

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

Subchapter 1. General Provisions

252:710-1-8 [AMENDED]

252:710-1-9 [AMENDED]

Subchapter 3. Certification

252:710-3-37 [AMENDED]

Subchapter 5. Duties and Responsibilities

252:710-5-53 [AMENDED]

SUBCHAPTER 1. GENERAL PROVISIONS

252:710-1-8. Operator disciplinary actions

(a) **Grounds for action.** DEQ may, after notice and opportunity for an individual proceeding, permanently revoke, revoke for a set time, or suspend a certification for good cause including, but not limited to:

- (1) Gross inefficiency or incompetence,
- (2) Violation of any provisions of the Waterworks and Wastewater Works Operator Certification Act or applicable provisions of the Oklahoma Environmental Quality Code, rules promulgated thereunder or the terms of any certificate or order issued pursuant thereto; or,
- (3) Fraud or misrepresentation in obtaining a certificate

(b) **Suspension.** A suspended certification may be reinstated by DEQ upon application and payment of all fees. In order to be reinstated, the person making application:

- (1) must satisfy all training requirements in accordance with this Chapter;
- (2) may be required by DEQ to retake the certification examination, at a level not to exceed the prior level of certification, and score at least a 70%, and;
- (3) who fails to receive a passing grade on the re-examination may be required to wait one year before taking the examination again. A person holding a suspended certification may work as a helper under the supervision of a person certified by DEQ.

(c) **Revocation.** After the expiration of ~~one year after DEQ revokes~~ any revocation of a certification pursuant to the Waterworks and Wastewater Works Operator Certification Act that is not a permanent revocation, the holder of such certificate may make application to DEQ for reinstatement. Such reinstatement shall be made at the discretion of DEQ. In order to be considered for reinstatement, the person making application must:

- (1) satisfy all training requirements in accordance with this Chapter, and;
score at least a 70% on the certification examination at a level not to exceed the prior level of certification.

252:710-1-9. Certificate issuance prohibited

DEQ shall not issue a certification if the applicant:

- (1) is not in compliance with the Act, the Code, or rules of DEQ;
- (2) holds a revoked or suspended certification from a different operator level;
- (3) was determined to have cheated on an operator certification examination; ~~or~~

- (4) had any certification permanently revoked; or
~~(4)~~ (5) misrepresented or omitted material facts on an application within the past year.

SUBCHAPTER 3. CERTIFICATION

252:710-3-37. Approved instructor-

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, as well as one of the following:

(A) score at least 80% on the examination and at least an 80% on a subsequent DEQ-proctored examination for the standard course to be taught; or

(B) score at least 80% on the standard examinations at a higher type of certification than the course taught and at least an 80% on a subsequent DEQ-proctored examination for a level type of certification higher than the course taught. To change approved instructor status to a higher level, compliance with this subsection is required.

(2) **Fees.** For any certified operator, retaking an 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 examination. For any subsequent examinations, the certified operator shall pay the application fee.

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

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

(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 examination at least once every four (4) years and obtain a score of 80% or above to retain certification as an approved instructor.

(6) **Professional development training class.** The training class provided by the instructor shall comply with the continuing education requirement found at 252:710-1-7(c) for the certificate year the class is taught.

SUBCHAPTER 5. DUTIES AND RESPONSIBILITIES

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 for each entry at each facility in a bound volume for each facility and shall date and sign each entry, database, or other software application. 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. Each database or other software application used in lieu of a bound volume shall be protected by some form of electronic authorization. All entries shall be date and time stamped and include an audit trail.

(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.