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**Appendix A**

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**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 710. WATERWORKS AND WASTEWATER WORKS OPERATOR  
CERTIFICATION**

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## SUBCHAPTER 1. GENERAL PROVISIONS

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### **252:710-1-1. Purpose, authority and applicability**

- (a) **Purpose.** This Chapter establishes procedures for persons seeking certification as waterworks and wastewater works operators and laboratory operators.
- (b) **Authority.** This Chapter is authorized by 27A O.S. § 2-1-101, 59 O.S. § 1101 *et seq.* and the *Final Guidelines for the Certification and Recertification of the Operators of Community and Nontransient Noncommunity Public Water Systems* (Federal Register, Volume 64, No. 24, Friday, February 5, 1999) adopted by the U.S.E.P.A. under the federal Safe Drinking Water Act.
- (c) **Applicability.** The rules in this Chapter apply to any person who seeks certification from or is certified by the Department of Environmental Quality ("DEQ") to operate waterworks, wastewater works, distribution and collection systems, and laboratories owned by or associated with waterworks/wastewater works. The rules also apply to any person who seeks certification from or is certified by the DEQ as a technician for distribution and collection systems.

### **252:710-1-2. Duty to comply**

Each person certified under this Chapter shall comply with the Waterworks and Wastewater Works Operator Certification Act ("Act") and this Chapter, the Code and its rules, terms and conditions of the certification, and any final order issued by the Executive Director. Failure to comply may result in administrative, civil or criminal enforcement actions.

### **252:710-1-3. Synonymous terms**

- (a) For purposes of this Chapter, the term "waterworks or wastewater works laboratory operator" is synonymous with "laboratory operator".
- ~~(b) The words "he" and "his" are synonymous with the words "she" and "hers" when used in this Chapter.~~

#### 252:710-1-4. Definitions

In addition to the definitions contained in the Environmental Quality Code (27A O.S. § 2-1-101 et seq.), and the Waterworks and Wastewater Works Operator Certification Act (59 O.S. § 1101 et seq.), the following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Act"** means the Waterworks and Wastewater Works Operator Certification Act, 59 O.S. § 1101 *et seq.*

**"Associated laboratory"** means any laboratory, not directly owned by or located on the premises of a waterworks or wastewater works facility that performs required laboratory tests for the works facility.

**"Available"** means on site or able to be contacted as needed to initiate the appropriate action in a timely manner.

**"Certificate year"** means July 1 through June 30.

**"Certification of competency"** means a certification issued by the ~~Department~~ DEQ pursuant to this Chapter.

**"Class associated examination"** means an operator certification examination which is given at the end of a classroom instruction for the level of certification taught. Only class participants may take a class associated exam. In addition, the applicant shall have submitted an approved examination application.

**"Classroom training"** means DEQ approved professional development training taking place in a classroom or practical learning environment and attended in person by class participants."

**"Code"** means the Oklahoma Environmental Quality Code, 27A O.S. § 2-1-101 *et seq.*

**"Collection system"** ~~shall have the same definition as contained in OAC 252:656, Water Pollution Control Facility Construction Rules.~~ means pipes or conduits, pumping stations, force mains and all other facilities used to collect or conduct wastewater to a treatment works.

**"Community Water System (CWS)"** ~~means a public water system providing water to at least 15 service connections used by year round residents or regularly serving at least 25 year-round residents.~~

**"DEQ"** means the Oklahoma Department of Environmental Quality ~~and, for purposes of certifications issued and enforcement matters arising from certifications issued prior to July 1, 1993, "DEQ" also means the Oklahoma State Department of Health.~~

**"DEQ approved training"** means training that has been evaluated and approved by DEQ in advance of the scheduled training date with DEQ assigning a class identification number upon approval.

**"Direct supervision"** means the on-site supervision or direction provided by a certified operator of a registered helper during which the certified operator is present at all times. A registered helper must work under direct supervision.

**"Distribution and Collection Technician"** means a person who works solely on distribution and collection lines and is not in responsible charge.

**"Distribution system"** means any combination of pipes, tanks, pumps or other equipment which delivers water from the source(s) and/or treatment facility(ies) to the consumer.

**"Distribution system complexity"** means pressure zones, booster stations, storage tanks, fire protection, chlorination, nonresidential consumers, cross connection potential, and/or demand variations.

**"General course"** means a DEQ approved training class or classes that directly relate to waterworks, wastewater works, waterworks laboratories or wastewater works laboratories and that meet the requirements of OAC 252:710-3-36 for content and clock hours, to be utilized solely for the purpose of professional development and certification renewal not the preparation for an operator certification examination for initial certification.

**"General supervision"** means supervision or direction provided by a certified operator to a temporary certified person that requires the certified operator be available to help or advise but during which the certified operator need not be present at all times. While under general supervision, a certified person may work alone.

**"Groundwater system"** means a waterworks where all water is obtained from dug, drilled, bored or driven wells or infiltration lines not under the influence of surface water contamination, but not springs which are a surface water supply.

**"Laboratory operator"** means an individual who is in general supervision of a laboratory which performs laboratory analyses for waterworks and wastewater works and who is responsible for the accuracy of the laboratory tests and reports for the facility, but who does not operate the waterworks or wastewater works unless appropriately certified as an operator for that type facility.

**"Lagoon"** ~~shall have the same definition as contained in OAC 252:619, Operation and Maintenance of Non-Industrial Total Retention Lagoon Systems and Land Application or OAC 252:621, Non-Industrial Flow Through and Public Water Supply Impoundments Including Land Application.~~ means a soil or lined basin, either below or above ground level, which is designed, maintained and/or operated to store, recycle and/or treat municipal/domestic wastewater or stormwater.

**"Minor public water supply system"** means a water system that does not meet the definition of a Public Water Supply System. Minor public water supply systems are regulated by OAC 252:624.

**"Nontransient noncommunity (NTNC) water system"** ~~means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year, including schools, day care centers, factories, restaurants and hospitals.~~

**"OAC"** means Oklahoma Administrative Code.

**"Open examination"** means an operator certification examination which may be taken by an individual whose experience, training, and education exempts the individual from in-class participation for the level of certification being tested. In addition, the applicant shall have submitted an approved examination application.

**"Operator"** means any person who is at any time responsible for the operation of a wastewater works or waterworks or associated laboratories, in part or in whole. Operator shall not ordinarily apply to an official exercising official general administrative supervision but shall include any properly certified person who can, through a direct act or command, affect the quality of the water or wastewater.

**"Operating experience"** means the time spent at a plant or system in performance of operational duties with the appropriate level of certification.

**"Operating shift"** means that period of time during which operator decisions that affect public health are necessary for proper operation of the system.

**"Operational engineering assistance"** means providing regulatory or consulting experience in providing technical assistance to a variety of water/wastewater works systems.

**"O.S."** means Oklahoma Statutes.

**"Owner"** means:

- (A) a sole proprietor;
- (B) a homeowners' association;
- (C) the controlling or managing partner of a partnership;
- (D) the major stockholders of a corporation; or
- (E) a government entity including the State of Oklahoma, municipalities, counties, or districts, and all sub-divisions thereof.

**"Professional development hours (PDH)"** means hours of DEQ approved training that may be used to meet the requirements of OAC 252:710 -1-7 for certification renewal.

**"Public Water Supply (PWS) system"** means any system providing 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 per year, whether receiving payment for same or not. Multi-family dwellings, manufactured home communities, mobile home parks, recreational vehicle (RV) parks, and correctional facilities, which are constructed, inspected and maintained under a State or locally approved plumbing code, purchase water from a permitted water system, do not provide treatment, and do not resell water, are not classified as a Public Water Supply system. The following are the categories of Public Water Supply systems:

**(A) "Community water system"** means any PWS system that serves at least fifteen (15) service connections used by year-round residents or regularly serves at least twenty-five (25) year-round residents.

**(B) "Non-community water system"** means any PWS system that serves an average of at least twenty-five (25) individuals at least sixty (60) days per year but is neither a community water system nor a non-transient non-community water system.

**(C) "Non-transient non-community (NTNC) water system"** means any PWS system that is not a community water system and that regularly serves at least twenty-five (25) of the same persons over six (6) months per year.

**"Purchased water system"** means a water supply system which buys its water from a waterworks and has a mastermeter.

**"Reciprocity"** means a recognition by DEQ of the validity of a certification granted by another state, so long as that state recognizes certifications issued by DEQ as well.

**"Registered helper"** means a person under direct supervision who performs or assists in the performance of work that may affect the quality of either water or wastewater and is properly registered as provided in 252:710-5-55.

**"Responsible charge"** means making decisions regarding the daily operational activities of

- (A) a public water system, water treatment facility and/or distribution system that will directly impact the quality and/or quantity of drinking water; or
- (B) a wastewater system, wastewater treatment facility and/or collection system.

**"Shared operator"** means a person contracted and/or hired by one or more municipality, sewer improvement district, water or sewer public trust, rural water or sewer district, consortium

of small publicly owned water supply or wastewater systems, substate planning district or the Oklahoma Rural Water Association to operate two or more small system(s) pursuant to the requirements set forth in 252:710-7-2.

~~"Small system" as used in 59 O.S. § 1118 means a Waterworks or a Wastewater Works required to be operated by a Class C operator with a population of five hundred (500) or less.~~

"Small drinking water system" means a waterworks with a population of five hundred (500) or less that meets the definition of a PWS.

"Small wastewater system" means a nonindustrial wastewater treatment system which has an average flow of five thousand (5,000) gallons per day or less.

~~"Source water" means the type (surface water, groundwater, groundwater under the influence of surface water, purchased water), quality (variability) and/or protection (e.g. wellhead protection).~~

~~"Standard course" means a DEQ approved training class or classes that directly relate to waterworks, wastewater works, waterworks laboratories or wastewater works laboratories and that meet the requirements of OAC 252:710-3-36 for content and clock hours, completed in preparation for an Operator Certification examination for initial certification.~~

"**Superintendent**" means an operator in direct responsible charge of day to day operations of an entire plant, distribution system or collection system.

~~"Supervision" means the act of supervising and or giving direction. "Direct" supervision requires a certified operator to be present one hundred percent (100%) of the time while supervising an uncertified person. "General" supervision means that the certified operator must be available to help the certified person and give advice, but the person can work alone.~~

"**Supervisor**" means an individual who directs and inspects the work of operators, helpers or plumbers/contractors.

"Temporary operator" means a person holding a temporary certification who may perform the duties of a certified operator under the general supervision of an appropriately certified operator.

"**Treatment facility complexity**" means difficulty in controlling water quality, potential effect to the consumer and/or safety of the operator.

"Validated examination" means an examination that is independently reviewed by subject matter experts to ensure that the examination is based on a job analysis and related to the classification of the system or facility.

"Wastewater treatment works" means wastewater treatment systems and facilities used in the collection, transmission, storage, pumping, treatment or disposal of liquid or waterborne wastes.

"**Water treatment facility**" means any place(s) where a community water system or nontransient noncommunity water system alters the physical or chemical characteristics of the drinking water. Chlorination may be considered as a function of a distribution system.

~~"Validated exam" means an examination that is independently reviewed by subject matter experts to ensure that the exam is based on a job analysis and related to the classification of the system or facility.~~

## **252:710-1-5. Application requirements**

(a) **Generally Application and fee.** The application must be submitted to the DEQ with a nonrefundable ~~\$40.00~~ \$62.00 fee at least ~~three weeks~~ twenty-one (21) days before the first day of class for class associated examination or at least twenty-one (21) days before the non-class associated examination date requested. The application must be clearly written and signed by the applicant. Before an applicant may take the ~~exam~~ examination, he must fulfill all certification requirements listed in Appendix B.

(b) **Required documentation.** An applicant must submit the following documents with an application for certification:

- (1) Evidence of age;
- (2) Proof of current, valid license or certificate from another state or territory where the requirements for licensure or certification are equivalent to the rules of this Chapter, if applicable; ~~and~~
- (3) Confirmation of experience and required training, including but not limited to official academic transcripts, letters of verification from employers, and/or a record of attendance at seminars; ~~and~~
- (4) Signed and notarized affidavit regarding citizenship.

(c) **DEQ review.** The DEQ will not approve an application unless the applicant has complied with this section.

(d) **Forfeit.** If an applicant has not taken the ~~exam~~ examination within 120 days after submitting an application, ~~he forfeit~~ the applicant forfeits the ~~\$40.00~~ \$62.00 nonrefundable fee and must reapply.

#### **252:710-1-6. Validated ~~exam~~ examinations**

(a) An applicant shall take and pass an ~~exam~~ examination that demonstrates that the operator has the necessary skills, knowledge, ability and judgment as appropriate for the classification. The applicant must answer at least seventy percent (70%) of the questions correctly on the ~~exam~~ examination. An applicant who does not ~~do so may not take the exam again for thirty (30) days unless he has taken additional training.~~ receive a passing grade on the examination must wait a minimum of thirty (30) days to retake the examination.

(b) Validated ~~exams~~ examinations shall be administered by the DEQ or its designee at such times and places as necessary.

(c) ~~exams~~ Examinations, answer sheets and test scores are confidential and shall not be disclosed to any person except the applicant. Proper identification may be required.

(d) An applicant ~~found cheating~~ determined to have cheated on an ~~exam~~ examination shall be deemed to have failed the ~~exam~~ examination and shall be prohibited from applying for certification for a period of twelve (12) months.

(e) DEQ may give oral examinations to Distribution and Collection Technicians who are unable to take a written examination.

#### **252:710-1-7. Renewals**

(a) **Individual responsibility Renewal procedure.** ~~Each person is~~ All certificate holders are responsible for renewing or reactivating ~~his~~ their certification by the annual renewal date. Failure to receive a renewal invoice does not extend the renewal deadline. The renewal

application notification shall be completed and submitted to the DEQ with the renewal invoice and all applicable fees by 4:30 p.m. on or before June 30. If any date specified in this section falls on a weekend or holiday, the date of the following working day shall be the effective date.

(b) **Failure to renew.** A person who has failed to renew a certification may apply for reactivation within 2 years of expiration, in accordance with 59 O.S. § 1107(E) and 252:710-1-8.

(c) **Continuing education. Professional development training.** ~~Four (4) hours of approved training per certificate year is required for certification renewal, reactivation or reinstatement. Experience may not be substituted for required training. In order to renew a certificate, the certificate holder must complete the required amount of approved training hours per certificate year, as provided in Appendix C of this Chapter.~~

(d) **Exception.** A person who submits all documentation required by 252:710-1-5 and passes the exam examination as required by 252:710-1-6 between April 1 and ~~June 30~~ May 31 shall not be required to renew the newly obtained certification until June of the next calendar year.

(e) **Nonresidents.** A nonresident who holds an Oklahoma certification may renew by paying applicable fees and providing evidence of ~~four (4) hours of training per certificate year.~~ completion of the required number of professional development hours per certificate year as provided in Appendix C of this Chapter. Experience shall not be substituted for required training.

(f) **Renewal training Professional development course instructors.** Any person teaching a ~~renewal training professional development course must:~~

- (1) ~~submit an outline of the training materials~~ a written class request, along with a syllabus and agenda to the DEQ for review and approval at least thirty (30) forty-two (42) days prior to the class being held;
- (2) ~~provide at least 4 cumulative hours of classroom instruction teaching time in the class room, not including breaks, with renewal students per course; and~~
- (3) ~~submit an attendance roll sheet~~ a record of attendance to the DEQ within ten (10) days after the renewal training session was held. training was provided.

### **252:710-1-8. Reinstatement Suspension, Revocation, and Reinstatement**

(a) **Suspension.** ~~A suspended certificate may be reinstated by the DEQ upon proper application, payment of all back fees and a satisfactory demonstration that all reinstatement requirements of the DEQ have been met. A person holding a suspended certificate may work as a helper under the supervision of a person certified by the DEQ. DEQ may suspend a certificate if proper professional development training is not achieved in accordance with 252:710-1-7 or fees are not paid in accordance with 252:710-1-12.~~

(b) **Revocation.** ~~Any person whose certification has been revoked by the DEQ must wait one year from the date of revocation before filing an application for any new certificate. DEQ may revoke, deny, or refuse to renew certification for gross inefficiency, incompetence, fraud, or misrepresentation.~~

(c) **Reactivation Reinstatement.** ~~Any person whose certification has expired for a period exceeding two years must re-apply in accordance with 252:710-1-5 and take a validated exam in accordance with 252:710-1-6. Previous experience and training will be taken into consideration under 252:710-1-5. A certificate that has been either suspended or revoked may be reinstated by DEQ under the following conditions:~~



- (1) **General reinstatement requirements.** To satisfy reinstatement requirements after having a certificate revoked or suspended, a person must:
  - (A) Re-apply for certification in accordance with 252:710-1-5.
  - (B) Satisfy the professional development training requirements in accordance with 252:710-1-7(f).
  - (C) Take the certification examination at a level not to exceed the prior level and score 70% or higher to pass the examination. An applicant who fails to receive a %70 or higher on the examination may not repeat the examination for one (1) year.
  - (D) Pay all applicable reinstatement fees in accordance with 252:710-1-1.
- (2) **Suspension reinstatement.** A suspended certificate may be reinstated by the DEQ upon proper application, payment of all back fees and a satisfactory demonstration that all above referenced general reinstatement requirements have been met. A person holding a suspended certificate may work as a registered helper under the direct supervision of a person certified by the DEQ.
- (3) **Revocation reinstatement.** Any person whose certification has been revoked by the DEQ must wait one year from the date of revocation before filing an application for any new certificate or registration, and must show a satisfactory demonstration that all above referenced general reinstatement requirements have been met.
- (d) **Reinstatement requirements.** To satisfy reinstatement requirements, a person must:
  - (1) ~~satisfy again the training requirements in accordance with the requirements of this Chapter; and~~
  - (2) ~~take again the certification examination at a level not to exceed the prior level and score 70% or higher to pass the examination. An applicant who fails to receive a passing grade on the examination may not repeat the examination for one (1) year.~~
- (d) **Reactivation of expired certification.** A person may apply for reactivation of an expired certificate within two years of expiration by demonstrating that all professional development training requirements have been met in accordance with 252:710-1-7(f) and paying all applicable renewal fees in accordance with 252:710-1-12.

#### **252:710-1-9. Certificate issuance prohibited**

The DEQ shall not issue a certification if the applicant:

- (1) is not in compliance with the Act, the Code, or rules of the DEQ;
- (2) holds a revoked or suspended certification from a different operator level;
- (3) ~~was found cheating~~ determined to have cheated on an operator certification exam examination; or
- (4) misrepresented or omitted material facts on an application within the past year.

#### **252:710-1-10. Certification documentation**

The DEQ will provide a wall certificate upon initial certification.

#### **252:710-1-11. Identification credentials**

The DEQ will provide identification credentials upon initial certification, classification change and/or renewals.

**252:710-1-12. Certification ~~f~~Fee schedules**

(a) **Operators of waterworks or wastewater works.** Certification, renewal, and registration fees for operators of waterworks or wastewater works are:

- ~~(1) Application fee for certification—beginning July 1, 2008, \$51.00; beginning July 1, 2009, \$62.00.~~
- ~~(2) Certification renewal fee—beginning July 1, 2008, \$38.00; beginning July 1, 2009, \$46.00.~~
- ~~(3) Registration fee for helpers (per helper)—beginning July 1, 2008, \$19.00; beginning July 1, 2009, \$23.00.~~
- ~~(4) Renewal registration fee for helpers (per helper)—beginning July 1, 2008, \$19.00; beginning July 1, 2009, \$23.00.~~
- ~~(5) Reinstatement penalty—beginning July 1, 2008, \$6.50; beginning July 1, 2009, \$8.00 per month for each month certification is expired.~~
- ~~(6) Late payment of application fee—beginning July 1, 2008, \$6.50; beginning July 1, 2009, \$8.00 per month for each month the application fee is not received after a 120 30 day grace period from the date of the examination. After 180 days without payment of the application fee, the applicant must reapply and pass the validated exam. The beginning July 1, 2008, \$6.50; beginning July 1, 2009, \$8.00 per month late fee will apply to all previously delinquent application fees 180 days after the effective date of this subsection.~~
- (1) \$62.00 per certification application;
- (2) \$46.00 per certification renewal;
- (3) \$23.00 per registered helper certificate ;
- (4) \$23.00 per registered helper certificate renewal;
- (5) \$8.00 reinstatement fee per certification per month expired; and
- (6) \$8.00 late payment of application fee per month not received after date of certification examination, following a grace period of 30 days after examination.

(b) **Operators of laboratories owned by or associated with waterworks or wastewater works.** Certification fees for operators of laboratories owned by or associated with waterworks or wastewater works are:

- ~~(1) Application fee for certification—beginning July 1, 2008, \$51.00; beginning July 1, 2009, \$62.00.~~
- ~~(2) Certification renewal fee—beginning July 1, 2008, \$38.00; beginning July 1, 2009, \$46.00.~~
- ~~(3) Reinstatement penalty—beginning July 1, 2008, \$6.50; beginning July 1, 2009, \$8.00 per month per license for each month certification is expired.~~
- ~~(4) Late payment of application fee—beginning July 1, 2008, \$6.50; beginning July 1, 2009, \$8.00 per month for each month the application fee is not received after a 120 30 day grace period from the date of the examination. After 180 days without payment of the application fee, the applicant must reapply and pass the validated exam. The beginning July 1, 2008,~~

~~\$6.50; beginning July 1, 2009, \$8.00 per month late fee will apply to all previously delinquent fees 180 days after the effective date of this subsection.~~

(1) \$62.00 per certification application;

(2) \$46.00 per certification renewal;

(3) \$8.00 reinstatement penalty per certification per month expired; and

(4) \$8.00 late payment of application penalty per month not received after date of certification examination, following a grace period of 30 days after examination.

(c) **Failure to pay timely.** If application fee and late fees as described in (a) and (b) above are not received within 180 days of date of certification examination the results of examination are nullified and the applicant must reapply to sit for certification examination.

(e)(d) **Nonrefundable.** Fees charged under this section are not refundable.

(d)(e) **Nontransferable.** Fees may not be transferred from one applicant to another.

(e)(f) **Automatic fee adjustment.** To assist in meeting rising costs to the Department of the operator certification program associated with licensing and enforcement of certified operators, the fees set out in paragraphs (a) and (b) above shall be automatically adjusted on July 1<sup>st</sup> every five years to correspond to the percentage, if any, by which the Consumer Price Index (CPI) for the most recent calendar year exceeds the CPI for the calendar year immediately preceding the start of that five-year time period. The Department may round the adjusted fees up to the nearest dollar. The Department may waive collection of an automatic increase in a given year if it determines other revenues, including appropriated state general revenue funds, have increased sufficiently to make the funds generated by the automatic adjustment unnecessary in that year. A waiver does not affect future automatic adjustments.

(1) Any automatic fee adjustment under this subsection may be averted or eliminated, or the adjustment percentage may be modified, by rule promulgated pursuant to the Oklahoma Administrative Procedures Act. The rulemaking process may be initiated in any manner provided by law, including a petition for rulemaking pursuant to 75 O.S. § 305 and OAC 252:4-5-3 by any person affected by the automatic fee adjustment.

(2) If the United States Department of Labor ceases to publish the CPI or revises the methodology or base years, no further automatic fee adjustments shall occur until a new automatic fee adjustment rule is promulgated pursuant to the Oklahoma Administrative Procedures Act.

(3) For purposes of this subsection, "Consumer Price Index" or "CPI" means the Consumer Price Index - All Urban Consumers (U.S. All Items, Current Series, 1982-1984=100, CUUR0000SA0) published by the United States Department of Labor. The CPI for a calendar year is the figure denoted by the Department of Labor as the "Annual" index figure for that calendar year.

## SUBCHAPTER 3. CERTIFICATION

### Section

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- 252:710-3-35. Requirements for certification
- 252:710-3-36. Approved equivalents for waterworks/wastewater works operators
- 252:710-3-37. Approved instructor
- 252:710-3-38. Reciprocity ~~[REVOKED]~~

### **252:710-3-31. Certificate required**

(a) **General requirement.** The following shall hold certifications issued under the Act and this Chapter:

- (1) All persons who make decisions regarding the daily operational activities of:
  - (A) a public water system, water treatment facility and/or distribution system that will directly impact the quality and/or quantity of drinking water, including a nontransient noncommunity water system; or
  - (B) a wastewater system, wastewater treatment facility and/or collection system.
- (2) All persons who program or maintain telemetry/SCADA systems and also make process control/system integrity decisions.
- (3) All laboratory operators who are in general supervision of waterworks/wastewater works laboratory control tests.

(b) **Exceptions.** The following exceptions apply:

(1) **Plumbers and contractors.** Plumbers licensed by the ~~Oklahoma State Department of Health~~ Construction Industries Board and contractors working under the general supervision of such plumbers are not required to obtain certification for construction, maintenance, or renovation of water/wastewater works systems. Such plumbers may also make connections to public water systems or lines or sewer systems or lines. All work performed shall be supervised and inspected by the responsible entity to ensure compliance with the Safe Drinking Water Act, OAC 252:626; and OAC 252:656 and 27A O.S. § 2-6-101 *et seq.*

(2) **Noncommunity and minor systems.** Noncommunity or minor systems ~~as defined in Chapter 634~~ are not required to have certified operators.

(3) **Small public sewage systems.** ~~Public sewage systems as defined in 27A O.S. § 2-6-101(12)~~ Nonindustrial wastewater treatment works which have an average flow of five thousand (5,000) gallons per day or less are not required to have certified operators.

(4) **Populations of 1,500 or less.** ~~Certification is not required for~~ For laboratory operators of distribution/collection systems or chlorinated groundwater systems serving populations of 1,500 or less where chlorination is used only for disinfection or total retention lagoons serving populations of less than 1,500-, laboratory operator certification is not required. If the DEQ determines that additional tests which must be performed by a certified laboratory

operator are necessary, the laboratory operator must obtain the applicable certification or use the services of an associated laboratory.

### **252:710-3-32. Types of certifications.**

~~(a) **Class A — C** Class A, B, and C operator certifications are available for:~~

- ~~(1) Waterworks Operator;~~
- ~~(2) Wastewater Works Operator;~~
- ~~(3) Waterworks Laboratory Operator; and~~
- ~~(4) Wastewater Works Laboratory Operator;~~

~~(b) **Class C** Class C certification is available for Distribution and Collection Operator;~~

~~(c) **Class D** Class D certifications are available for:~~

- ~~(1) Waterworks Operator;~~
- ~~(2) Wastewater Works Operator; and~~
- ~~(3) Distribution and Collection Technician.~~

~~(d) **Technician.** The DEQ may give oral exams to Distribution and Collection Technicians who are unable to take written exams.~~

~~(a) **Waterworks/Wastewater Works Operator.** Class A, B, C, and D available.~~

~~(b) **Waterworks/Wastewater Works Laboratory Operator.** Class A, B, and C available.~~

~~(c) **Distribution and Collection Operator.** Class C available.~~

~~(d) **Distribution and Collection Technician.** Class T available.~~

~~(e) **Temporary.** A person age eighteen (18) or older who does not hold a valid certification may shall apply for temporary certification as a waterworks or wastewater works operator within ten (10) days after being hired or appointed. A temporary certification is valid for one year from the date of employment and is not renewable. Certification testing fees may be waived for temporary certification holders who have made application for certification within 180 days of the date of issuance of temporary certification. A testing fee may only be waived one time for each applicant for temporary certification. Temporary certification is available only to operators required to obtain a Class D certificate but who, because of time restrictions, have been unable to meet the training requirements. DEQ may issue temporary certification where a person not already having a valid certification has applied for certification classes and paid the applicable fees, but has not applied for temporary certification. Temporary certification is not available to superintendents, assistant superintendents, supervisors, or managers of superintendents who make decisions regarding the daily operational activities of water/wastewater works.~~

~~(f) **Special Certification for DEQ Employees.** The DEQ may issue a special certificate for Class A-D and Distribution and Collection Technician certification for operators to a DEQ employee provided the employee completes the required DEQ approved training or satisfies the DEQ approved equivalent for training, and the employee successfully passes the applicable examination. Any special certificate issued to a DEQ employee shall be invalid upon the termination of the employment with DEQ.~~

### **252:710-3-33. Classes of facilities**

Waterworks and wastewater works facilities are categorized into classes in Appendix A based on treatment facility complexity and distribution/ collection system complexity.

### **252:710-3-34. Classes of certifications**

(a) **Generally. Appropriate Categorization.** Owners shall place the direct supervision of their water/wastewater system or laboratory, including each treatment facility and/or distribution/collection system, under the responsible charge of a manager/superintendent/operator(s) holding a valid certification equal to or greater than the classification of the water/wastewater system or laboratory. Waterworks and wastewater works operator certification is categorized into classes based on experience and training, as specified in Appendix B. Any facility subject to these rules shall be operated under the direct supervision of an appropriately certified operator in responsible charge.

(b) **Operator(s) in responsible charge.** The manager/superintendent/operator(s) in responsible charge ~~or equivalent~~ must hold a valid certification equal to or ~~greater~~ higher than the classification of ~~their~~ the water/wastewater system being operated, including each treatment facility and/or distribution/collection system.

(c) **Assistant superintendents or assistant supervisors.** Assistant superintendents, assistant supervisors, shift leaders ~~or~~ and all other supervisors shall be certified at the same class as or one class ~~less~~ lower than the facility for which they are responsible.

(d) **Others.** All other persons who make decisions regarding the daily operational activities of

- (1) ~~a public water system, water treatment facility and/or distribution system that will directly impact the quality and/or quantity of drinking water;~~
- (2) ~~a wastewater system, wastewater treatment facility and/or collection system; or~~
- (3) ~~program or maintain telemetry/SCADA systems and also make process control/system integrity decisions, including assistant superintendents or supervisors,~~

a waterworks or wastewater works facility, including decisions directly impacting the quality and/or quantity of drinking water, programming or maintaining telemetry/SCADA systems, and process control or system integrity decisions, shall be certified at the same class as or one class less lower than the facility for which they are responsible.

### **252:710-3-35. Requirements for certification**

(a) **Education.** Applicants for certification as a Class A - D waterworks/wastewater works operator shall have a high school diploma or a general equivalency diploma. Experience and/or training may be substituted.

(b) **Experience and training.** Applicants shall comply with the experience and training requirements in Appendix B.

**(c) Examinations.** Applicants shall pass the appropriate validated examination in accordance with 252:710-1-6.

### **252:710-3-36. Approved equivalents for waterworks/wastewater works operators**

(a) **Experience.** One year of operational ~~engineering~~ assistance to water or wastewater facilities ~~and in addition to~~ an undergraduate degree in biological sciences, biology, engineering, physical

science, hydrology, geology, mathematics, environmental science, chemistry, microbiology, toxicology, or civil, chemical, sanitary or environmental engineering or equivalent sciences may be substituted for 5 years of experience. However, this approved equivalent does not count towards the hands-on operational experience required to obtain Class A or B certifications.

(b) **Training.** For initial certification of waterworks/wastewater works operators, applicants for any operator certification may substitute the following for the training requirements listed in Appendix B:

(1) **Academic credit.** ~~One Successful completion of one~~ (1) semester hour of higher education courses in biological sciences, biology, engineering, physical science, hydrology, geology, mathematics, environmental science, chemistry, microbiology, toxicology, or civil, chemical, sanitary or environmental engineering or equivalent sciences may substitute the training requirement of for sixteen (16) hours in the classroom;

(2) **Presenter credit.** ~~One hour DEQ-approved training course or workshop for four (4) hours training credit;~~ A presenter of a DEQ-approved training course may substitute four (4) hours training credit per one (1) hour of presentation.

(3) **Publication credit.** Publication of one **peer-reviewed** technical article related to water or wastewater in journals or magazines generally accepted in the field may be substituted for ten (10) hours training credit; and

(4) **Continuing education credit.** One continuing education unit may be substituted for ten (10) hours in the classroom.

#### **252:710-3-37. Approved instructor.**

The DEQ may establish special requirements for instructors of approved training courses.

(1) **Standard course.** To be an instructor of a standard course for certification of any type, a person must have a current operator's license in the State of Oklahoma and at least a C Certification in the subject to be taught ~~and have, as well as~~ one of the following:

(A) ~~have made~~ score at least 80% on the ~~exam~~ examination for the standard course to be taught; or

(B) ~~have made~~ score at least 80% on ~~exams~~ examinations at a higher type of certification than the course taught. ~~Persons who were approved instructors before the effective date of this Chapter are not required to comply with this subsection for the level of instruction approved.~~ To change approved instructor status to a higher level, compliance with this subsection is required.

(2) **Exemption.** ~~A person who is approved as an instructor before July 1, 2002 pursuant to (1)(B) above, must take the appropriate exam before December 31, 2004 and meet or exceed the scores listed in (1)(A) or (1)(B) of this section.~~

(3) **Fees.** For any certified operator, retaking an exam examination at a class certification level already obtained, for the purposes of becoming an approved instructor, the application fee is waived for the initial time to take the exam examination. For any subsequent exams examinations, the certified operator shall pay the application fee.

(4) **Exam-Examination Failure.** An applicant who fails to answer at least 80% of the questions correctly may not take the exam examination again for thirty (30) days.

~~(5)~~ **(4) Exam-Examination Review.** No instructor will be allowed to review the exam during the six-month period prior to taking the ~~exam-examination~~.

~~(6)~~ **(5) Instruction.** At least four (4) hours of documented instruction must be completed each certificate year to maintain approved instructor status. Each person must retake the ~~exam-examination~~ at least once every four (4) years and obtain a score of 80% or above to retain certification as an approved instructor.

~~(7)~~ **(6) Renewal Professional development training class.** The ~~teaching by an instructor of a renewal training class provided by the instructor shall be deemed as compliance~~ comply with the continuing education requirement located at 252:710-1-7(c) for the certificate year the class is taught.

**252:710-3-38. Reciprocity ~~[REVOKED]~~ [NEW]**

**(a) Reciprocity permitted.** DEQ may issue an operator's certificate, at an equivalent level of certification, without examination, to applicants who hold valid certificates or licenses issued by any state which offers reciprocal certification to Oklahoma operators. However, the other state's program must have equivalent requirements for certification.

**(b) Application required.** To obtain a reciprocal certificate in Oklahoma, a person must complete and submit an application.

**(c) Persons obtaining a reciprocal certificate remain responsible for renewal.** Any person granted reciprocity in Oklahoma will be subject to the same requirements for renewal as any other person certified under these rules.



## SUBCHAPTER 5. DUTIES AND RESPONSIBILITIES

### Section

252:710-5-51. Waterworks operator  
252:710-5-52. Wastewater works operator  
252:710-5-53. Laboratory operator  
252:710-5-54. Temporary operator  
252:710-5-55. Helpers  
252:710-5-56. Individual recordkeeping  
252:710-5-57. Responsibility of owners  
252:710-5-58. Distribution and collection operator  
252:710-5-59. Distribution and collection technician

### **252:710-5-51. Waterworks operator**

- (a) A certified waterworks operator may perform all duties relating to the operation and maintenance of water treatment plants, groundwater systems, and storage and distribution systems, including purchased-water systems and nontransient, noncommunity systems.
- (b) Laboratory work must be performed under the general supervision of a properly certified laboratory operator.
- (c) A designated certified operator shall be available for each operating shift.

### **252:710-5-52. Wastewater works operator**

- (a) A certified wastewater works operator may perform all duties relating to the operation and maintenance of wastewater treatment plants, lagoon systems and collection systems.
- (b) Laboratory work must be performed under the general supervision of a properly certified laboratory operator.
- (c) A designated certified operator shall be available for each operating shift.

### **252:710-5-53. Laboratory operator**

- (a) Except as provided in 252:710-3-31(b)(4), All duties relating to the laboratory analysis of water quality samples from water treatment plants, groundwater systems, storage and distribution systems (including purchased-water systems) must be performed by or under the general supervision of a laboratory operator certified by the DEQ.
- (b) Operators of laboratories owned by or associated with waterworks/wastewater works shall record the results of all laboratory analyses in a bound volume for each facility and shall date and sign each entry. Records shall be kept on file at the laboratory for inspection and review for ten (10) years for waterworks and three (3) years for wastewater works.
- (c) Laboratory operator certification is not required for waterworks or wastewater works laboratory operators performing the minimum analyses required by rules of the Department for purchased water systems, groundwater systems using no treatment other than chlorination for disinfection, or for total retention lagoon facilities unless the Department has determined that additional laboratory tests, required to be performed by a certified laboratory operator, are necessary for proper operation.

**252:710-5-54. Temporary operator**

A person holding a temporary certification may perform the duties of a certified operator under the general supervision of an appropriately certified operator.

**252:710-5-55. Registered Helpers**

An employer shall submit the name and address of each registered helper on a registration application when each registered helper is employed and thereafter by July 1 of each succeeding year the registered helper is in his employment. Registered helpers may only perform duties under direct supervision.

**252:710-5-56. Individual recordkeeping**

Each person is responsible for keeping ~~his~~ their own records of training and experience.

**252:710-5-57. Responsibility of owners**

(a) Owners of waterworks or wastewater works shall:

- (1) upon request, furnish the DEQ with the names, addresses and positions of all employees;
- (2) advise the DEQ in writing within ten (10) days when an operator begins or terminates employment;
- (3) furnish the necessary equipment and materials for adequate maintenance and operation of the treatment plant, laboratory and supporting facilities;
- (4) give operators a reasonable opportunity to obtain the necessary hours of training for required certification upgrades and renewals; and
- (5) within ten (10) days after contracting with an associated laboratory for the analysis of its water quality samples, notify the DEQ in writing about whether:
  - (A) the laboratory is currently certified by the DEQ; and
  - (B) the laboratory will only be performing operational testing.

**252:710-5-58. Distribution and collection operator**

A person holding certification as a distribution and collection operator may perform all duties relating to the operation and maintenance of storage and distribution systems, including purchased-water systems and nontransient, noncommunity systems. A person holding certification as a distribution and collection operator may also perform all duties relating to the operation and maintenance of total retention lagoon systems and collections systems.

**252:710-5-59. Distribution and collection technician**

A person holding certification as a distribution and collection technician may perform all duties relating to the operation and maintenance of storage and distribution systems, including purchased-water systems and nontransient, noncommunity systems. A person holding certification as a distribution and collection technician may also perform all duties relating to the operation and maintenance of total retention lagoon systems and collection systems. All the duties must be performed under the general supervision of an appropriately certified operator.

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## SUBCHAPTER 7. SHARED OPERATORS FOR SMALL SYSTEMS

### Section

252:710-7-1. Purpose

252:710-7-2. Requirements

#### **252:710-7-1. Purpose**

The purpose of this subchapter is to implement the requirements set forth in 59 O.S. § 1118.

#### **252:710-7-2. Requirements**

A municipality, sewer improvement district, water or sewer public trust, rural water or sewer district, consortium of small publicly owned water supply or wastewater systems, substate planning district or the Oklahoma Rural Water Association may hire or contract an operator or operators to provide services for one or more small drinking water or wastewater system(s) if the following requirements are met:

- (1) the operator has a minimum of a Class C or greater certification;
- (2) the operator only provides services to a facility located in the county of his or her residence or place of employment and/or any adjacent county;
- ~~(2)(3)~~ for a Public Water Supply System using disinfection, the operator must be at the Public Water Supply System a minimum of five (5) days per week to ensure proper operation, and can only operate three (3) systems;
- ~~(3)(4)~~ for a Public Water Supply System not using disinfection or a wastewater system, the operator must be at the Public Water Supply or wastewater system a minimum of two (2) days per week to ensure proper operation, and can only operate five (5) systems total;
- ~~(4)(5)~~ the operator(s) must operate the small system(s) in compliance with all Federal and State statutory and regulatory requirements; and
- ~~(5)(6)~~ the operator, municipality, sewer improvement district, water or sewer public trust, rural water or sewer district, consortium of small publicly owned water supply or wastewater systems, substate planning district or the Oklahoma Rural Water Association and the small system must enter into a written agreement, that at a minimum shall:
  - (A) explicitly state the duties of the operator;
  - (B) explicitly state who is responsible for repairs to the Public Water Supply or wastewater system;
  - (C) explicitly state compensation for the operator, including, but not limited to, salary, transportation, insurance and administration costs; and
  - (D) consider and approve recommendations of the operator for upgrades and/or improvements to the system.
- ~~(6) an operator shall only provide services to a facility located in the county of his or her residence or place of employment and any adjacent county.~~

**APPENDIX A. CLASSIFICATION OF COMMUNITY AND NON-TRANSIENT,  
NON-COMMUNITY WATER SYSTEMS, WASTEWATER SYSTEMS  
AND LABORATORIES**

<b>Required Classification for Operator</b>	<b>Laboratories</b>	<b>Waterworks</b>	<b>Wastewater Works</b>
Class A	Required for supervision of laboratories using gas chromatography, mass spectrometry and atomic absorption or similar instrumentation plus requirements for Class B and C.	Required for: (1) Water treatment plants, distribution systems, or chlorinated ground water systems serving populations greater than 50,000; or (2) All water treatment plants classified as an "A" facility by complexity by DEQ.	Required for: (1) Wastewater works and/or collection systems serving populations greater than 50,000; or (2) All wastewater works classified as an "A" facility by complexity by DEQ.
Class B	Required for supervision of bacteriological testing plus requirements for Class C.	Required for: (1) Water treatment plants, distribution systems or chlorinated groundwater systems serving populations greater than 15,000 and up to and including 50,000; or (2) All water treatment plants classified as a "B" facility by complexity by DEQ.	Required for: (1) Wastewater works and/or collection systems serving populations greater than 15,000 and up to and including 50,000; or (2) All wastewater works classified as a "B" facility by complexity by DEQ.
Class C	Required for supervision of process control testing for: (1) Wastewater: BOD, TSS, pH, Residual Chlorine, COD, DO, Ammonia, Oil and Grease; and/or (2) Water: pH, Residual Chlorine, Turbidity, Alkalinity, Hardness, Stability and Fluoride	Required for: (1) Water treatment plants, distribution systems, and chlorinated or nonchlorinated groundwater systems serving populations greater than 1,500 and up to and including 15,000; (2) Surface water treatment plants serving a population of 15,000 or less; (3) Groundwater systems utilizing any form of chemical treatment other than chlorination for disinfection only; or (4) Water treatment plants classified as a "C" facility by complexity by the DEQ.	Required for: (1) Wastewater works and/or collection system facilities serving populations greater than 1,500 and up to and including 15,000; (2) Discharging wastewater facilities serving 15,000 or less; or (3) Wastewater works classified as a "C" facility by complexity by DEQ.

Class D	N/A	Required for distribution systems or chlorinated groundwater systems serving populations of 1,500 or less.	Required for total retention lagoons and/or collection systems serving populations of 1,500 or less.
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**APPENDIX B. CERTIFICATE REQUIREMENTS (252:710-3-35) [REVOKED]**

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## APPENDIX B. CERTIFICATE REQUIREMENTS (252:710-3-35) [NEW]

**Table 1. WATERWORKS AND WASTEWATER WORKS CLASSIFICATIONS AND REQUIREMENTS (252:710-3-35)**

<b>Classification</b>	<b>Experience<sup>1</sup></b>	<b>Training<sup>2</sup></b>
<b>Class A Waterworks or Wastewater Works Operator Certification</b>	Five years of waterworks or wastewater works operation including two years of actual hands on operating experience.	200 hours of DEQ approved training, including at least 40 hours of advanced treatment and managerial training or its approved equivalent. <sup>3</sup>
<b>Class B Waterworks or Wastewater Works Operator Certification</b>	Three years of waterworks or wastewater works operation including one year actual hands on operating experience.	100 hours of DEQ approved training or its approved equivalent.
<b>Class C Waterworks or Wastewater Works Operator Certification</b>	One year of waterworks or wastewater works operation.	36 hours of DEQ approved training or its equivalent.
<b>Class C Distribution and Collection Operator Certification</b>	One year of distribution/collection operation.	36 hours of DEQ approved training or its approved equivalent.
<b>Class D Waterworks or Wastewater Works Certification</b>	None	16 hours of DEQ approved training.
<b>Class T Distribution and Collection Technician Certification</b>	None	8 hours of DEQ approved training
<b>Temporary Operator Certification</b>	None	None
	None	None

<sup>1</sup> Experience that is used to meet the experience requirement for any class of certification may not be used to meet the education or training requirements.

<sup>2</sup> Training credit will be granted only for courses or workshops listed as approved by the DEQ or for courses, workshops, or alternative activities which have been approved in writing by the DEQ in advance.

<sup>3</sup> Approved equivalents are listed in 252:710-3-36

Registered Helper <sup>4</sup>		
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**Table 2. WATERWORKS OR WASTEWATER WORKS LABORATORY OPERATORS  
CERTIFICATE REQUIREMENTS (252:710-3-35)**

<b>Classification</b>	<b>Experience<sup>2</sup></b>	<b>Training<sup>3</sup></b>
<b>Class A Waterworks or Wastewater Works Laboratory Operator Certification</b>	<p>One year of waterworks or wastewater works laboratory operation; or</p> <p>Three years of waterworks or wastewater works laboratory operation; or</p> <p>Five years of waterworks or wastewater works laboratory operation</p>	<p>32 hours of DEQ approved Class B training and a Bachelor of Science Degree in chemistry, microbiology, instrumental analysis or other field of science approved by the DEQ; or</p> <p>32 hours of DEQ approved Class B training and an Associate's Degree in chemistry, microbiology, instrumental analysis, or other field of science approved by the DEQ; or</p> <p>32 hours of DEQ approved Class B training</p>
<b>Class B Waterworks or Wastewater Works Laboratory Operator Certification</b>	<p>Six months of waterworks or wastewater works laboratory operation</p>	<p>32 hours of DEQ approved Class B training and 32 hours of DEQ approved Class C training. An Associate's Degree or greater in chemistry, biology, engineering, physical science, hydrology, geology, mathematics, environmental science, microbiology, toxicology, or civil, chemical, sanitary or environmental engineering may be substituted for the 32 hours of DEQ approved Class C training</p>

<sup>4</sup> This classification is not considered a Certification and time worked under this classification does not count towards experience for purpose of acquiring certification.

<sup>2</sup> Experience that is used to meet the experience requirement for any class of certification may not be used to meet the education or training requirements.

<sup>3</sup> Training credit will be granted only for courses or workshops listed as approved by the DEQ or for courses, workshops, or alternative activities which have been approved in writing by the DEQ in advance.



<b>Class C Waterworks or Wastewater Works Laboratory Operator Certification</b>	None	32 hours of DEQ approved Class C training
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**APPENDIX C. NUMBER OF PROFESSIONAL DEVELOPMENT HOURS (PDHs)  
NEEDED PER CERTIFICATE LEVEL FOR OPERATORS AND LABORATORY  
OPERATORS. [NEW]**

<b>Level of Certification</b>	<b>Total number of PDHs (hrs/yr)</b>	<b>Classroom PDHs (hrs/yr)</b>	<b>PDHs from any DEQ approved trainings (hrs/yr) <sup>1</sup></b>
<b>Class A</b>	16	4 - must be classroom training	12
<b>Class B</b>	12	4 - must be classroom training	8
<b>Class C</b>	8	4 - must be classroom training	4
<b>Class C Distribution and Collection</b>	8	4 - must be classroom training	4
<b>Class D</b>	4	4 - must be classroom training	0
<b>Class T Distribution and Collection Technician</b>	4	4 - must be classroom training	0
<b>Temporary Operator</b>	N/A	N/A	N/A
<b>Registered Helper</b>	N/A	N/A	N/A

<sup>1</sup> See 252:710-1-4 for definition of PDH.