

Rulemaking Hearing Rules

Department of Environment and Conservation

Office of Environmental Assistance

Fleming Training Center

Chapter 1200-5-3

Rules Governing Water and Wastewater Operator Certification

Amendments

Part 3 of subparagraph (b) of paragraph (1) of rule 1200-5-3-.01, Application For Certificate, is amended by deleting the language of the part and replacing it with the following so that, as amended, part 3 shall read:

- 3. A copy of any verifying document in support of an application must be submitted with the application unless the applicant has previously provided such documentation to the Secretary of the Board. This includes, but is not limited to, proof of high school education or equivalent of the applicant. College transcripts, if needed to document experience credit, must be submitted directly from the college and/or university to the Secretary to the Board. Credit for enrollment in special training courses and programs will only be granted to an applicant upon verification that he/she satisfactorily completed all course or program requirements. If training credit is requested, a copy of a course attendance card, a class roster, or a certificate of completion must be submitted to the Secretary. Verification of work experience must be provided in a written document signed by a certified operator of a similar or higher classification, familiar with the applicant's work experience. However, if no such person is available, it may be documented by a person in authority with the system. The Board may exempt applicants from the verification of work experience requirement where there are unusual circumstances.

Authority: T.C.A. §§ 4-5-101 et seq., 4-5-202, 68-221-906, and 68-221-910.

Paragraph (3) of rule 1200-5-3-.06, Classification of Water Treatment Plants and Water Distribution Systems, is amended by deleting the language of the paragraph and replacing it with the following so that, as amended, paragraph (3) shall read as follows:

- (3) Types of Water Systems:
  - (a) Water Treatment. A water treatment plant using filtration, iron removal, and/or lime-soda softening processes or requiring chemical or bacteriological control of operation will be classified in accordance with the following point totals:
    - Grade IV ..... 61 or more points
    - Grade III ..... 35 to 60 points
    - Grade II ..... 16 to 34 points
    - Grade I ..... 15 or less points

Point totals for plant classification shall be computed in accordance with the following rating value criteria:

Rating Value  
Points

Design Flow - For every one million gallons per day design capacity, or fraction thereof, a plant will be awarded a rating value of:..... 1 pt.

Water Supply Source - Based upon the type and quality of the raw water source, a plant will be awarded rating values of:

- Groundwater ..... 3 pts.
- Ground water under the direct influence of surface water 5 pts.
- Surface water..... 5 pts.
- Average raw water quality ..... 0-10 pts.\*

Treatment Process - A plant employing any of the following treatment processes will be awarded rating values of:

- Aeration ..... 4 pts.
- Presetting ..... 2 pts.
- Flash mix ..... 2 pts.
- Coagulation ..... 6 pts.
- Flocculation ..... 5 pts.
- Settling ..... 5 pts.
- Upflow Solids Contact..... 8 pts.
- Lime softening..... 5 pts.
- Gravity Filtration
  - slow sand..... 2 pts.
  - rapid ..... 6 pts.
- Pressure Filtration ..... 3 pts.
- Recarbonation ..... 3 pts.
- Membrane Filtration ..... 20 pts.
- Activated alumina ..... 10 pts.
- Ion Exchange ..... 5 pts.

Chemical Treatment - A plant utilizing any of the following chemicals or chemical treatment processes will be awarded rating values of:

- Fluoridation ..... 3 pts.
- Disinfection
  - Gaseous chlorine ..... 5 pts.
  - Liquid or powdered chlorine ..... 3 pts.
  - Chlorine dioxide ..... 7 pts.
  - Ozonization (on-site generation)..... 10 pts.
  - On-site generation of Chlorine ..... 5 pts.
  - Mixed Oxidants ..... 7 pts.
  - UV Light..... 3 pts.

Taste and Odor Control

- Peroxide ..... 3 pts.
- Potassium Permanganate..... 2 pts.
- Powdered activated carbon..... 4 pts.
- Activated carbon columns ..... 6 pts.
- Activated carbon slurry ..... 8 pts.

Chemical Stabilization

- (polyphosphate, Soda Ash, etc.)..... 4 pts.

Laboratory Control by Plant Personnel - Based upon the type and the difficulty of the laboratory work performed at a plant, a plant will be awarded rating values of:

- Bacteriological ..... 0-10 pts.\*
- Chemical ..... 0-10 pts.\*

Total Points    \*\*

\* See Table 1

\*\* If a rating value points total would not accurately reflect special conditions at a plant and a material distortion in its rating would occur, the Board will establish the classification of the plant after a review of its special conditions.

Table 1

\*Average Raw Water Quality - Points are assigned to a plant as follows:

- Raw water quality varies enough to require treatment process changes less than thirty-six days each calendar year ..... 2 pts.
- Raw water quality varies enough to require treatment process changes thirty-six days or more each calendar year ..... 5 pts.
- Raw water quality varies enough to require treatment process changes due to existing industrial waste pollution sources ..... 10 pts.

\*Laboratory Control by Plant Personnel (Bacteriological) - Points are assigned in accordance with the type of laboratory control performed at the plant:

- Lab work done outside of plant ..... 0 pts.
- Enzyme Substrate Method ..... 4 pts.
- Membrane filter procedure. .... 5 pts.
- Fermentation tubes or any dilution method. .... 7 pts.
- Biological identification. .... 10 pts.

\*Laboratory Control by Plant Personnel (Chemical) - Points are assigned in accordance with the type of laboratory control performed at the plant:

- Lab work done outside the plant. .... 0 pts.
- Colorimetric methods for simple tests such as chlorine, pH.    3 pts.
- Procedures such as titration, jar tests. .... 5 pts.
- More advanced determinations including inorganics. 7 pts.
- Highly sophisticated instrumentation such as atomic absorption and gas chromatography. .... 10 pts.

- (b) Grade I Distribution. This classification is for a water distribution system that serves at least fifty service connections but no more than five thousand service connections. This classification serves as a certificate to operate a small water system.
- (c) Grade II Distribution. This classification is for a water distribution system that serves more than five thousand service connections. This classification serves as a certificate to operate a small water system.

- (d) Small Water Systems. This classification includes all water systems which have a ground water source not under the direct influence of surface water and serve less than fifty (50) service connections, provided the system does not use any treatment other than disinfection, and those systems which purchase water for resale and serve less than fifty (50) service connections. This classification serves as a distribution system certification for those systems meeting the definition of a small water system.

Authority: T.C.A. §§ 4-5-101 et seq., 4-5-202, 68-221-906, and 68-221-907.

Paragraph (8) of rule 1200-5-3-.11, Revocation of Certificate, is amended by deleting the language of the paragraph and replacing it with the following so that, as amended, paragraph (8) shall read as follows:

- (8) An operator whose certificate is revoked for failure to use reasonable care, judgment or the application of operator knowledge in performing the operator's duties or for incompetency shall be ineligible to again apply for certification as an operator for a minimum of one year. An operator whose certificate is revoked for practicing fraud or deception, willfully violating regulations or permit conditions, or falsifying records and reports shall be ineligible to again apply for certification as an operator for a minimum of five years. When an operator whose certificate has been revoked has applied for a certificate after the minimum time has passed, the Board shall determine whether the operator has taken appropriate action to address the circumstances that were the cause of the revocation. The Board may request records and review his/her experience, education, training and past performance. The Board may request the former operator's presence at a meeting of the Board and interview him/her to assess the potential of future violations. After the reviews, the Board shall decide to accept or refuse the application.

Authority: T.C.A. §§ 4-5-101 et seq., 4-5-202, 68-221-906, 68-221-910, 68-221-911, and 68-221-915.

Rule 1200-5-3-.13, Effective Date, is amended by deleting it in its entirety.

The rulemaking hearing rules set out herein were properly filed in the Department of State On the and will become effective on the 22nd day of May, 2007. (FS 03-08-07, DBID 2450)