment of surface water supplies or for the treatment of some groundwater sources under the influence of surface water.
- (3) Certification - the certificate of competency issued by the Director stating that the operator has met the requirements for the specified operator classification or grade of the certification program.
- (4) Classification – The numerical Grade or Class of a plant or system
- (5) Community Water System (“CWS”) - Defined by ADEM regulation 335-7-1.01. Every CWS must have a certified operator in accordance with ADEM regulation 335-10.
- (6) Department -the Alabama Department of Environmental Management established by Code of Alabama 1975, § 22-22A-4.
- (7) Director -the Director of the Alabama Department of Environmental Management, appointed pursuant to Code of Alabama 1975, § 22-22A-4.
- (8) Direct responsible charge (“DRC”)- a certified Operator holding either a Grade IIC or IID system certification or holding a Grade III or IV water or wastewater treatment certification who is the Operator responsible for all aspects of plant or system operation, including all day to day technical direction and supervision of plant or system activities. This person will be an Operator of Record for a plant or system. A person in DRC has active day to day accountability and/or authority for making process control decisions for a plant or system. DRC also refers to the operator, as outlined above, who is in responsible charge of operating and maintaining a major component of a water or wastewater treatment system, a water distribution system, or a wastewater collection system that directly impacts public health or the environment. The calculation of the years of responsible charge by an operator is based on full-time operation of a treatment or system. If the operator in DRC is working on a part-time basis, calculate the term of direct responsible charge in months based on the number of hours of working experience attained per day, not to exceed a 40-hour work week. See also “working experience”.

- (9) Direct responsible charge intern - Or, an “Intern in DRC”. During an operator intern’s training period at any grade level, the operator intern may be designated as an Intern in DRC. The operator intern in DRC will work under the direct supervision of a certified operator of the same grade or higher than the grade held by the intern. The calculation of the years of training by an Intern in DRC is based on full-time operation of a treatment or system or of a major component of a system or plant. If the operator Intern in DRC is working on a part-time basis, calculate the term of direct responsible charge in months based on the number of hours of working experience attained per day, not to exceed a 40-hour work week. See also “working experience”.
- (10) Direct responsible charge plan – A site or utility-specific plan for documenting the role(s) of Operator(s) working as an Operator in DRC of a Grade IIC, Grade IID, Grade III Water or Wastewater, and Grade IV Water or Wastewater treatment plant. The plan should also outline defined positions for operator candidates working as an Intern in DRC of a plant or system. The plan should describe the roles of each Operator and Operator intern position and should describe in detail the responsibilities of each certified staff position and intern position. The plan should estimate the number of hours available in DRC for each role per year. Development of a DRC Plan is not a requirement but if a plan is developed, it must be submitted for approval. It may be beneficial to have a plan for mid to large size utilities with a significant number of operators or operators in training. The implementation of an adequate plan may reduce the amount of documentation needed to comply with compliance inspections and also for Utility interns to document their Operator in DRC experience required for obtaining certification. If a DRC plan is submitted, the DRC plan should be completed for each treatment plant or distribution/collection system within the utility and it should be revised regularly (every five years or upon every permit issuance/re-issuance).
- (11) Direct Supervision – Professional oversight by a Certified Operator over any Process Control Decision at a plant or system. All activities at a water treatment plant, wastewater treatment plant, water distribution system, or wastewater collection system must be completed by, or must be accomplished by a person working under the direct supervision of, a Certified Operator. For tasks completed under the direct supervision of a Certified Operator, the plant or system Certified Operator of record will ultimately be responsible for the action(s) completed at a plant or system. A Certified Operator must, at all times, be responsible for all operator activities accomplished at a plant or system, regardless of who is performing the tasks. Unless outlined otherwise in this regulation or in the permit, a Certified Operator does not always have to be present as maintenance and control tasks are being accomplished; however, a Certified Operator is responsible for delegating the task, for knowing what tasks are being performed, when the tasks are being performed, and for making sure the tasks are completed to ensure that Process Control Decisions are in compliance with this regulation.

- (12) Facility Operations Logbook – A record of all Process Control Decisions made by a Certified Operator of record and maintained at a permitted facility or at an alternate location approved by the Department.
- (13) Groundwater treatment plant - a water treatment plant employing basic in-line filtration and basic disinfection of a groundwater source. A groundwater treatment plant may also provide more advanced treatment processes such as corrosion control, alternative disinfection processes, pressure filtration, slow sand filtration, membrane filtration, multimedia filtration, air stripping, ion exchange, or fluoridation for the treatment of a well water source or spring.
- (14) Groundwater Under the Influence – A groundwater well or spring defined by ADEM regulation 335-7-1-01.
- (15) Mechanical Wastewater Treatment Plant – a wastewater treatment plant with one or more tanks, basins, or clarifiers and other mechanical treatment technologies, such as pumps, blowers, screens, and grinders, that are used to treat wastewater. A mechanical wastewater treatment plant includes, but is not limited to, the following:
- (a) Trickling filter and/or biological contactor;
 - (b) An activated sludge treatment process of any configuration, including but not limited to an oxidation ditch, a sequencing batch reactors (SBR), a membrane bio-reactor (MBR), a step or tapered aeration process, an extended aeration treatment process, a vertical loop reactor (VLR);
 - (c) A package treatment plant generally consisting of any attached growth, activated sludge, solids separation, or filtration treatment process.
- (16) Non-Community (“NC”) Water System – a public water system defined by ADEM regulation 335-7-1-01. NC water systems are not required to have a certified operator in accordance with ADEM regulation 335-10, unless they are a Non-Transient Non Community water system
- (17) Non-transient non-community (“NTNC”) water system a public water system defined by ADEM regulation 335-7-1-01. A NTNC water system is required to have a certified water operator in accordance with ADEM regulation 335-10.
- (18) Operator - the person on duty who has direct responsibility for the operation of a water treatment plant, water distribution system, public wastewater collection system or wastewater treatment plant, or some portion thereof, and who is duly certified by ADEM at the same grade or higher than the plant or system classification. A person shall be deemed to have direct responsibility for the operation of a water treatment plant, water distribution system, wastewater treatment plant, or public

wastewater collection system if he or she in fact supervises or directs the operation of a plant or system. The Operator is responsible for sample collection or for delegating and overseeing the collection of samples and the submittal of monthly (or otherwise stated) monitoring reports to the Department, and for ensuring the safe, efficient, and proper operation of the plant or system. For drinking water facilities, all analytical testing, if not conducted by a certified laboratory, will be conducted by the Operator or under the direction of the Operator. The permit holder is responsible for assuring that the minimum staffing requirements are achieved by the plant or system. The Operator of a treatment plant will be the person responsible for making all Process Control Decisions at a treatment plant. The Operator of a public water distribution system will be responsible for making all process control decisions in the distribution system. The Operator of a public collection system will be responsible for making all process control decisions in the collection system.

- (19) Operator Intern - a person who has successfully passed the operator examination but who has not yet obtained the necessary working experience needed to become certified. During an operator intern's development in attaining working experience and also during the tenure as an Intern in DRC, the operator intern can make process control decisions only under the direct supervision of a certified operator having at least the relevant grade seeking to be obtained by the operator intern.
- (20) Operator Log – A permanent record of certified operator staffing at a plant or system. The record must be signed by the certified operator(s) in responsible daily, weekly, or continual charge (as specified in this Division) of a plant or system. The record must contain the operator's name, time of every arrival and departure, and the operator's signature. This log will represent the presence of any operator on shift who is responsible for making Process Control Decisions at any given time and must demonstrate the presence of minimum staffing responsibilities described in 335-10-1-.03. The Operator Log must be maintained at the treatment plant at all times, unless otherwise approved by the Director. Operator logs for Distribution and Collection systems will be maintained at a specified location designated by the Utility that is readily available for inspection by the Department.
- (21) Operator of Record – A Certified Operator during a given work shift who is responsible for making Process Control Decisions and for Direct supervision activities. For a Grade IIC, IID, or Grade III or higher treatment classification, the Operator of Record will be the Operator in Direct Responsible Charge of a plant or system. Depending upon the number and size of a utility's processes and how a utility staffs its plant or system, a plant or system may have more than one Operator of Record at the same time.
- (22) Permitted Wastewater Treatment Plant - means a public or privately owned treatment works subject to an ADEM NPDES permit or an underground injection control (UIC) permit that treats solely municipal

wastewater or some component of municipal, institutional, and/or commercial sewage, stormwater, and industrial wastewater. This definition includes any component of a plant used for the stabilizing or digestion of organic material and for the handling and/or reduction of solids present in a wastewater or produced by the treatment of a wastewater source. This definition excludes industrial wastewater treatment systems, that do not serve the public generally, such as industrial wastewater treatment plants that do not discharge wastewater to a publically owned or privately owned municipal treatment works.

- (23) Person - a natural person.
- (24) Process Control Decision - any decision regarding the daily operational activities of a water treatment system, water distribution system, wastewater treatment system, or wastewater collection system that will directly impact the quality and/or quantity of drinking water or wastewater.
- (25) Public Water System - Defined by ADEM regulation 335-7-1.01
- (26) Public wastewater collection system - the system of pipes, structures, and facilities through which wastewater, municipal, institutional, and/or commercial sewage, or liquid or semi-solid wastes are received, collected, dewatered, stored, transported, or delivered from a residential service connection or an industrial source to a permitted public or private wastewater treatment plant. It also includes the piped conveyance of treated sewage or wastewater from the treatment system to the point of discharge, if the piped conveyance line to the point of discharge is located off the premises of the treatment plant. It also includes the piped conveyance of biosolids or any process residual material from the treatment plant to an off-site location. This definition excludes collection systems that do not serve the public generally, such as industrial wastewater treatment systems that do not discharge wastewater to a publicly owned or privately owned system but which may treat some component of municipal wastewater. While this definition encompasses biosolids handling and the off-site conveyance of treated wastewater, a Utility may choose to include these responsibilities under the role of a certified wastewater treatment plant operator.
- (27) Restricted certificate - an operator certificate issued without sufficient examination that is valid only for a particular plant or system and that cannot be transferred to another plant or system.
- (28) Supervisory Control and Data Acquisition (“SCADA”) – a control system architecture that uses computers, networked data communications and graphical user interfaces for high-level process supervisory management. A SCADA system will use other peripheral devices such as programmable logic controllers (PLCs) and discrete proportional integral derivative (PID) controllers to interface with treatment plant, distribution system, and collection system process equipment.

- (29) Tertiary Wastewater Treatment – the final step of wastewater treatment that may be present following primary and secondary treatment and that occurs before the wastewater is discharged, reused, or recycled. Examples of tertiary wastewater treatment include, but are not limited to the following:
- (a) Aquaculture and constructed wetlands polishing;
 - (b) Tertiary Clarification;
 - (c) Chemical addition for tertiary phosphorus removal;
 - (d) Effluent filtration.
- (30) Water Treatment System Residual – any liquid, semi-solid, sludge, or dried inorganic or organic material generated as a byproduct waste during the treatment of potable water.
- (31) Wastewater treatment lagoon - a wastewater treatment plant employing an excavated impoundment designed and constructed to receive raw or pretreated wastewater that is stabilized or degraded in a partially or completely mixed manner. Treatment is accomplished by several naturally present microbial and photosynthetic (algal) organisms with or without supplemental aeration. A wastewater treatment lagoon may also be used for polishing or advanced treatment. A wastewater treatment lagoon consists of, but is not limited to the following:
- (a) Single or Multi-Cell basins;
 - (b) Non-aerated basins;
 - (c) Partial mix basins;
 - (d) Hydrograph control release (HCR) basins.
- (32) Wastewater treatment plant – See Permitted Wastewater Plant.
- (33) Water distribution system - that portion of the water supply system wherein potable water is conveyed from the water treatment plant or other storage supply point to the premises of the consumer. Segmental Water Systems, as defined in 335-7-1.01, as part of a utility distribution system, are not required to have a distribution system operator to serve its customers.
- (34) Water treatment plant - that portion of the water supply system that alters the physical, chemical or bacteriological quality of the water.
- (35) Water supply system - the system of pipes, structures and facilities through which a public water supply is obtained, treated and sold or distributed for human consumption or for any other household use and that serves at least 15 service connections used by year-round residents

or that regularly serves at least 25 year-round residents. See also Public Water System.

- (36) Working experience - experience that is gained, either before or after certification is achieved, from actual hands-on operation and control of major unit treatment processes at a water or wastewater treatment plant and from the hands on operation of a water distribution system or public wastewater collection system. Excluded from this definition is work of a clerical or administrative nature or managerial oversight not related to process control decisions. See also “Direct Responsible Charge”.

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335-10-1-.03 Staffing Requirements.

- (1) All water treatment plants, wastewater treatment plants, water distribution systems, and public wastewater collection systems are required to be operated by an operator certified, in accordance with the provisions of this Division, as competent to operate the plants or systems to which the plant or system is classified.
- (2) All Surface Water Treatment Plants, all Groundwater Under the Direct Influence Treatment Plants, and all conventional multimedia backwashable filter plants, regardless of grade, must have a certified operator of the same grade or higher present at the plant during all hours of operation.
- (3) All Grade IV water treatment plants must have a certified operator of the same grade present at the plant during all hours of operation. An Operator Log shall be maintained at all Grade IV water treatment plants.
- (4) All Grade III water treatment plants must have a certified operator of the same grade or higher present as directed by the Department. With adequate remote monitoring and control, at a minimum, the plant must be visited by a certified operator for one 8-hour work shift during the daytime hours of plant operation, 7 days per week. Any staffing provisions beyond the aforementioned requirements may be directed by the Department. An Operator Log shall be maintained at all Grade III facilities.
- (5) All Grade III wastewater treatment plants and all Grade IV wastewater treatment plants with a permitted flow rate of less than 4.99 MGD must have a certified operator of the same grade or higher present at the plant for a minimum of one 8-hour work shift during the daytime hours of plant operation, five days a week. For all other days of plant operation, at a minimum, a certified operator Grade II or higher must operate the facility one 8-hour work shift during the daytime hours. An Operator Log shall be maintained at all Grade III and Grade IV wastewater facilities. Upon demonstration and approval of a facility's ability to be remotely monitored, the Department may waive all or part of the staffing requirements in excess of the five 8-hour shifts by a Grade III (or higher) or Grade IV operator, as applicable. Any such partial staffing waiver must be applied for by the Permittee and must then be granted in writing by the Department. To obtain a partial staffing waiver, a Grade III or IV operator, as applicable, must be available on call within 45 minutes of the plant site. The waiver may be terminated for cause by the Department, with cause not limited to partial loss of automation, violation of permit limits, or other violations of this chapter.
- (6) All Grade IV wastewater treatment plants with a design hydraulic flowrate of 5.0 MGD or greater must have a certified operator of the same grade present at the plant for a minimum of one 8-hour work shift during the

daytime hours of plant operation. For all other times of operation, as a minimum, a certified operator Grade II or higher may operate the facility if the Grade IV operator is available on call within 30 minutes of the plant site. An Operator Log shall be maintained at all Grade IV facilities.

- (7) All Grade I water treatment plants, Grade II water treatment plants, Grade I wastewater treatment plants, and Grade II wastewater treatment plants must have a certified operator of the same grade or higher present at the plant at all times necessary to ensure its safe, efficient, and proper operation. All Grade I water treatment plants and all Grade I wastewater treatment plants must be visited, at a minimum, once every seven days by a certified operator of the respective grade level (or higher) of the plant, unless the facility's operating permit or approved operations plan, as applicable, calls for more frequent site visits. As a minimum, all Grade II water treatment plants must be visited daily three days per week on non-consecutive days by a certified operator of the respective grade level (or higher) of the plant, unless the facility's operating permit or approved operations plan, as applicable, calls for more frequent visits. As a minimum, all Grade II mechanical wastewater plants must be visited daily three days per week on non-consecutive days by a certified operator of the respective grade level (or higher) of the plant, unless the facility's operating permit or approved operations plan, as applicable, calls for more frequent site visits. Regardless of minimum staffing requirements, any process control decisions (e.g., chemical dosing, disinfectant levels, dissolved oxygen control, system calibration, sludge wasting rates, etc.) must be made under the direct supervision of the certified plant operator. An Operator Log shall be maintained at all Grade I and II water and wastewater treatment facilities.
- (8) All Grades of water distribution systems and all grades of public wastewater collection systems must have a certified operator of the same grade or higher present at the system at all times necessary to ensure its safe, efficient, and proper operation. All Grade I collection, Grade II collection, and Grade I distribution systems must be visited, as a minimum, once every seven days by a certified operator of the same grade or higher unless the facility's operating permit or approved operations plan, as applicable, calls for more frequent site visits. Satellite collection systems not associated with an NPDES/UIC permit must be visited as often as necessary to prevent SSOs. All Grade II distribution systems must be visited daily three days per week on non-consecutive days by a certified operator of the respective grade level of the system, unless the facility's operating permit or approved operations plan, as applicable, calls for more frequent site visits. An Operator Log shall be maintained at all distribution and collection systems. For any non-community water system regulated by an ADEM permit that is co-located with a limited distribution system infrastructure of < 1000 feet of distribution line, the Permittee will not be required to have a separate operator for its distribution system. In these instances, the water treatment operator may also be responsible for operation of the distribution system. For any wastewater treatment plant that is regulated by an ADEM permit that is co-located with a limited

collection system infrastructure of < 1000 feet of sewer line, the Permittee will not be required to have a separate operator for its collection system. In these instances, the wastewater treatment plant operator may also be responsible for operation of the collection system.

- (9) Any maintenance work or water line connections in a water distribution system or wastewater collection system must be made by or under the direct supervision of a certified distribution system operator or a certified collection system operator of the same grade (or higher), respectively. This includes, but is not limited to, any work on water storage tanks, booster stations, or system pump stations.
- (10) Any water treatment plant sampling must be collected by or under the direct supervision of a certified water treatment system operator of the same grade or higher as that of the treatment system. The operator may delegate authority for sample collection to another properly trained or certified individual working under the direct supervision of the certified operator. All sampling reports submitted to the Department regarding the treatment system are to be signed by the certified treatment plant operator of record.
- (11) Analytical testing of samples at a water treatment plant or at a water distribution system must be conducted by a certified operator of the same grade or higher of the plant or system, or the analytical testing must be conducted by a certified laboratory. If the operator delegates analytical testing (e.g., residual chlorine or pH) to a non-certified person working for the utility, then the certified operator will be responsible for the analytical accuracy and validity of the tests conducted by a non-certified utility worker.
- (12) Any water distribution system sampling must be collected by or under the direct supervision of a certified water distribution system operator of the same grade or higher as that of the distribution system. The operator may delegate authority for sample collection to another properly trained or certified individual working under the direct supervision of the certified operator. All reports documenting the sampling of water in the distribution system are to be signed by the certified distribution system operator of record.
- (13) Any wastewater treatment plant sampling must be collected by or under the direct supervision of a certified wastewater treatment system operator of the same grade or higher as that of the treatment system. The operator may delegate authority for sample collection to another properly trained or certified individual working under the direct supervision of the certified operator. All sampling reports required by a permit under Division 6 regulations that are submitted to the Department are to be signed in accordance with 335-6-6-.09.
- (14) Any wastewater collection system sampling must be collected by or under the direct supervision of a certified wastewater collection system

operator of the same grade or higher as that of the collection system. The operator may delegate authority for sample collection to another properly trained or certified individual working under the direct supervision of the certified operator. All sampling reports required by a permit under Division 6 regulations that are submitted to the Department regarding the wastewater collection system are to be signed in accordance with 335-6-6-.09.

- (15) Every operator is required to notify ADEM in writing to specify which plant or system he or she is responsible for. The written notification shall be via a form approved by the Department. A person will not be deemed an operator of record for a facility or system until this form is received by the Department. The Operator must ensure that he or she meets all of the responsibilities of a certified Operator, as defined by this Division. When the operator changes employment, then he or she is required to notify the Department via submittal of a revised operator employment form. If the operator is no longer employed at a facility or system, then the operator must submit a revised form to ADEM indicating that he or she is "Inactive". A utility may also submit an operator employment form to the Department to notify ADEM that an operator is no longer employed by the utility.
- (16) Operation of Multiple Systems: A certified operator may operate more than one plant or system only if the operator can ensure the safe, efficient and proper operation of all plants and systems operated. Every operator of multiple systems is required to notify ADEM in writing to specify which plants or systems that he or she is responsible for. The written notification of employment at multiple systems shall be via a form approved by the Department. A person will not be deemed an operator of record for each facility or system until this form is received by the Department. This form is subject to review by the Department. Operation must be limited to plants or systems classified at or lower than the grade of the certified operator. The Operator must ensure that he or she meets all of the responsibilities of a certified Operator, as defined by this regulation, at each facility. ADEM may rescind an approval for a person to operate multiple plants or systems for cause, not limited to equipment malfunction, partial loss of automation, violation of permit limits, or other violations of this regulation. If an operator of multiple systems cannot demonstrate safe, efficient, and proper operation of each system that he or she claims to operate, then the submitted form may be denied by the Department. When the operator changes employment at any facility, then he or she is required to notify the Department via submittal of a revised multiple system operator employment form. If the operator is no longer employed at any facility or system, then the operator must submit a standard operator employment form to ADEM indicating that he or she is "Inactive". A utility may also submit an operator employment form to the Department to notify ADEM that an operator is no longer employed by the utility.

- (17) When an operator changes employment or is no longer able to operate a plant or system to which the operator is designated and approved, the operator will notify ADEM to specify his or her change in employment or position, as described above. If a plant or system no longer has a duly designated operator of the same classification, then the plant or system will be in violation of the Department's Division 10 requirements. In the case that a certified operator is not available or if the position is unexpectedly vacated, and another certified operator is not immediately qualified to assume the approved certified operator role, then the plant or system must notify the Director within 48-hours. Upon written approval from the Director, the Department may provide the permittee or system a short period of time to fill the position, provided the permittee or system can provide written assurance that sufficient interim measures are implemented for the protection of public health and the environment. However, any written interim approval from the Director does not alleviate the system's violation status for not employing a duly certified operator of the proper classification.
- (18) Every public wastewater collection system and every public water distribution system must have a certified operator of the same grade or higher, even if the system is not associated with or legally bound by an ADEM issued treatment system permit. The operators of such non-permitted or independently owned collection and distribution systems must abide by the Operator requirements outlined in this chapter.
- (19) The same operator may not work a shift greater than 16-hours per day without prior written approval from the Director. Short-term exceptions may be granted to forego written approval in the event of unusual circumstances such as weather emergencies, power outages, or plant upsets. Such approvals will be granted on a case by case basis.
- (20) The operator is required to maintain a facility operations logbook. The operator must record all process control decision changes and all facility maintenance and sampling collection activities in the logbook, unless the changes and activities are automatically recorded by the plant SCADA system, the distribution SCADA system, or the collection SCADA system. Operator activities may also be recorded via other computer based proprietary software systems that address equipment maintenance, sample collection, and data analysis. The logbook is to be kept at the regulated facility or at an alternate location approved by the Department. Any data and operator decisions recorded in a SCADA or computer based platform must be accessible for ADEM review at the plant or system or at the alternative location approved by the Department.
- (21) Utilities whose operator of record is under contract operation must ensure that the contracted plant or system operator meets the minimum staffing requirements under Rule 335-10-1-.03 to ensure safe, efficient, and proper operation of the plant or system.

- (22) It is the responsibility of the permittee to have the necessary number of operators in DRC of the water distribution system, water treatment plant, wastewater collection system, or wastewater treatment plant to ensure safe, efficient, and proper operation of the plant or system.

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335-10-1-.04 Examinations. The first step in the certification process is the written examination. A person wishing to apply for examination must submit a complete application to the Department, together with the appropriate fees required by this Rule and in accordance with Rule 335-1-1-.06. The applicant must have a high school diploma from a school accredited by a nationally recognized accrediting agency or the applicant must have successfully passed the General Educational Development (GED) tests developed by the American Council on Education's GED Testing Service or an equivalent high school equivalency exam approved in another state.

- (1) Examinations shall reflect the minimum knowledge and skills required to competently operate the various classifications of water treatment plants, wastewater treatment plants, water distribution systems, and public wastewater collection systems.
- (2) Exams are administered electronically at several Department-approved test centers. Upon the Department approval of an exam application, a person will arrange to take an exam at a prescribed test center at a specific date and time. Test centers administer exams Monday through Friday, except on holidays. Test centers may also administer exams on Saturday. The Department and the test centers reserve the right to limit the number of examinees for each scheduled exam based on space limitations. The examinees will be scheduled on a first-come first-serve basis.
- (3) A person taking an operator exam must abide by the examination rules imposed by the Department and the rules imposed by the Department's approved test center, including any requirements about the confidentiality and proprietary contents of an exam.
- (4) The minimum passing grade shall be seventy percent. Upon completion of an exam, the applicant shall be notified of a passing or failing grade at the test center. All examinations shall remain the property of the Department and/or the test center.
- (5) Upon passing the examination, the candidate will have the designation of Operator Intern. The Operator Intern must obtain the necessary working experience and DRC experience detailed in 335-10-1-.07 and 335-10-1-.08 in order to become certified. If the necessary working experience and DRC experience is not obtained within five years of passing the examination, the operator intern must retest.
- (6) The application and fees for examination must be received by the Department at least 30 days prior to an intended examination date.
- (7) The Department may grant a temporary waiver of the education requirement outlined herein (i.e., high school diploma or high school equivalency exam), allowing the applicant to take the examination if the applicant provides acceptable evidence to the Department that he or she will meet education

- requirements no later than 60-days after the scheduled date of an examination. If the education requirement is not met within the 60-day time, the Department shall not accept the examination results for any purpose.
- (8) A person taking an operator exam must take the exam within 12 months after being approved to take the exam. If the exam is not taken within 12 months, an exam application along with the exam fee must be resubmitted again for approval from the Department.
- (9) The Director may deny an application for cause, including violations of this Chapter.

Author: Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: November 25, 2004; April 3, 2007, DATE, 2020.

335-10-1-.05 Re-examination.

- (1) A person who fails to pass one examination for a particular classification of water treatment plant, water distribution system, wastewater treatment plant, or public wastewater collection system may take another regularly scheduled examination for the same classification of plant or system provided a new application is submitted together with fees in accordance with Rule 335-10-1-.04.
- (2) A person who fails to pass two examinations for a particular classification of water treatment plant, water distribution system, wastewater treatment plant, or public wastewater collection system may take another regularly scheduled examination for the same classification of plant or system provided a new application is submitted together with fees in accordance with Rule 335-10-1-.04 and provided the applicant submits adequate proof that he or she has successfully completed 8 hours of additional training programs that have been approved by the Department.
- (3) Upon failure of three consecutive examinations for the same classification of water treatment plant, water distribution system, wastewater treatment plant, or public wastewater collection system, the applicant must wait until 6 months transpire before applying to the Department to sit for another exam of the same grade. The other requirements of this Re-examination rule will then be repeated accordingly.
- (4) The overriding requirement is that a person may not take more than four exams of the same classification in a 12-month period and that after any two consecutive test failures for the same exam, the applicant shall obtain the additional training requirement outlined in Rule 335-10-1-.05(2)

Author: Joe Alan Power, Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: September 18, 1986.

Amended: May 25 1994; effective: July 1, 1994; June 7, 2000, November 25, 2004. DATE, 2020.

335-10-1-.06 Classification of Systems.

(1) Water treatment plants are classified by a numerical ranking processes approved by the Department accounting for various factors such as average daily design flow, the source of the raw water supply, the number, type and complexity of each unit treatment process, the treatment of water treatment process residuals, the level of plant instrumentation/automation, the type of on-site analytical laboratory work conducted, and other facility characteristics. The designated water treatment classifications are:

- (ii) Grade I Water Treatment
- (iii) Grade II Water Treatment
- (iv) Grade III Water Treatment
- (v) Grade IV Water Treatment

(2) Wastewater treatment plants are classified by a numerical ranking processes approved by the Department accounting for various factors such as population equivalent, average daily design flow, the number, type and complexity of each unit treatment process, sludge/biosolids handling processes, the disposition of treated effluent, level of instrumentation/automation, the type of on-site analytical laboratory work conducted, and other facility characteristics. The designated wastewater treatment classifications are:

- (i) Grade I Wastewater Treatment
- (ii) Grade II Wastewater Treatment
- (iii) Grade III Wastewater Treatment
- (iv) Grade IV Wastewater Treatment

(3) Water Distribution Systems are classified by a numerical ranking process approved by the Department accounting for total population served by the system. The designated water distribution system classifications are:

- (i) Grade ID Water Distribution System
- (ii) Grade IID Water Distribution System

(4) Wastewater Collection Systems are classified by a numerical ranking process approved by the Department accounting for total population served by the system. The designated wastewater collection system classifications are:

- (i) Grade IC Wastewater Collection System

(ii) Grade IIC Wastewater Collection System

- (5) The plant or system ranking will be made by a certified Operator of record designated by the permittee or system, typically by the Chief Operator, Plant Superintendent, or plant manager. The plant or system ranking will be submitted to the Department within 30 days of permit issuance.
- (6) The Director may change the classification of a particular water distribution system, water treatment plant, wastewater collection system, or wastewater treatment plant when there are unusual factors affecting the quality of the source, the quality of the discharge, the complexity of the treatment, distribution, or collection system or if there are other potential public health or environmental concerns that the Director identifies warrant a change in classification. Upon changing the classification, the Director shall notify the owner of the affected water distribution system, water treatment plant, wastewater collection system, or wastewater treatment plant of the change in classification and shall give the owner a reasonable time to comply with the requirements this Chapter.
- (7) A re-ranking of a water distribution system, water treatment plant, wastewater collection system, or wastewater treatment plant may be warranted if upgrades or major changes are made to the plant or system. If a re-ranking is necessary, the operator of record has 180 days to re-rank the water distribution system, water treatment plant, wastewater collection system, or wastewater treatment plant upon completion of the plant or system upgrade or change.

Author: Joe Alan Power, Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: September 18, 1986.

Amended: May 25 1994; effective: July 1, 1994; January 23, 2003, November 25, 2004, DATE, 2020.

335-10-1-.07 Qualification for Certification - Water Distribution Systems and Water Treatment Plants. An operator intern wishing to apply for certification must submit a complete experience verification application to the Department, together with appropriate fees required by Rule 335-1-1-.06. The applicant must obtain the following working experience prior to submittal of the application:

- (1) For a Grade ID water distribution system:
 - (a) Have at least twelve months working experience in a Grade ID or higher water distribution system; and
 - (b) Pass an examination approved by the Department.
 - (c) Credit for a maximum of six months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.
- (2) For a Grade IID water distribution system:
 - (a) Have at least eighteen months working experience in a Grade IID water distribution system, including six months as an Operator Intern in DRC at a Grade IID water distribution system; and
 - (b) Pass an examination approved by the Department.
 - (c) Credit for a maximum of six months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.
- (3) For a Grade I water treatment plant:
 - (a) Have at least twelve months working experience in a Grade I or higher water treatment plant; or
 - (b) Have at least twenty-four months of combined experience in a Grade ID or higher water distribution system; and
 - (c) Pass an examination approved by the Department.
 - (d) Credit for a maximum of six months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.
- (4) For a Grade II water treatment plant:
 - (a) Have at least eighteen months working experience in a Grade II or higher water treatment plant; or
 - (b) Have at least twenty-four months of combined experience in a Grade I or higher treatment plant or a Grade ID or higher water distribution system; and
 - (c) Pass an examination approved by the Department.
 - (d) Credit for a maximum of nine months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

(5) For a Grade III water treatment plant:

- (a) Have at least twenty-four months of treatment experience in a Grade III or higher water treatment plant, including one year as an Operator Intern in DRC at a Grade III or higher water treatment plant; or
- (b) Have at least thirty-six months of combined working experience in a Grade II or higher water treatment plant, including one year as an Operator Intern in DRC; and
- (c) Be certified as a Grade II water treatment plant operator, unless the applicant has a four-year degree in engineering or biological sciences or chemistry; and
- (d) Pass an examination approved by the Department.
- (e) Credit for a maximum of twelve months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

(6) For a Grade IV water treatment plant:

- (a) Have at least twenty-four months of treatment experience in a Grade IV water treatment plant, or at least thirty-six months of combined experience working in a Grade III or Grade IV water treatment plant, including one year as an Operator Intern in DRC at a Grade IV water treatment plant. However, all working experience must be at a Grade III or Grade IV surface water filtration treatment plant; and
- (b) Be certified as a Grade II or a Grade III water treatment plant operator, unless the applicant has a four-year degree in engineering or chemical/biological sciences; and
- (c) Pass an examination approved by the Department.
- (d) Credit for a maximum of twelve months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

Author: Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: DATE, 2020.

335-10-1-.08 Qualification for Certification - Public Wastewater Collection Systems and Wastewater Treatment Plants.

An operator intern wishing to apply for certification must submit a complete experience verification application to the Department, together with the appropriate fees required by Rule 335-1-1-.06. The applicant must obtain the following working experience prior to submittal of the application:

- (1) For a Grade IC public wastewater collection system:
 - (a) Have at least twelve months working experience in a Grade IC or higher public wastewater collection system; and
 - (b) Pass an examination approved by the Department.
 - (c) Credit for a maximum of six months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.
- (2) For a Grade IIC public wastewater collection system:
 - (a) Have at least eighteen months working experience in a Grade IIC public wastewater collection system, including six months as an Operator Intern in DRC at a Grade IIC wastewater collection system; and
 - (b) Pass an examination approved by the Department.
 - (c) Credit for a maximum of six months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.
- (3) For a Grade I wastewater treatment plant:
 - (a) Have at least twelve months working experience in a Grade I or higher wastewater treatment plant; or
 - (b) Have at least twenty-four months of combined experience in a Grade IC or higher wastewater collection system; and
 - (c) Pass an examination approved by the Department.
 - (d) Credit for a maximum of six months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars
- (4) For a Grade II wastewater treatment plant:
 - (a) Have at least eighteen months working experience in a Grade II or higher wastewater treatment plant; or
 - (b) Have at least twenty-four months of experience in a Grade I or higher wastewater plant or a Grade IC or higher wastewater collection system; and
 - (c) Pass an examination approved by the Department.

- (d) Credit for a maximum of nine months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.
- (5) For a Grade III wastewater treatment plant:
- (a) Have at least twenty-four months working experience in a Grade III or higher wastewater treatment plant, including one year as an Operator Intern in DRC at a Grade III or higher wastewater treatment plant; or
 - (b) Have at least thirty-six months of combined working experience in a Grade II or higher wastewater treatment plant, including one year in as an Operator Intern in DRC; and
 - (c) Be certified as a Grade II wastewater treatment plant operator, unless the applicant has a four-year degree in engineering or biological sciences; and
 - (d) Pass an examination approved by the Department.
 - (e) Credit for a maximum of twelve months of treatment experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.
- (6) For a Grade IV wastewater treatment plant:
- (a) Have at least twenty-four months working experience in a Grade IV wastewater treatment plant, or at least thirty-six months of combined experience working in a Grade III or Grade IV wastewater treatment plant, including one year as an Operator Intern in DRC at a Grade IV wastewater treatment plant; and
 - (b) Be certified as a Grade II or a Grade III wastewater treatment plant operator, unless the applicant has a four-year degree in engineering or chemical/biological sciences; and
 - (c) Pass an examination approved by the Department.
 - (d) Credit for a maximum of twelve months of treatment experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

Industrial Wastewater Treatment System Operators: The Department will acknowledge experience attained by a person working at an industrial wastewater treatment system. Such persons may be approved to take a certification exam and become certified, subject to meeting all other requirements outlined in this Division 335-10 regulation, including certification renewal requirements.

Author: Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: DATE, 2020.

335-10-1-.09 General Qualifications for Certification.

- (1) For the purposes of calculating working experience and time in DRC, the Department considers full time employment to be a 37-hour work week. Thus, 1924 hours of applicable work experience equals twelve months of working experience and time in DRC. However, an Intern may work up to 40-hours in a given week to attain the total of 1924 hours of working experience.
- (2) Substitution for required general working experience with Department-approved training programs, classes or seminars is as follows (limited by requirements of each grade level in this chapter):

15 Hours -----	3 months experience
30 Hours -----	6 months experience
45 Hours -----	9 months experience
60 Hours -----	12 months experience
- (3) All working experience claimed in the experience verification application must be verified in writing by the chief operator or superintendent of a treatment plant holding same grade or higher certification as the grade of certification pursued by the operator intern. For a collection or distribution system intern, the working experience of the intern must be verified by a direct supervisor who is a certified operator familiar with the operator intern's experience and who holds the same grade or higher certification as the grade of certification pursued by the operator intern. For a small utility or system where the intern does not report to another certified operator, the direct supervisor may be a non-certified utility manager to whom the intern directly reports. Up to eight hours maximum for exam preparation training classes will count toward equivalent working experience only for an operator candidate pursuing higher level certification.
- (4) All Intern in DRC experience claimed in the application must be verified in writing by another operator of the same grade (or higher) of the grade pursued, and that person must be the plant manager, the plant superintendent, the chief operator, or another designated Operator in DRC. Intern in DRC experience may be defined in an ADEM-approved DRC Plan.
- (5) The Director may deny an application for cause, including violations of this Chapter.

Author: Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: Date 2020.

335-10-1-.10 Certification Required for Operation. Wastewater treatment plants, water treatment plants, water distribution systems, and public wastewater collection systems classified in 335-10-1-.06 must be operated by an operator holding a valid certificate of the same grade or higher. Any person without a valid certificate can only work under the direct supervision of a properly certified operator working in responsible charge of the plant or system, and may not work a shift as specified in 335-10-1-.03 unless a properly certified operator is present to supervise the work at all times.

- (1) Direct Responsible Charge as an Operator Intern: During the tenure of an operator intern, where required to obtain experience in DRC, the intern will be designated as an Intern in DRC by the Plant Manager, Plant Superintendent, or Chief Operator.
- (2) The Director may deny an application for cause, including violations of this Chapter

Author: Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: November 25, 2004, DATE, 2020.

335-10-1-.11 Certificate Expiration and Renewal.

- (1) Certificates issued under Rule 335-10-1-.12, or 335-10-1-.11 shall remain in effect for three years from the date of issuance unless revoked or suspended by the Director as provided in Rule 335-10-1-.16.
- (2) A complete application for certificate renewal must be submitted on-line at least thirty days prior to the expiration date of the certificate sought to be renewed. Failure to submit a complete application for certificate renewal as provided in this paragraph will result in a lapse of an operator's certification and may make it unlawful for the operator to continue to operate a water treatment plant, water distribution system, wastewater treatment plant, or public wastewater collection system until a renewal certificate is issued.
- (3) Operators who fail to re-apply on-line for renewal at least 30 calendar days prior to the certificate expiration date must file a late application and must pay any applicable incremental late fee(s) specified in the Rule 335-1 in addition to the certification fee. All late applications must be received by the Department within 365 calendar days from the certificate expiration date. If renewed late, the new certificate will become effective on the date processed by the Department, with an expiration date of three years after the expiration date of the previous certificate. During the period of time between the expiration of the previous certificate and the effective date of the new certificate, the operator may not practice as a certified operator. A certificate will not be re-issued if an application is received 365 calendar days after the expiration date.
- (4) An application for certificate renewal shall be on a form prescribed by the Department. An application shall not be complete without payment of fees required by Rule 335-1-6-.06, including any applicable late fee(s).
- (5) The Director may deny an application for cause, including violations of this Division.

Author: Joe Alan Power, Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: September 18, 1986.

Amended: May 25 1994; effective: July 1, 1994; June 7, 2000; January 23, 2003, November 25, 2004; April 3, 2007, DATE, 2020.

335-10-1-.12 Reciprocal Certificates. Certificates may be issued in a comparable classification to a person who holds a current certificate from another state, provided the requirements of that state are comparable to or higher than those of the Department. Reciprocity will only be granted to operators who passed a comparable written exam in the reciprocal state, subject to Department approval. The issuance of a reciprocal certificate is contingent upon submission of an application form prescribed by the Department, nonrefundable fees required by Rule 335-1-6-.06, a copy of the current certificate issued in another state, and other supporting documentation required by the Department. The reciprocal applicant must meet the Department's equivalent working experience in a reciprocal state. Otherwise, a lower level of classification may be issued. The reciprocal applicant may apply for a higher grade of certification at a later date by the subsequent submittal of another form documenting additional working experience, including any necessary work in DRC. In no case shall a higher grade of certification be granted than that of the reciprocal state certification.

Author: Joe Alan Power, Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: September 18, 1986.

Amended: May 25 1994; effective: July 1, 1994; June 7, 2000; January 23, 2003, November 25, 2004, DATE 2020.

335-10-1-.13 Certification by Examination. Persons entitled to certification under this Rule shall be issued a certificate indicating the classification of water treatment plant, wastewater treatment plant, public wastewater collection system, or water distribution system that the person is qualified to operate upon fulfilling the required two-step (Qualification and Examination) application process described in Rules 335-10-1-.04, 335-10-1-.07, 335-10-1-.08, and 335-10-1-.09. Persons entitled to reciprocal certification in accordance with Rule 335-10-.12 will likewise be issued a certificate indicating the classification of water treatment plant, wastewater treatment plant, public wastewater collection system, or water distribution system that the person is qualified to operate.

Author: Joe Alan Power, Aubrey White, Mary Alice Corcoran, James. W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: September 18, 1986.

Amended: May 25 1994; effective: July 1, 1994; June 7, 2000, November 25, 2004. Date, 2020.

335-10-1-.14 Continuing Education.

- (1) All certified operators must demonstrate continuing education activities in a given three-year renewal period. Each operator must retain suitable records of acquiring continuing education hours (CEHs). These records should not be submitted with a renewal application, but in the event the Department audits the renewal application, the operator will be required to reproduce records of CEHs claimed as attained. The applicant will submit a renewal application and the nonrefundable fee for certification renewal in accordance with Rule 335-10-1-.11. Training activities must be attended within the three-year certification period prior to the expiration date except for carry over credit.
- (2) Operators with one water certificate must demonstrate 24 CEHs of applicable educational training in the water treatment or distribution field, as applicable. Wastewater operators with one certificate must demonstrate 24 CEHs of applicable educational training in the wastewater treatment or collection field, as applicable. The training must be relevant to the operator's grade of certification, subject to Department approval. Training activities will only be counted once in a given three-year renewal period. CEHs will not be allocated for repeated classes or topics. Operators with two certifications must obtain 15 CEHs of training in the proper field for each certificate for the renewal period. An operator with three or more certifications must acquire a minimum of 12 CEHs per field of certification in a renewal period. An operator can only hold one water treatment and one wastewater treatment certificate, and an operator can only hold one water distribution certificate and one wastewater collection certificate. Thus, a person may hold up to four certifications.
- (3) A maximum of 5 CEHs of training per certificate may be carried over into the next three-year renewal period.
- (4) Continuing education training may be obtained by the following means:
 - (a) Trade Association, EPA, or Department sponsored short-courses and seminars that comply with Rule 335-10-1;
 - (b) Successfully completing or auditing college sponsored courses, and seminars that comply with Rule 335-10-1;
 - (c) Department -approved online or correspondence courses or webinars that comply with subpart (5) below;
 - (d) In-house or regional courses taught by experienced certified operators or qualified instructors, subject to Department approval;

- (e) Teaching or instructing a class described in (a) through (d) above. An instructor may claim twice the duration of the given class one time per three-year renewal period.
 - (f) Participation in Department-recognized professional association activities, such as facility inspections for plant awards, subject to Department limitations.
- (5) All vendor-provided or educational institution online or correspondence courses should meet the following general requirements to be approved by the Department:
- (a) The online training website must be user friendly;
 - (b) The training must be tailored to meet this Division's regulations;
 - (c) The training must provide dedicated modules or classes that clearly align with ADEM's general categories for certification. The training provider must specify which training classes align with ADEM's Operator Certification categories for Water Treatment, Wastewater Treatment, Water Distribution, and Wastewater Collection;
 - (d) The website must offer security for our operator's personal information;
 - (e) The training must issue valid continuing education training certificates;
 - (f) Each training vendor or entity must ensure that its online classes are appropriately attended and ensure knowledge transfer; and
 - (g) The training cannot include classes that are clearly prohibited by any provision of Rule 335-10-1.
- (6) The following continuing education course topics will be accepted for credit for applicable wastewater treatment plant operators or public wastewater collection system operators, unless specified otherwise:
- (a) Operation and maintenance of wastewater treatment plants and/or lagoons;
 - (b) Operation and maintenance of public wastewater collection systems;
 - (c) Wastewater treatment plant process control and/or theory;
 - (d) Wastewater regulation reviews or updates;
 - (e) Instruction on new wastewater treatment plant technologies;

- (f) Homeland Security/Anti-terrorism training that specifically addresses wastewater collection and treatment facilities (limited to four hours maximum per renewal period);
 - (g) Training for specific wastewater collection or treatment equipment provided by factory representatives or design professionals;
 - (h) Sampling or analysis of wastewater;
 - (i) Wastewater collection or treatment examination review (limited to operators who took a higher grade exam in a given renewal period). CEHs will not be awarded to an operator who audited a class but did not take a higher level exam in the renewal period;
 - (j) Design calculations for wastewater collection or wastewater treatment plants;
 - (k) Recordkeeping or reporting for wastewater collection or treatment (limited to four hours per renewal period); and,
 - (l) Up to eight hours maximum per renewal period for chemical safety training that is directly applicable to public wastewater collection systems or wastewater treatment plant processes.
- (7) The following continuing education course topics will be accepted for credit for applicable water treatment plant operators or water distribution system operators, unless specified otherwise:
- (a) Operation and maintenance of water treatment plants or water well treatment systems;
 - (b) Operation and maintenance of water distribution systems;
 - (c) Water treatment plant process control and/or theory;
 - (d) Drinking water regulation reviews or updates;
 - (e) Instruction on new water treatment plant technologies;
 - (f) Homeland Security/Anti-terrorism training that specifically addresses water distribution and water treatment facilities (limited to four hours maximum per renewal period);
 - (g) Training for specific water distribution or water treatment plant equipment provided by factory representatives or design professionals;
 - (h) Sampling or analysis of drinking water;

- (i) Water distribution or treatment examination review (limited to operators who took a higher grade exam in a given renewal period). CEHs will not be awarded to an operator who audited a class but did not take a higher level exam in the renewal period;
 - (j) Design calculations for water distribution or water treatment plants;
 - (k) Backflow prevention;
 - (l) Recordkeeping or reporting for water distribution or water treatment plants (limited to four hours per renewal period); and,
 - (m) Up to eight hours maximum per renewal period for chemical safety training that is directly applicable to public water distribution systems or drinking water treatment plant processes.
- (8) The following continuing education course topics will be accepted for credit for public wastewater collection system operators, wastewater treatment plant operators, water treatment plant operators or water distribution system operators, unless otherwise specified:
- (a) Up to four hours maximum per renewal period for cardiopulmonary resuscitation (CPR) training;
 - (b) Up to eight hours maximum per renewal period for trenching and shoring training (limited to wastewater collection and water distribution operators);
 - (c) Up to four hours maximum per renewal period for confined space entry training;
 - (d) Up to four hours maximum per renewal period for laboratory safety training;
 - (e) Up to four hours maximum per renewal period for legal liability training specifically addressing water or wastewater plant operations;
 - (f) Up to four hours maximum per renewal period for stormwater pollution prevention training relevant to the plant or system where the operator is employed;
 - (g) Up to four hours maximum per renewal period for temporary traffic control training (limited to wastewater collection system and water distribution system operators);

- (h) Up to four hours maximum per renewal period for system management or finance courses that specifically address water or wastewater treatment plant operations;
 - (i) Up to four hours maximum per renewal period for first aid and personal health protection training;
 - (j) Up to two hours maximum per renewal period for Lock-Out/Tag-Out training;
 - (k) Up to six hours maximum per renewal period for SCADA System, Automated Controller, Programmable Controller, and data/lab data management information system training; and
 - (l) Up to eight hours maximum per renewal period for exam preparation training classes only for an operator candidate pursuing higher level certification.
- (9) The following courses will not be accepted for continuing education credit:
- (a) Regularly-scheduled safety meetings;
 - (b) Duplicate classes or classes covering essentially the same content;
 - (c) General management, business, or personnel law courses;
 - (d) Repetitive teaching of the same course without significantly updating course material;
 - (e) Committee meetings or other meetings that are not educational in nature;
 - (f) Courses that are not directly relevant to the class of certificate to be renewed;
 - (g) Training activities related homeland security certification, OSHA Health and Safety certification, Construction inspector certification, or wetlands delineation certification, except as specified in this rule above;
 - (h) Certification exam training for a level of certification at or lower than a classification held by the operator.
- (10) All in-house, webinar, and seminar classes must document operator attendance for the duration of the class and must provide a record of attendance to the operator. The course administrator should issue a Certificate of Completion for the class in a format acceptable to the Department.

- (11) Providers of in-house, webinar, and seminar classes are required to submit course information for approval prior to offering the course or class to Alabama operators. If a course or class is not pre-approved by the Department, the Department may elect to disapprove any particular continuing education course during the audit of an operator's renewal application.
- (12) All training records must be retained by the operator for at least three years after expiration of the certificate to be renewed. These records must be furnished, if requested, to the Department for audit verification purposes.
- (13) If the Department disallows any claimed continuing education credit during the audit process, the applicant shall have up to 365 days after expiration of the certificate to substantiate the original claim or earn other credit to meet the minimum requirement, in accordance with Rule 335-10-1-.15.
- (14) The conversion to CEH units from other units is as follows:
- | | |
|---|--------------|
| 1 College semester hour of credit ----- | 45 CEH |
| 1 College quarter hour of credit ----- | 30 CEH |
| 1 College Audit hour ----- | 1/3 of above |
| 1 Continuing Education Unit (CEU) ---- | 10 CEH |
| 1 Hour teaching or instructing ----- | 2 CEH |
| 1 Hour of acceptable training----- | 1 CEH |

Author: Joe Alan Power, Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: September 18, 1986.

Amended: May 25 1994; effective: July 1, 1994; June 7, 2000; January 23, 2003, November 25, 2004; April 3, 2007; DATE, 2020.

335-10-1-.15 Lapsed Certification Due to Insufficient Continuing Education Hours. The operator is required to attain the minimum required CEHs within the three-year renewal period. If the operator did not attain the minimum number of CEHs in the renewal period, the operator's certification will expire at the end of the current certification period. The operator may again become certified within one year of the date of expiration by complying with the following requirements. Otherwise, the person will have to apply to re-take a certification examination and the person will also have to re-submit an experience verification application to attain recertification. In no instance will a certification be able to be retained if the requirements outlined below are not achieved within 365 days from the date of certificate expiration:

- (1) The person will have 180 days from the date of expiration to acquire the minimum number of CEHs. This person will have to additionally meet the following requirements:
 - (a) Payment of the late fee in accordance with 335-1-6-06.
 - (b) Submit documentation of an additional 4 CEHs per certification level held by the end of the 180-day period.
- (2) The person will have up to 365 days from the date of expiration to acquire the minimum number of CEHs. This person will have to additionally meet the following requirements:
 - (a) Payment of the late fee in accordance with 335-1-6-06.
 - (b) Submit documentation of an additional 8 CEHs per each certification level held by the end of the 365-day period.
- (3) The person may not acquire carryover CEHs during either the 180-day or 365-day period
- (4) The person will remain uncertified until the above requirements are met and until ADEM issues the retained certificate(s). The new certificate(s) will become effective on the date processed by the Department, with an expiration date of three years after the expiration date of the previous certificate. During the period of time between the expiration of the previous certificate, and the effective date of the new certificate, the operator may not practice as a certified operator.

Author: Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: DATE, 2020.

Amended:

335-10-1-.16 Revocation of Certificate. Following a hearing before the Director or his designated representative, the Director may revoke or suspend a certificate if it is found that the operator:

- (a) Has practiced fraud or deception in obtaining the certificate or in the performance of his duties as an operator;
- (b) Has falsified documented work experience or time worked in DRC. This includes any potential falsification by the person vouching for the experience claimed by an operator intern.
- (c) Has not used reasonable care, judgment, or the application of the operator's knowledge or ability in the performance of the operator's duties;
- (d) Is incompetent or unable to perform the person's duties as an operator;
- (e) Has knowingly submitted incorrect or falsified operational data, including but not limited to altering the results of an analytical test;
- (f) Has consistently failed to submit operational data as required by the department; or
- (g) Has violated the requirements of this Chapter.

Author: Joe Alan Power, Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: September 18, 1986.

Amended: May 25 1994; effective: July 1, 1994; June 7, 2000; January 23, 2003, November 25, 2004, DATE, 2020.

335-10-1-.17 Violations. The Department may initiate proceedings to enforce the requirements of Code of Alabama 1975, §§ 22-25-1 to 22-25-15, any rule in this Division, or any condition of any certification or provision of any order. Such proceedings may include:

- (a) The issuance of a notice of violation;
- (b) The issuance of an administrative order directing compliance;
- (c) The issuance of an administrative order assessing a civil penalty of not more than \$25,000.00 for each violation and each day of continued violation.
- (d) The commencement of a civil action to enjoin any threatened or continuing violation;
- (e) The commencement of a civil action to assess a civil penalty of not more than \$25,000.00 for each violation and each day of continued violation.
- (f) The commencement of a criminal action after written notice of the violation.

Author: Joe Alan Power, Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: September 18, 1986.

Amended: May 25 1994; effective: July 1, 1994; June 7, 2000; November 25, 2004, DATE, 2020.

335-10-1-.18 Process Control Decisions. Process control decisions at wastewater treatment plants, water treatment plants, water distribution systems and public wastewater collection systems classified in 335-10-1-.06 must be made by a properly certified operator. In some instances, an operator may delegate certain plant or system responsibilities to a non-certified person. However, the certified operator of record at the time of delegation must be responsible for the delegation, and the operator will be responsible for the oversight of all such responsibilities, as the certified operator is responsible for all Process Control Decisions.

Author: Aubrey White, Mary Alice Corcoran, James W. Grassiano.

Statutory Authority: Code of Alabama 1975, §§ 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.

History: November 25, 2004

Amended: DATE, 2020.