

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 06 WATERWORKS AND WASTE SYSTEMS OPERATORS

Chapter 01 General Regulations

Authority: Environment Article, Title 12, Annotated Code of Maryland

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Board" means the State Board of Waterworks and Waste Systems Operators.

(2) "Categorical industrial users" means industrial users subject to pollutant discharge limits promulgated by the Environmental Protection Agency in accordance with §307 of the Clean Water Act that regulates process wastewater.

(3) Certificate.

(a) "Certificate" means a certificate of certification as an operator or superintendent, issued by the Board.

(b) "Certificate" includes:

- (i) An operator certificate, as limited by Regulation .06C of this chapter;
- (ii) A superintendent certificate, as limited by Regulation .06F of this chapter;
- (iii) A temporary certificate, as limited by Regulation .06B of this chapter;
- (iv) A grandparented certificate, as limited by Regulation .06D of this chapter; and
- (v) A certification renewal card.

(4) "Certified operator" means an operator who has a current operator certificate issued by the Board.

(5) "Certified superintendent" means a superintendent who has a current superintendent certificate issued by the Board.

(6) "Department" means the Department of the Environment.

(7) "Direction" means supervision provided by:

- (a) A certified operator located on-site;
- (b) A set of site-specific standard operating procedures approved by the Maryland Department of the Environment with a certified operator available on call; or
- (c) Direct on-site control.

(8) "Industrial wastewater works" means a facility used to collect, store, pump, treat, or discharge any waste substance that results from:

- (a) A manufacturing process;
- (b) A business process; or
- (c) The development of natural resources.

(9) Operator.

(a) "Operator" means an individual who participates in the operation of:

- (i) A waterworks, including the control of the flow, processing, or distribution of water;
- (ii) A wastewater works, including the collection, control of flow, processing, or discharge of wastewater and effluent; or
- (iii) An industrial wastewater works, including collection, control of flow, processing, or discharge of industrial wastewater and effluent.

(b) "Operator" does not include a superintendent.

(10) "Operator-in-training" means an individual who has not satisfied the experience, education, and examination requirements that are necessary to receive Operator certification from the Board, and holds a temporary certificate from the Board.

(11) Package Activated Sludge Plant.

(a) "Package activated sludge plant" means a wastewater treatment plant that is determined by the Department to have the following characteristics:

(i) Employs an activated sludge process;

(ii) Its major components are prefabricated at the factory and transported to the site; and

(iii) It is designed with an emphasis on automated operation to minimize on-site supervision required.

(b) Package activated sludge plants shall be designated by the Department on a case-by-case basis.

(12) "Pretreatment plant" means an industrial wastewater works discharging to a wastewater works.

(13) "Responsible charge" means responsibility for the operation and supervision of all or any part of a waterworks, wastewater works, or industrial wastewater works.

(14) "Secretary" means the Secretary of the Environment.

(15) "Significant industrial users" means:

(a) All categorical industrial users subject to categorical pretreatment standards;

(b) Noncategorical industrial users with 25,000 gallons per day or more discharge of process wastewater to the publicly owned wastewater treatment plant;

(c) Noncategorical industrial users which make up 5 percent or more of the dry weather hydraulic or organic capacity of the publicly owned wastewater treatment plant; or

(d) Any industrial user with a reasonable potential to adversely affect the operation of a publicly owned wastewater treatment plant or violating any pretreatment standard or requirement.

(16) "Superintendent" means an individual who is designated by any employing or appointing person, county, municipality, sanitary district, or this State as the individual in responsible charge of a waterworks, wastewater works, or industrial wastewater works.

(17) "Training, Review, and Evaluation Committee" means the committee that is established by the Board to receive, review, and evaluate each application for training approval.

(18) "Wastewater collection system" means that portion of a wastewater works that collects, stores, or pumps any liquid or waterborne waste.

(19) "Wastewater treatment plant" means that portion of a wastewater works that receives, treats, and discharges any liquid or waterborne waste.

(20) Wastewater Works.

(a) "Wastewater works" means a facility used to collect, store, pump, treat, or discharge any liquid or waterborne waste.

(b) "Wastewater works" does not include:

(i) A facility that is used only by a private residence;

(ii) A facility that uses a septic tank or subsoil absorption; or

(iii) An industrial wastewater works.

(21) "Water distribution system" means that portion of the waterworks that receives, stores, pumps, and distributes water for human consumption.

(22) "Water treatment plant" means that portion of the waterworks that collects and treats water for human consumption.

(23) "Waterworks" means a facility used to collect, store, pump, treat, or distribute water for human consumption. "Waterworks" does not include a facility that is used only by a private residence.

(24) "Works" means a specific waterworks, wastewater works, or industrial wastewater works.

.02 Board Organization.

A. Function. The Board, in accordance with these regulations, shall:

- (1) Review and approve all applications for certification and certification renewal;
- (2) Interview applicants for certification in specific cases, when referred by the secretary of the Board;
- (3) Prepare and give examinations to qualified applicants for certification;
- (4) Hear appeals concerning certification requirements;
- (5) Determine the subject, scope, form, and passing score for examinations;
- (6) Investigate all reports of fraud or deception in the obtaining or use of a certificate issued by the Board;
- (7) Investigate all reports of unsatisfactory performance in the operation or supervision of a waterworks, wastewater works, or industrial wastewater works;
- (8) Take disciplinary action, including the reprimand of a certificate holder or suspension or revocation of a certificate; and
- (9) Recommend regulations for promulgation by the Secretary.

B. Meetings. The Board shall meet at least annually, at the times and places that it determines.

C. Communication with the Board. All communications with the Board shall be directed to the secretary of the Board of Waterworks and Waste Systems Operators, 1800 Washington Boulevard, Baltimore, Maryland 21230.

D. Payment of Fee. All fees shall be directed to the Maryland Department of the Environment, Board of Waterworks and Waste Systems Operators, as specified by the Board.

.03 Classification of Facilities.

A. Industrial Wastewater Works.

(1) Industrial wastewater works are classified into the seven classes set out in Table 1 of Regulation .16 of this chapter.

(2) Unless the Department determines that a reasonable potential exists to adversely affect the quality of the receiving body of water or the environment, the following categories are not industrial wastewater works as defined in Environment Article, §12-101(h), Annotated Code of Maryland:

- (a) Petroleum storage and distribution facilities;
- (b) Seafood processors;
- (c) Vehicle washing facilities;
- (d) Vehicle maintenance facilities;
- (e) Sand and gravel facilities;
- (f) Stone quarries;
- (g) Industries dechlorinating supply water as their only treatment;
- (h) Industries discharging only stormwater runoff; and
- (i) Industries performing tank or pipe hydrostatic testing.

(3) The Department may require classification of any individual works within the categories identified under §A(2)(a)—(i) of this regulation.

(4) Classification of the pretreatment plants will be required only for significant industrial users.

B. Wastewater Treatment Plants. Wastewater treatment plants are classified into the eight classes set out in Table 2 of Regulation .16 of this chapter.

C. Wastewater Collection Systems.

(1) Wastewater collection systems are classified into the following two classes:

- (a) Class 1—Wastewater collection systems with gravity flow;
- (b) Class 2—Wastewater collection systems with gravity and pumped or vacuum flow.

(2) A wastewater collection system is not classified as a separate entity if it is under the operation and supervision of certified wastewater treatment plant personnel.

D. Water Treatment Plants. Water treatment plants are classified into the six classes set out in Table 3 of Regulation .16 of this chapter.

E. Water Distribution Systems.

(1) Water distribution systems are classified as one class, Water Distribution (WD).

(2) A water distribution system is not classified as a separate entity if it is under the operation and supervision of certified water treatment plant personnel.

.04 Classification, Authority, and Requirements of Operators and Superintendents.

A. Industrial Wastewater Works Operators and Superintendents.

(1) The classification of industrial wastewater works operators and superintendents is determined by the classification of industrial wastewater works.

(2) Classification, authority, and certification requirements of the industrial wastewater works operators and superintendents are set out in Table 4 of Regulation .16 of this chapter.

B. Wastewater Treatment Plant Operators and Superintendents.

(1) The classification of wastewater treatment plant operators and superintendents is determined by the classification of wastewater treatment plants.

(2) Classification, authority, and requirements of the wastewater treatment plant operators and superintendents are set out in Table 5 of Regulation .16 of this chapter.

C. Wastewater Collection Systems Operators and Superintendents.

(1) The classification of wastewater collection systems operators and superintendents is determined by the classification of the wastewater collection systems.

(2) Classification, authority, and requirements of the wastewater collection systems operators and superintendents are set out in Table 6 of Regulation .16 of this chapter.

D. Water Treatment Plant Operators and Superintendents.

(1) The classification of water treatment plant operators and superintendents is determined by the classification of water treatment plants.

(2) Classification, authority, and requirements of the water treatment plant operators and superintendents are set out in Table 7 of Regulation .16 of this chapter.

E. Water Distribution Systems Operators and Superintendents.

(1) Water distribution systems operators and superintendents are classified under one class, Water Distribution (WD).

(2) Minimum education and experience requirements for water distribution systems operators and superintendents are:

(a) Successful completion of high school or high school equivalency; and

(b) One year experience in water distribution.

.05 Certification.

A. General.

(1) An individual may not practice as an operator or superintendent in a works unless that individual has been certified by the Board in the appropriate classification.

(2) Unless the Department determines that a reasonable potential exists to adversely affect the quality of the receiving body of water or the environment, operators or superintendents working in the following categories need not be certified under this regulation:

- (a) Petroleum storage and distribution facilities;
- (b) Seafood processors;
- (c) Vehicle washing facilities;
- (d) Vehicle maintenance facilities;
- (e) Sand and gravel facilities;
- (f) Stone quarries;
- (g) Industries dechlorinating supply water as their only treatment;
- (h) Industries discharging only stormwater runoff; and
- (i) Industries performing tank or pipe hydrostatic testing.

(3) The Department may require certification of operators and superintendents working in the industrial wastewater works of any individual facility within the categories identified under §A(2)(a)—(i) of this regulation.

(4) Certification of operators and superintendents working in pretreatment plants may be required only for those plants that are significant industrial users.

B. Individuals Who Shall Have an Operator or Grandparented Certificate.

(1) Wastewater Treatment Plant and Water Treatment Plant. Individuals who are responsible for one or more of the following tasks shall be certified as water treatment plant or wastewater treatment plant operators:

- (a) Makes decisions regarding the control of flow, and processing of raw and treated drinking water, wastewater, or sludge, or makes the adjustments that control flow or processing of raw or treated drinking water, wastewater, or sludge;
- (b) Observes variations in operating conditions, and interprets meter and gauge readings and test results to determine processing requirements for treatment of drinking water, wastewater, or sludge; or
- (c) In the absence of the superintendent or operator in responsible charge, makes operating decisions based on the superintendent's or operator in responsible charge's directives or on standard operating procedures.

(2) Wastewater Collection System and Water Distribution System. Individuals who are responsible for one or more of the following tasks shall be certified as wastewater collection system or water distribution system operators:

- (a) Determines remedial action in emergencies;
- (b) In the absence of the superintendent or operator in responsible charge, makes operating decisions based on the superintendent's or operator in responsible charge's directives or on standard operating procedures; or
- (c) Makes the adjustments that control flow of treated drinking water or wastewater, unless directed by an operator in responsible charge or superintendent who is available on-site when the adjustment is made.

(3) Industrial Wastewater Works and Pretreatment Plants. An individual who is responsible for one or both of the following tasks shall be certified as an industrial wastewater works operator:

(a) Makes decisions on operation procedures;

(b) Trains and directs employees to maintain equipment operating procedures.

C. Individuals Who Shall Have a Superintendent Certificate. Individuals appointed to the following positions by an employing or appointing person, county, municipality, sanitary district, or this State shall be certified as superintendents:

(1) Superintendent of the works; or

(2) Assistant superintendent of the works.

D. Employment of Certified Personnel. A person, county, municipality, sanitary district, or this State may not operate a works unless all operators and superintendents as provided in this regulation are certified by the Board.

.06 Types of Certificates and Certification Requirements.

A. The Board shall issue a certificate only for a class of works at which the applicant is employed or is awaiting specific employment. If the applicant is not employed or awaiting specific employment in the class of works under review, the Board may not issue a certificate.

B. Temporary Certificates and Certification.

(1) The Board shall issue a temporary certificate to an applicant who:

(a) Is employed by a waterworks, wastewater works, or industrial wastewater works in Maryland, and is awaiting specific assignment to duties in the job functions defined in Regulation .05 of this chapter;

(b) Applies for certification; and

(c) Pays a certification fee in accordance with Regulation .07 of this chapter.

(2) The temporary certificate holder shall work only under the direction of a holder of a superintendent or operator certificate.

(3) The Board may not issue a temporary certificate to an applicant if the certificate applied for would replace a temporary certificate that could be renewed.

(4) A temporary certificate holder will be identified as an Operator-in-Training.

C. Operator Certificates and Certification.

(1) The Board shall issue an operator certificate to an applicant who:

(a) Is employed or is awaiting specific employment, in the job functions defined in Regulation .05B of this chapter, at a waterworks, wastewater works, or industrial wastewater works that is regulated under Environment Article, Annotated Code of Maryland;

(b) Meets the education and experience requirements established in Regulations .04 and .16 of this chapter;

(c) Passes an appropriate examination given by the Board; and

(d) Pays a certification fee in accordance with Regulation .07 of this chapter.

(2) Experience as an operator in Maryland that was obtained in the certification class for which operator certification has been requested is fully creditable toward the experience requirements established in Regulations .04 and .16 of this chapter if the experience:

(a) Was obtained under a valid certificate from the Board; or

(b) Occurred before March 29, 1991.

(3) The following experience may be credited toward the experience requirements established in Regulations .04 and .16 of this chapter, as determined by the Board:

(a) Experience as an operator in Maryland that was obtained in a certification class other than the one for which operator certification has been requested, if the experience:

(i) Was obtained under a valid certificate from the Board, or

(ii) Occurred before March 29, 1991;

(b) Experience as an operator that was obtained in another state, in the armed forces of the United States, or at other federal facilities; or

(c) Related experience that was not as an operator.

(4) The approval by the Board of experience credit under §C(3)(b) or (c) of this regulation is based upon the following information in writing from the applicant:

- (a) A description of the unit processes for which the applicant seeks experience credit;
- (b) A description of the applicant's specific job duties for which the applicant seeks experience credit; and
- (c) Verification from the applicant's present employer or previous employer, or both, of the information provided in §C(4)(a) and (b) of this regulation.

(5) The approval of experience credit under 16(3)(a)(i) of this regulation for a person who holds multiple certificates will be determined by the Board. The following information will be considered:

- (a) Experience as a water, wastewater, or industrial wastewater operator that is earned under a valid certificate may be credited hour-for-hour toward the experience requirement for an operator certificate;
- (b) Whether the applicant has passed the appropriate examination for the certification that is under review; and
- (c) Whether a minimum of 1,800 hours or 1 year of experience was earned in the highest class of each certificate category for which a temporary certificate is held.

(6) The minimum experience requirements for operator certification for individuals whose applications for temporary or operator certification were received by the Board before the effective date of this regulation shall be:

- (a) For wastewater collection class 1, 1 year or 1,800 hours, whichever occurs first;
 - (b) For wastewater collection class 2 and industrial class 6, 2 years or 3,600 hours, whichever occurs first;
 - (c) For industrial class 5, wastewater classes 4, 5, S, and A, and water class 4, 3 years or 5,400 hours, whichever occurs first;
- and
- (d) For all other classes, the requirements set forth in Regulation .16 of this chapter.

(7) Except as provided in §C(3)(a)—(c) of this regulation, the minimum requirements for operator certification shall be as set forth in Regulations .04 and .16 of this chapter.

(8) As set forth in Tables 4, 5, and 7 of Regulation .16 of this chapter, the holder of a valid operator certificate may be authorized to operate more than one class of works or system.

D. Grandparented Certificates and Certification.

- (1) The Board shall issue a grandparented certificate to any applicant who:
 - (a) Meets the education and experience requirements in accordance with Regulation .04 of this chapter;
 - (b) Is employed as an operator in the waterworks for a public water system:
 - (i) As defined in COMAR 26.04.01; and
 - (ii) Not covered by this chapter before February 5, 2001, as determined by the Approving Authority;
 - (c) Applies for certification; and
 - (d) Pays a certification fee in accordance with Regulation .07 of this chapter.

(2) A grandparented certificate shall be site-specific, and expire immediately upon termination of employment at the waterworks identified in the certificate.

(3) If the classification of the plant or distribution system changes to a higher level, the grandparented certificate is no longer valid.

- (4) All grandparented certificates shall be applied for by February 5, 2003.

E. Superintendent Certificates and Certification.

- (1) The Board shall issue a superintendent certificate for a specific works to an applicant who:

(a) Has a valid operator certificate from the Board for the classification in which the applicant is employed as set out in Regulations .04 and .16 this chapter;

(b) Meets the education requirements set out in Regulations .04 and .16 of this chapter;

(c) Meets the experience requirements set out in Regulations .04 and .16 of this chapter and §E(2) of this regulation;

(d) Is appointed by the employing or appointing person, county, municipality, sanitary district, or this State; and

(e) Pays a certification fee in accordance with Regulation .07 of this chapter.

(2) The following experience may be credited toward the experience requirements for superintendent certification:

(a) Experience gained with an operator certificate from the Board in the class of facility for which superintendent certification has been requested; and

(b) Other experience as determined by the Board, including:

(i) Experience in responsible charge of a facility as defined in Regulation .01B(12) of this chapter, and

(ii) Other management experience acceptable to the Board.

(3) Requests for crediting of experience under §E(2)(b) of this regulation shall include:

(a) A written description of the applicant's specific job duties and responsibilities; and

(b) Written verification from the applicant's present employer or previous employer, or both, of the information provided in §E(3)(a) of this regulation.

F. Education Substituted for Experience.

(1) Education may be substituted for a portion of the experience requirements set out in Regulations .04 and .16 of this chapter.

(2) The following are eligible for education substitution:

(a) College course work in science or engineering at the rate of 30 semester credit hours of course work for a year of experience; and

(b) Other job-related courses or training as determined by the Board.

(3) The substitution of education for experience is limited as follows:

(a) Only education completed beyond the minimum educational requirements specified in Regulations .04 and .16 of this chapter may be substituted for experience;

(b) The substitution of college course work in science or engineering for experience is specified in Regulation .16 of this chapter;

(c) The substitution of education for experience may not exceed a total of 1 year; and

(d) Each request to substitute education for experience shall be supported by an official transcript sent directly to the Board from the applicant's college or university, or by other documentation acceptable to the Board.

G. Experience Substituted for Education. When applicable, experience may be substituted for the education requirements set out in Regulations .04 and .16 of this chapter. Substitution of experience for education shall be limited as follows:

(1) One year of experience may be substituted for 1 year of college;

(2) One year of experience beyond the minimum experience requirement may be substituted for education.

H. Certificate. Each certificate shall:

(1) Indicate the classification the operator or temporary certificate holder is authorized to operate as set out in Tables 4—7 of Regulation .16 of this chapter;

- (2) Indicate the works that the superintendent certificate holder is authorized to superintend;
- (3) Indicate the certification number and the date of issuance;
- (4) Bear the seal of the Board; and
- (5) In the case of superintendent and operator certificates, be signed by the chairman and the secretary of the Board.

.07 Payment of Fees.

A. Payment of all fees under this chapter shall be made payable to the "Board of Waterworks and Waste Systems Operators".

B. Payment of fees shall accompany the completed application form for examination, or certificate issuance or renewal.

C. All fees are nonrefundable.

D. Except as provided in §F of this regulation, the following fees are established by the Board for items and services provided under this chapter:

Types of Certificates (Currency unit - U.S. dollars)

Service	Operator	Temporary	Superintendent	Grandparented
Examination fee	\$50	N/A	N/A	N/A
Fee to retake an exam	\$100	\$100	N/A	N/A
Reciprocity	\$150	N/A	N/A	N/A
Late Renewal Fee (in addition to standard renewal fees)	\$100	\$100	\$100	\$100
Reinstatement Fee (in addition to standard renewal fees)	\$150	N/A	N/A	N/A
Replace certificate	\$25	\$25	\$25	\$25
Replace renewal card	\$15	\$15	\$15	\$15
Fee for initial certification	\$50	\$50	\$50	N/A
Name/address change	No charge for any name/address change			

E. The renewal fee paid by an individual shall be based upon the types and categories of certificates held by that individual. The renewal fee for a 3-year period shall be \$50 per certification category and type.

Types of Certificates (Currency unit - U.S. dollars)

Certification Categories	Operator	Temporary	Superintendent	Grandparented
Wastewater	\$50	\$50	\$50	N/A
Water treatment	\$50	\$50	\$50	\$50
Industrial wastewater	\$50	\$50	\$50	N/A
Wastewater collection	\$50	\$50	\$50	N/A
Water distribution	\$50	\$50	\$50	\$50

F. The maximum fee for the renewal of all certificates held by an individual shall be \$100 if the certificates are renewed at the same time. This does not include any late renewal fees, reinstatement fee, computer-based examination fees charged by the testing facility, or examination fees that may be applicable. The maximum late renewal fee assessed for an operator with multiple certificates shall be \$100.

G. Applicants who are utilizing the services of computer-based examination sites shall:

- (1) Pay the examination fee to the Board that is specified in §D of this regulation; and
- (2) Pay the site-specific fee that is required by the approved examination location.

.08 Duration of All Certificates.

A. Except as provided in §B of this regulation, superintendent, operator, temporary, and grandparented certificates are valid for 3 years from the date of issuance.

B. The initial superintendent certificate issued to an individual in any category is valid for 1 year and shall be renewed by the Board for 3 years once the certificate holder has satisfactorily completed the superintendent certification training program approved by the Board.

C. A certificate is invalid after the expiration date of the current certificate if not renewed in accordance with the requirements of Regulation .12 of this chapter.

D. A certificate holder may request to consolidate multiple certificate renewal dates if all renewal requirements for the certificates have been met. Certificates may be valid for less than 3 years in this event.

.09 Application Procedures.

A. An application to the Board for certification or examination shall be:

- (1) Addressed to the secretary of the Board of Waterworks and Waste Systems Operators;
- (2) Made on forms provided by the Board;
- (3) Completed fully and signed by the applicant; and
- (4) Accompanied by the fee specified by Regulation .07 of this chapter.

B. In addition to satisfying the requirements of §A of this regulation, each application for certification shall be:

- (1) Attested by the employing or appointing authority of the works where the applicant is employed; and
- (2) Accompanied by verification that the applicant meets the education and experience requirements set forth in Regulations .04 and .16 of this chapter.

C. In addition to satisfying the requirements of §A of this regulation, each application for examination shall be postmarked, or delivered to the Board, at least 21 days before the examination for which application is made.

.10 Examination for Certification.

A. The Board shall permit an applicant to take the examination for certification only after the Board has determined that the applicant has:

- (1) Any type of valid certification as set forth in Regulation .06 of this chapter; or
- (2) Submitted an application to renew a temporary certificate late.

B. Scope of Examinations. Examinations shall be based on the need-to-know criteria for each specific classification determined by the Board.

C. Passing Score for Examinations. The passing score for examinations is a minimum of 69.5 percent.

D. Schedule and Frequency of Examinations. Examinations shall be held at least twice yearly. Exact dates, times, and locations of the examinations shall be set by the Board.

E. Notification. Each applicant approved for an examination by the Board shall be:

- (1) Notified in writing at least 14 days before the examination of the time and place of the examination; and
- (2) Required to show some form of positive identification before taking the examination.

F. If the exam is passed, a certificate may not be issued until all requirements are met as set out in Regulations .06 and .09 of this chapter.

.11 Reciprocity.

A. General. The Board may grant operator certification to out-of-State applicants without examination, if the applicant:

(1) Submits an application that provides evidence of educational and experience qualifications which satisfies Regulations .04 and .16 of this chapter;

(2) Possesses a valid certificate from the Association of Boards of Certification, or from another state which administers examinations that are substantially equivalent to the examinations in Maryland;

(3) Is employed or awaiting specific employment pending certification in Maryland;

(4) Pays an application fee as specified in Regulation .07 of this chapter; and

(5) Upon approval of the application for reciprocity, pays a certification fee as specified by Regulation .07 of this chapter.

B. Procedure.

(1) Operators. Applicants for operator certification by reciprocity shall submit information in writing on forms provided by the Board. The application shall be verified by the present employer in Maryland and accompanied by proof of requirements set out in Regulations .04 and .16 of this chapter.

(2) Superintendents. Superintendent certification may not be granted by way of reciprocity. Upon certification as an operator by reciprocity, persons shall follow superintendent certification requirements set out in these regulations.

.12 Requirements for Renewal of All Certificates.

A. Except as provided in Regulation .08 of this chapter, the Board shall renew an operator, grandparented, or superintendent certificate if the certificate holder:

- (1) Meets the applicable training requirements set out in Regulation .13 of this chapter;
- (2) Pays a renewal fee in accordance with Regulation .07 of this chapter;
- (3) Submits the application for renewal and payment of the renewal fee to the Board before the current certificate expires; and
- (4) Meets the applicable training requirements set out in Regulation .13 of this chapter;

B. Temporary Certificate.

(1) The Board may renew a temporary certificate if the certificate holder:

- (a) Complies with §A of this regulation; and
- (b) Has taken an examination for operator certification during the 3-year period which ends with the expiration date of the certificate.

(2) The examination taken under §B(1)(b) of this regulation shall have been for the classification of works for which renewal has been requested.

C. Late Renewal Procedures.

(1) Holders of expired operator, grandparented, or superintendent certificates shall:

- (a) Meet the requirements of §A(1) of this regulation;
- (b) Pay the renewal fee and a late renewal fee to the Board in accordance with Regulation .07 of this chapter not later than 90 days after the expiration date of the certificate; and
- (c) Submit to the Board a completed application and the fees due.

(2) Holders of expired temporary certificates shall submit a completed application to the Board which includes:

- (a) The renewal fee and the late renewal fee in accordance with Regulation .07 of this chapter; and
- (b) Verification that since the certificate was issued or last renewed, the applicant has:
 - (i) Taken the Board-approved examination for the same certification class that is being renewed; and
 - (ii) Met the applicable training requirements set out in Regulation .13 of this chapter.

(3) Those who fail to comply with §C(1) of this regulation may:

- (a) Apply to the Board for reinstatement in accordance with §D of this regulation; or
- (b) Comply with Regulations .09 and .10 of this chapter.

D. Reinstatement.

(1) Limitations.

(a) A request for reinstatement shall be submitted to the Board within 2 years after the expiration date of the operator certificate that is to be reinstated.

(b) Temporary, grandparented, and superintendent certificates may not be reinstated.

(c) The Board may not grant a request for reinstatement that is received after the 2-year period following the expiration of the operator certificate. The operator shall apply for a temporary certificate, and complete the requirements for operator certification in accordance with Regulation .06C of this chapter.

(2) To qualify for reinstatement of an expired operator certificate, an individual shall:

(a) Submit a written request for reinstatement on a form provided by the Board;

(b) Provide evidence that the individual has satisfied the training requirements in Regulation .13 of this chapter for the last renewal period covered by the expired certificate, and has completed additional training in accordance with §D(3) of this regulation; and

(c) Pay a reinstatement fee in accordance with Regulation .07 of this chapter.

(3) The additional training that must be completed before submitting a request for reinstatement shall be:

(a) For reinstatement up to 1 year following the expiration date of the operator certificate, 1/3 of the training units specified by Table 8 in Regulation .16 of this chapter for the class of operator certificate that is to be reinstated;

(b) For reinstatement from 1 to 2 years following the expiration date of the operator's certificate, 2/3 of the training units specified by Table 8 in Regulation .16 of this chapter for the class of operator certificate that is to be reinstated.

.13 Training.

A. Training Requirements for Certification Renewal. In order to be eligible for certification renewal, operators and superintendents shall demonstrate completion of the training requirements set out in Table 8 of Regulation .16 of this chapter.

B. Except as provided in §C of this regulation, training used to renew a certificate under Regulation .12 of this chapter shall be completed during the 3-year period that precedes the expiration date of the certificate.

C. Training used to renew a certificate late may be taken either during the 3-year period that preceded the expiration date of the certificate or during the late renewal period.

D. Training Approval. The Board, in conjunction with the Department and based on a review of the recommendations of the Training, Review, and Evaluation Committee, if applicable, will approve courses for purposes of satisfying the training requirements in §A, based on the following factors:

- (1) Course objectives;
- (2) Course outline;
- (3) Training material;
- (4) Instructor credentials; and
- (5) Student evaluation methods and criteria.

E. Type of Training. Any of the following types of training may be approved:

- (1) Academic courses;
- (2) On-the-job training;
- (3) Home-study courses;
- (4) Laboratory practice;
- (5) Technical part of operator or superintendent meetings; and
- (6) Providing instructions.

F. Assignment of Units for Approved Training.

(1) The Board in conjunction with the Department will assign one training unit to approved training courses for each hour of instruction.

(2) Instructors shall earn units at the rate of 1.5 times for each hour of instruction given.

G. Training Used for Certification Renewal.

(1) Training that is to be used to satisfy the requirements for certificate renewal must have been approved by the Board for the class of certificate that is to be renewed.

(2) A certificate holder may not use the units from an approved training course more than once per renewal period to satisfy the requirements for certification renewal.

(3) If the Board has approved a training course for both operators and superintendents, a certificate holder may apply the units from that course toward the renewal of either an operator or a superintendent certificate renewal, but not both.

(4) Process related training means a class or training event where at least 50 percent of the material presented concerns the processes listed in Tables 1, 2, and 3 of Regulation .16 of this chapter.

H. The Board may direct operators or superintendents to participate in specific training as determined necessary.

.14 Reconsideration.

A. If the Board denies an application to issue or renew a certificate, for reasons other than those set forth in Regulation .15A of this chapter, the Board shall notify the applicant, in writing, of:

- (1) The reason, or reasons, for the denial; and
- (2) The applicant's right to request reconsideration.

B. An applicant may request reconsideration of a denied application by:

- (1) Submitting new or additional information to the Board; or
- (2) Requesting an informal meeting with the Board.

C. Requests for reconsideration under §B of this regulation shall be based upon one or more of the following grounds:

- (1) Clerical errors in the minutes, decisions, or other parts of the record related to the denial;
- (2) Mistake of fact or law by the Board; or
- (3) Newly discovered or additional evidence that the applicant could not have discovered by due diligence in time to be considered as part of the initial denial.

D. Requests for reconsideration shall be submitted to the Board in writing by certified mail within 30 days of receipt of the denial under §A of this regulation.

.15 Denials, Reprimands, Suspensions, and Revocations.

A. Grounds for Board Action.

(1) Denials. Subject to the hearing provisions of §B of this regulation, the Board may deny certification, limited certification, or temporary certification to any applicant if the applicant fraudulently or deceptively:

- (a) Obtains or attempts to obtain a certificate, limited certificate, or temporary certificate for the applicant or for another person;
or
- (b) Uses a certificate, limited certificate, or temporary certificate.

(2) Reprimands, Suspensions, and Revocations. Subject to the hearing provisions of §B of this regulation, the Board may reprimand any certificate holder, or suspend or revoke a certification for either of the following:

- (a) If the certificate holder fraudulently or deceptively:
 - (i) Obtains or attempts to obtain a certificate, limited certificate, or temporary certificate for the applicant or for another,
 - (ii) Uses a certificate, limited certificate, or temporary certificate;
- (b) Other reasonable cause, such as:
 - (i) Professional incompetency;
 - (ii) Falsification of records;
 - (iii) Failure to submit required self-monitoring documents;
 - (iv) Negligence in operation and maintenance of the works.

B. Right to a Hearing.

(1) Before the Board revokes or suspends a certificate or reprimands a certificate holder, it shall:

(a) Notify the certificate holder in writing by certified mail to his last known address that it is considering action for reasons stated in the notice;

(b) Request the certificate holder to appear at a hearing of the Board of Waterworks and Waste Systems Operators at a designated time and place to show cause why the certificate should not be revoked or suspended or the certificate holder reprimanded.

(2) The form of the notice and the hearing shall conform to the provisions of the Administrative Procedure Act, State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

C. Ex Parte Hearing. If, after due notice, the individual against whom the action is contemplated fails or refuses to appear, the Board, nevertheless, may hear and determine the matter.

D. Effect of Adverse Finding by the Board.

(1) If, after the hearing by the Board, the certificate is revoked or suspended, the certificate holder shall:

- (a) Cease his or her activities as a certified operator or superintendent; and
- (b) Return the certificate to the Board.

(2) Until the notice of revocation or suspension is delivered to the last known address of the certificate holder, the certificate remains valid.

(3) Voluntary surrender by the certificate holder of his certificate will constitute a waiver of the hearing before the Board.

(4) Suspensions of certificates may not exceed 1 year or suspensions shall terminate when the certificate holder complies with all conditions stipulated by the Board at the time of suspension, whichever is later.

(5) After the expiration of 1 year following revocation of a certificate, the person previously holding the certificate may apply for a new certificate subject to a new examination and review by the Board.

E. Judicial Review.

(1) A person aggrieved by a final decision of the Board under §D may take a direct judicial appeal.

(2) The appeal shall be made as provided for judicial review of final decisions in the Administrative Procedure Act.

.16 Tables.

Table 1
CLASSIFICATION OF INDUSTRIAL WASTEWATER WORKS

<i>Class of Plants</i>	<i>Type of Treatment Systems</i>	<i>Typical Processes Included in the System</i>
1	Basic Treatment	Petroleum base oil separators, liquid cooling, and pH control.
2	Physical Treatment	Sedimentation, screening, pH control, solids removal.
3	Land Treatment	Primary treatment, sedimentation, solids removal, pumping and land treatment.
4	Biological Lagoons	Aerobic or anaerobic waste stabilization lagoons, disinfection, and chemical addition.
5	Activated Sludge	Primary treatment, sedimentation, activated sludge, and sludge handling.
6	Physical Chemical Treatment	Reduction of chemical and toxic substances including but not limited to cyanide and chromium, acid-alkali neutralization, coagulation, and flocculation.
7	Site Specific	Plants not covered under the first six types of treatment yet covered under these regulations.

Table 2
CLASSIFICATION OF WASTEWATER TREATMENT PLANTS

<i>Class of Plants</i>	<i>Types of Treatment Systems</i>	<i>Typical Processes Included in the System</i>
1	Lagoons	Aerated or nonaerated lagoons, filtration, disinfection, and land or wetland treatment.
2	Physical/Biological	Primary treatment, sand filter, land or wetland treatment, and disinfection.
3	Package Activated Sludge Plants	Screening, activated sludge, sedimentation, filtration, disinfection, chemical addition, sludge handling, pumping and land or wetland treatment.
4	Trickling Filters Rotating Biological Contractors (RBC)	Preliminary treatment, primary treatment, sedimentation, activated sludge, oxidation ditches, filtration, chemical addition, disinfection, sludge handling, and pumping.
5	Activated Sludge	Preliminary treatment, primary treatment, sedimentation, activated sludge, oxidation ditches, filtration, chemical addition, disinfection, sludge handling, and pumping.
6	Site Specific	Other alternative technology systems not covered under this classification system which may include groundwater discharge systems such as spray irrigation systems, and drip dispersal systems.
S*	Solids Handling	Chemical conditioning, sludge thickening, sludge digestion, thermal treatment, chlorine treatment, filtration, dewatering, composting, land application.
A**	Advanced Wastewater Treatment	Filtration, activated carbon adsorption, nitrification, denitrification, phosphorus removal, ammonia stripping, chemical feeding and conditioning, coagulation and flocculation.

*Class S will only be required when the specific works is limited to solids handling.

**Class A is used in conjunction with other classes.

Table 3
CLASSIFICATION OF WATER TREATMENT PLANTS

<i>Class of Plants</i>	<i>Type of Treatment Systems</i>	<i>Typical Processes Included in the System</i>
1	Disinfection	Chlorination.
2	Chemical Treatment	Chlorination, pH control, and fluoridation.
3	Simple Iron Removal	Chlorination, pH control, fluoridation, filtration, and iron removal utilizing ion exchange or contact oxidation processes.
4	Complete Treatment	Chlorination, pH control, fluoridation, aeration, coagulation, sedimentation, filtration, and complex iron removal.
5	Site Specific	Site specific - any alternative technology plant not covered under the classification system.

G	No chemical treatment	Well, storage tanks, UV disinfection
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**Table 4
INDUSTRIAL WASTEWATER WORKS**

A Class of Plants	B Class of Operators and Superintendents	C Authorized to Operate or Supervise Plants (Class)	D Operators				E Superintendents			
			1 Education Requirements	2 Maximum Education Substitution	3 Experience Requirements	4 Maximum Experience Substitution	1 Education Requirements	2 Maximum Education Substitution	3 Experience Requirements	4 Maximum Experience Substitution
1	1	1	Completion of High School OR High School Equivalency	NONE	250 hours or 6 months ¹	NONE	Completion of High School OR High School Equivalency	NONE	NONE	NONE
2	2	2								
3	3	2 and 3								
4	4	2 and 4			500 hours or 1 year ¹					
5	5	1,2,3,4, and 5			5400 hours or 3 years ⁷	1800 hours or 1 year ³	2 years college ⁴	2 years ⁵	3600 hours or 2 years ⁶	1800 hours or 1 year ³
6	6	1,2, and 6			3600 hours or 2 years ⁷		1 year college ⁴	1 year ⁵	1800 hours or 1 year ⁶	
7	7	7			AS DETERMINED BY THE BOARD					

Notes:

- 1 Whichever is longer, years of experience is based on 1 hour/day operation.
- 2 Whichever is longer, years of experience is based on 2 hours/day operation.
- 3 One year of college course work in science or engineering leading toward a degree, for 1 year experience.
- 4 In science, engineering, or management leading toward a degree.
- 5 One year experience for 1 year college.
- 6 Experience obtained as provided in Regulation .06E of this chapter.
- 7 Whichever is longer (for applications received by the Board before the effective date of these regulations, see Regulation .06 of this chapter).

**Table 5
WASTEWATER TREATMENT PLANTS**

A Class of Plants	B Class of Operators	C Authorized to Operate or Supervise Plants (Class)	D Operators				E Superintendents				
			1 Education Requirements	2 Maximum Education Substitution	3 Experience Requirements	4 Maximum Experience Substitution	1 Education Requirements	2 Maximum Education Substitution	3 Experience Requirements	4 Maximum Experience Substitution	
1	1	1	Completion of High School OR High School Equivalency	NONE	500 hours or 1 year ¹	NONE	Completion of High School OR High School Equivalency	NONE	NONE	NONE	
2	2	1 and 2									
3	3	1,2, and 3			1800 hours or 2 years ²	1800 hours or 1 year ²			900 hours or 1 year ^{2, 6}	900 hours or 1 year ²	
4	4	1,2, 4, and C2			5400 hours or 3 years ⁹						2 years college ⁴
5	5	1,2,3, 5, and C2									

6	6	6			AS DETERMINED BY THE BOARD					
S ⁷	S ⁷	S ⁷	Completion of High School OR High School Equivalency	NONE	5400 hours or 3 years ⁹	1800 hours or 1 year ³	2 years college ⁴	2 years ⁵	3600 hours or 2 years ⁶	1800 hours or 1 year ³
A ⁸	A ⁸	A ⁸								

Notes:

- 1 Whichever is longer, years of experience is based on 2 hours/day operation.
- 2 Whichever is longer, years of experience is based on 3.5 hours/day operation.
- 3 One year of college course work in science or engineering leading toward a degree, for 1 year experience.
- 4 In science, engineering, or management leading toward a degree.
- 5 One year experience for 1 year college.
- 6 Experience obtained as provided in Regulation .06E of this chapter.
- 7 Is limited to solids handling.
- 8 Class A is used in conjunction with other classes.
- 9 Whichever is longer.

**Table 6
WASTEWATER COLLECTION SYSTEMS**

A	B	C	D				E			
			Operators				Superintendents			
Class of Plants	Class of Operators and Superintendents	Authorized to Operate or Supervise Plants (Class)	1 Education Requirements	2 Maximum Education Substitution	3 Experience Requirements	4 Maximum Experience Substitution	1 Education Requirements	2 Maximum Education Substitution	3 Experience Requirements	4 Maximum Experience Substitution
1	1	1	Completion of High School OR High School Equivalency	NONE	1800 hours or 1 year ³	NONE	Completion of High School OR High School Equivalency	NONE	NONE	NONE
2	2	2			3600 hours or 2 years ³	1800 hours or 1 year ¹			1800 hours or 1 year ²	

Notes:

- 1 One year of college course work in science or engineering leading toward a degree, for 1 year experience.
- 2 Experience obtained as provided in Regulation .06E of this chapter.
- 3 Whichever is longer (for application received by the Board before the effective date of these regulations, see Regulation .06 of this chapter).

**Table 7
WATER TREATMENT PLANTS AND DISTRIBUTION SYSTEMS**

A	B	C	D				E			
			Operators				Superintendents			
Class of Plants	Class of Operators and Superintendents	Authorized to Operate or Supervise Plants (Class)	1 Education Requirements	2 Maximum Education Substitution	3 Experience Requirements	4 Maximum Experience Substitution	1 Education Requirements	2 Maximum Education Substitution	3 Experience Requirements	4 Maximum Experience Substitution
D	D	None	Completion of High School OR High School Equivalency	NONE	500 hours or 1 year ¹	NONE	Completion of High School OR High School Equivalency	NONE		NONE
1	1	D, G, and 1							NONE	
2	2	D, G, 1, and 2							500 hours or 1 year ^{1,6}	

3	3	D, G, 1, 2, and 3		1800 hours or 2 years ²	900 hours or 1 year ^{2,3}	1 year college ⁴	1 year ⁵	900 hours or 1 year ^{2,6}	900 hours or 1 year ³
4	4	D, G, 1, 2, 3, and 4		5400 hours or 3 years ⁷	1800 hours or 1 year ³	2 years college ⁴	2 years ⁵	3600 hours or 2 years ⁶	1800 hours or 1 year ³
5	5	5		AS DETERMINED BY THE BOARD					
G	G	G		AS DETERMINED BY THE BOARD					

Notes:

- 1 Whichever is longer, years of experience is based on 2 hours/day operation.
- 2 Whichever is longer, years of experience is based on a 3.5 hours/day operation.
- 3 One year of college course work in science or engineering leading toward a degree, for 1 year of experience.
- 4 In science, engineering, or management leading toward a degree.
- 5 One year experience for 1 year college.
- 6 Experience obtained as provided in Regulation .06E of this chapter.
- 7 Whichever is longer (for applications received by the Board before the effective date of these regulations, see Regulation .06 of this chapter).

**Table 8
TRAINING REQUIREMENTS FOR OPERATORS AND SUPERINTENDENTS
CERTIFICATE RENEWAL FOR 3-YEAR RENEWAL PERIOD**

Class	INDUSTRIAL WASTEWATER WORKS			WASTEWATER TREATMENT PLANTS			WASTEWATER COLLECTION SYSTEMS			WATER TREATMENT PLANTS			WATER DISTRIBUTION SYSTEMS		
	Operators ⁽⁴⁾	Super-intendents ⁽³⁾	Temporary ⁽⁴⁾	Operators ⁽⁴⁾	Super-intendents ⁽³⁾	Temporary ⁽⁴⁾	Operators ⁽⁴⁾	Super-intendents ⁽³⁾	Temporary ⁽⁴⁾	Operators ⁽⁴⁾	Super-intendents ⁽³⁾	Grandparented, and Temporary ⁽⁴⁾	Operators ⁽⁴⁾	Super-intendents ⁽³⁾	Grandparented, and Temporary ⁽⁴⁾
	UNITS ⁽²⁾			UNITS ⁽²⁾			UNITS ⁽²⁾			UNITS ⁽²⁾			UNITS ⁽²⁾		
1	0	0	0	16	7	24	16	7	24	16	7	24	16	7	24
2	0	0	0	16	7	24	16	7	24	16	7	24			
3	16	7	24	30	7	45				30	7	45			
4	16	7	24	30	7	45				30	7	45			
5	30	7	45	30	7	45				(1)					
6	16	7	24	(1)		(1)									
7	(1)		(1)												
S															
A				16	7	24									
G										7	7	7			

Notes:

- 1 For site-specific operator classifications, training units to be determined by the Board on a case-by-case basis.
- 2 For operators that hold multiple certificates, units of training may be applied to multiple classifications if the training is approved as defined in Regulation .13.
- 3 For superintendents, training units approved by the Board for superintendents are required in addition to their operator's training.
- 4 Effective January 1, 2006, for all operator categories, except Water Class 1, Water Class 2, Water Class G, Water Distribution, and Wastewater Collection, a minimum of 50 percent of the training units submitted for issuance or renewal of a certificate shall be process related.

Administrative History

Effective date: July 1, 1969

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Regulations .01—.13 repealed effective May 7, 1984 (11:9 Md. R. 795)

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Tables codified as Regulation .17

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Chapter revised effective January 1, 1995 (21:25 Md. R. 2110)

Regulation .01B amended effective February 1, 2001 (28:1 Md. R. 27); October 1, 2014 (41:13 Md. R. 753)

Regulation .02C amended effective October 1, 2014 (41:13 Md. R. 753)

Regulation .02D adopted effective October 1, 2014 (41:13 Md. R. 753)

Regulation .03D amended effective February 1, 2001 (28:1 Md. R. 27)

Regulation .05B amended effective February 1, 2001 (28:1 Md. R. 27); October 1, 2014 (41:13 Md. R. 753)

Regulation .06 amended effective August 25, 1997 (24:17 Md. R. 1218); February 1, 2001 (28:1 Md. R. 27); October 1, 2014 (41:13 Md. R. 753)

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Regulation .07D, E amended effective February 1, 2001 (28:1 Md. R. 27)

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Regulation .08D adopted effective February 1, 2001 (28:1 Md. R. 27)

Regulation .09A amended effective October 1, 2014 (41:13 Md. R. 753)

Regulation .09C amended effective August 25, 1997 (24:17 Md. R. 1218)

Regulation .10A amended effective February 1, 2001 (28:1 Md. R. 27); October 1, 2014 (41:13 Md. R. 753)

Regulation .10C amended effective October 1, 2014 (41:13 Md. R. 753)

Regulation .12 amended effective February 1, 2001 (28:1 Md. R. 27); October 1, 2014 (41:13 Md. R. 753)

Regulation .12A amended effective August 25, 1997 (24:17 Md. R. 1218)

Regulation .13 amended effective February 1, 2001 (28:1 Md. R. 27)

Regulation .13D, F amended effective October 1, 2014 (41:13 Md. R. 753)

Regulation .13G amended effective April 10, 2006 (33:7 Md. R. 675)

Regulation .16 amended effective August 25, 1997 (24:17 Md. R. 1218); February 1, 2001 (28:1 Md. R. 27); April 10, 2006 (33:7 Md. R. 675); October 1, 2014 (41:13 Md. R. 753)