ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION - OPERATOR CERTIFICATION PROGRAM
ADMINISTRATIVE CODE

CHAPTER 335-10-1
CLASSIFICATION OF WATER AND WASTEWATER TREATMENT PLANTS, WATER DISTRIBUTION SYSTEMS, AND PUBLIC WASTEWATER COLLECTION SYSTEM; CERTIFICATION OF OPERATORS

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335-10-1-.01 Purpose.

The purpose of this Chapter is to protect the public health and welfare and prevent pollution by classifying all water and wastewater treatment plants, water distribution systems, and public wastewater collection systems, and by establishing a program for the certification of the competency of operators to operate such plants and systems. The provisions of this Chapter shall not be applicable to the owner or operator of a water treatment plant, water distribution system, wastewater treatment plant or public wastewater collection system that does not offer service to the public generally.

Author: Joe Alan Power, Aubrey White
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335-10-1-.02 Definitions.

For the purposes of this Chapter, the following words and phrases, unless a different meaning is plainly required by the context, shall have the following meanings:

(a) "Activated sludge process plant" means a wastewater treatment plant employing a biological wastewater treatment process in which a mixture of wastewater and a coagulum or gel composed of bacteria and other microorganisms is agitated and aerated in the presence of a sufficient concentration of dissolved oxygen so that the gel can sorb dissolved and finely divided organic particles from the wastewater. The gel or sludge is subsequently separated by sedimentation and is wasted or returned to the aeration process as required. Activated sludge consists of, but is not limited to, the following:

1. Conventional activated sludge;

2. Extended aeration;

3. Complete-mix aerated lagoon; and

4. Contact stabilization.

(b) "Advanced groundwater treatment plant" means a water treatment plant employing any treatment of greater technical sophistication than aeration, disinfection, corrosion control, pressure filtration and fluoridation for the treatment of water from a well or spring.

(c) "Basic groundwater treatment plant" means a water treatment plant employing treatment for corrosion control, disinfection, pressure filtration, slow sand filtration and/or fluoridation for treatment of water from a well or spring.

(d) "Surface water treatment plant" means a water treatment plant designed and operated for the treatment of surface water supplies. This definition also includes treatment plants which have groundwater under the influence of surface water as the source.

(e) "Certification" means the certificate of competency issued by the Director stating that the operator has met the requirements for the specified operator classification of the certification program.

(f) "Department" means the Alabama Department of Environmental Management established by Code of Ala. 1975, §22-22A-4.

(g) "Director" means the Director of the Alabama Department of Environmental Management, appointed pursuant to Code of Ala. 1975, §22-22A-4.

(h) "Operator" means the person on duty who has direct responsibility for the operation of a water treatment plant, water distribution system, public wastewater collection system or wastewater treatment plant. A person shall be deemed to have direct responsibility for the operation of a water treatment plant, water distribution system or wastewater treatment plant if he in fact supervises or directs the operation of a water treatment plant, water distribution system or wastewater treatment plant, or makes process control decisions.

(i) "Operator intern" means a person who has successfully passed the operator examination but has not yet obtained the necessary experience to become certified.

(j) "Person" means a natural person.

(k) "Process control decision" means a decision regarding the daily operational activities of a water system or wastewater system that will directly impact the quality and/or quantity of drinking water or treated wastewater.

(l) "Public wastewater collection system" means the system of pipes, structures, and facilities through which wastewater, municipal sewage, or wastes, of a liquid nature is received, collected, stored, transported, or delivered into a wastewater treatment plant.

(m) "Restricted certificate" means an operator certificate issued without examination which is valid only for a particular plant or system and cannot be transferred to another plant.

(n) "Trickling filter and/or biological contactor process plant" means a wastewater treatment plant employing a treatment process whereby the wastewater is passed over a medium upon which grows bacteria and other microorganisms that sorb and oxidize soluble and finely dissolved organic matter. Subsequent sedimentation separates the resulting settleable solids from the process effluent.

(o) "Wastewater treatment lagoon" means a wastewater treatment plant employing an excavation designed and constructed to receive raw or pretreated wastewater in which stabilization is accomplished by several natural and photosynthetic (algal) self-purification phenomena with or without supplemental aeration. Wastewater treatment lagoon consists of, but is not limited to the following:

1. Non-aerated;

2. Partial mix;

3. Hydrograph control release (HCR);

4. Aquaculture and constructed wetlands.

(p) "Wastewater treatment plant" means the facility or group of units used for the treatment of wastewater from public wastewater collection systems and for the reduction or handling of solids removed from such wastewater.

(q) "Water distribution system" means that portion of the water supply system in which water is conveyed from the water treatment plant or other supply point to the premises of the consumer.

(r) "Water treatment plant" means that portion of the water supply system which in some way alters the physical, chemical or bacteriological quality of the water.

(s) "Water supply system" means the system of pipes, structures and facilities through which a public water supply is obtained, treated and sold or distributed for human consumption for household use and which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

(t) "Working experience" means experience that is gained from actual hands-on operation of a water or wastewater treatment plant, water distribution system or public wastewater collection system. Excluded from this definition is work of a clerical or administrative nature.

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Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
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335-10-1-.03 Classification Of Systems.

(1) Wastewater treatment plants, water treatment plants, water distribution systems, and public wastewater collection systems are classified by grades in accordance with the following:

WASTEWATER TREATMENT PLANTS

GRADE	DESCRIPTION	SIZE
I	Wastewater treatment lagoon	ALL
II	Trickling filter and/ or biological contactor process plant	0 to .999 MGD
	Activated sludge process plant	0 to .999 MGD
III	Trickling filter and/ or biological contactor process plant	1.000 to 15.000 MGD
	Activated sludge process plant	1.000 to 5.000 MGD
IV	Trickling filter and/ or biological contactor process plant	>15.000 MGD
	Activated sludge process plant	>5.000 MGD

PUBLIC WASTEWATER COLLECTION SYSTEMS

GRADE	DESCRIPTION	SIZE
I (C)	Public wastewater collection systems	ALL

WATER TREATMENT PLANTS

GRADE	DESCRIPTION	SIZE
II	Basic groundwater treatment plants	ALL
III	Advanced groundwater treatment plants	ALL
IV	Surface water treatment plants	ALL

WATER DISTRIBUTION SYSTEMS

GRADE	DESCRIPTION	SIZE
I	Water distribution system	ALL

(2) Any water or wastewater treatment plant having a combination of treatment processes which are in different grades shall be classified according to the process associated with the higher grade.

(3) The Director may change the classification of a particular water distribution system, water treatment plant or wastewater treatment plant when there are unusual factors affecting the quality of the source, the complexity of treatment or distribution, potential health hazards, or compliance history.

Upon changing the classification, the Director shall notify the owner of the affected water distribution system, water treatment plant or wastewater treatment plant of the change in classification and shall give the owner a reasonable time to comply with the requirements this Chapter.
Author: Joe Alan Power, Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
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335-10-1-.04 Staffing Requirements.

(1) All water treatment plants, wastewater treatment plants, water distribution systems, and public wastewater collection systems are required to be operated by an operator certified in accordance with the provisions of this Chapter as competent to operate the classification of plants or systems to which the plant or system is classified.

(2) All Grade IV surface water treatment plants must have a certified operator of the same grade present at the plant during all hours of operation. A permanent record of daily operator staffing shall be maintained at all Grade IV facilities. This record must contain the operator's name, time of arrival and departure, and the operator's signature. Effective April 1, 2008, any Grade IV facility with a filtration rate in excess of two gallons per minute per square foot of filter area must have an unrestricted Grade IV operator present at the plant during all hours of operation.

(3) All Grade III advanced groundwater plants must have a certified operator of the same grade or higher present as directed by the Department. A permanent record of daily operator staffing shall be maintained at all Grade III and IV facilities. This record must contain the operator's name, time of arrival and departure, and the operator's signature.

(4) All Grade III wastewater treatment plants must have a certified operator of the same grade or higher present at the plant for a minimum of one 8-hour work shift during the daytime hours of plant operation, five days a week. For all other days of plant operation, at a minimum, a certified operator Grade II or higher must operate the facility one 8-hour work shift during the daytime hours. A permanent record of daily operator staffing shall be maintained at all Grade III facilities. This record must contain the operator's name, time of arrival and departure, and the operator's signature. Upon demonstration and approval of a facility’s ability to be remotely monitored, the Department may

waive all or part of the staffing requirements in excess of the five 8-hour shifts by a Grade III or higher.

(5) All Grade IV wastewater treatment plants must have a certified operator of the same grade present at the plant for a minimum of one 8-hour work shift during the daytime hours of plant operation. For all other times of operation, as a minimum, a certified operator Grade II or higher may operate the facility if the Grade IV operator is available on call within 30 minutes of the plant site. A permanent record of daily operator staffing shall be maintained at all Grade IV facilities. This record must contain the operator's name, time of arrival and departure, and the operator's signature.

(6) All Grade I water distribution systems, Grade I wastewater treatment plants, public wastewater or collection systems, and Grade II water or wastewater treatment plants must have a certified operator of the same grade or higher present at the plant or system at all times necessary to ensure its safe, efficient, and proper operation. A permanent record of daily operator staffing shall be maintained at all Grade I & II wastewater treatment plants and at all Grade II water treatment plants or well sites. This record must contain the operator's name, time of arrival and departure, and the operator's signature. All Grade I wastewater treatment plants and Grade II water and wastewater treatment plants must be visited, as a minimum, once every seven days by a certified operator of the same grade or higher unless the facility's operating permit calls for more frequent site visits.

(7) A certified operator may operate more than one plant or system only if he provides written assurance to the Department, in such form as the Department may provide, that he can ensure the safe, efficient and proper operation of all plants and systems he operates. Operation must be limited to plants or systems classified at or lower than the grade of the operator. All staffing requirements applicable to the systems or plants to be operated must be followed.

Author: Joe Alan Power, Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
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335-10-1-.05 Reciprocal Certificates.

Certificates may be issued in a comparable classification to a person who holds a current certificate from another state by examination, provided the requirements of that state are comparable to or higher than those of the Department. Reciprocity will only be granted to operators applying from states which reciprocate with the Department. The issuance of a reciprocal certificate is contingent upon submission of an application to the Department, nonrefundable fees required by Rule 335-1-6-.06, a copy of the present certificate and other supporting documentation required by the Department.
Author: Joe Alan Power, Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
History: September 18, 1986. **Amended:** Filed May 2, 2000; effective June 6, 2000. **Amended:** Filed December 19, 2002; effective January 23, 2003. **Amended:** Filed October 21, 2004; effective November 25, 2004.

335-10-1-.06 Certification By Examination.

Persons not entitled to certification under Rule 335-10-1-.05 shall be issued a certificate indicating the classification of water treatment plant, wastewater treatment plant, public wastewater collection system, or water distribution system which the person is qualified to operate upon fulfilling the two-step application process as provided by Rules 335-10-1-.07 and 335-10-1-.08.
Author: Joe Alan Power, Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
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335-10-1-.07 Examinations.

The first step in the certification process is the written examination. A person wishing to apply for examination must submit a complete application to the Department, together with the appropriate fees required by Rule 335-1-1-.06. The applicant must have a high school diploma from a school accredited by a nationally recognized accrediting agency or must have successfully passed the Tests of General Educational Development (GED)

developed by the American Council on Education's GED Testing Service.

(1) Examinations shall reflect the minimum knowledge and skills required to competently operate the various classifications of water treatment plants, wastewater treatment plants, water distribution systems, and public wastewater collection systems.

(2) The Department shall hold at least one examination each year for the purpose of examining candidates for certification, at a time and place designated by the Department. The Department reserves the right to limit the number of examinees for each scheduled exam based on space limitations. The examinees will be scheduled on a first-come first-serve basis.

(3) The minimum passing grade shall be seventy percent. Each applicant shall be notified in writing of the results of his examination. All examinations shall remain the property of the Department.

(4) Upon passing the examination, the operator intern must obtain the necessary working experience as detailed in 335-10-1-.08 in order to become certified. If the necessary working experience is not obtained within five years of passing the examination, the operator intern must retest.

(5) The application and fees for examination must be received by the Department no later than 30 days prior to the scheduled examination.

(6) The Director may deny an application for cause, including violations of this Chapter.

Author: Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
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Ed. Note: Rule 335-10-1-.08, Examinations, was renumbered to 335-10-1-.07, Examinations, as per certification filed October 21, 2004; effective November 25, 2004.

335-10-1-.08 Qualification For Examination.

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

(a) For a Grade I water distribution system, at least twelve months working experience in a Grade I or higher water system. Credit for a maximum of six months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars;

(b) For a Grade I wastewater treatment plant or Grade I(C) public wastewater collection system, at least twelve months working experience in a Grade I or higher wastewater treatment plant or Grade I(C) public wastewater collection system. Credit for a maximum of six months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes, or seminars;

(c) For a Grade II water treatment plant, at least eighteen months working experience in a Grade II or higher water treatment plant, or twenty-four months of combined experience in a Grade I water distribution system or a Grade II, III, or IV water treatment plant. Credit for a maximum of nine months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

(d) For a Grade II wastewater treatment plant, at least eighteen months working experience in a Grade II or higher wastewater treatment plant or twenty-four months of combined experience in a Grade I, II, III, or IV wastewater treatment plant. Credit for a maximum of nine months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes, or seminars.

(e) For a Grade III advanced groundwater treatment plant, at least twenty-four months treatment experience in a Grade III advanced groundwater treatment plant or thirty-six months of combined working experience in a Grade II, III or IV water treatment plant. Credit for a maximum of twelve months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

(f) For a Grade III wastewater treatment plant, at least twenty-four months working experience in a Grade III or higher wastewater treatment plant or thirty-six months of combined working experience in a Grade II, III or IV wastewater treatment plant. Credit for a maximum of twelve months of treatment experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

(g) For a Grade IV water treatment plant, at least twenty-four months treatment experience in a Grade IV water treatment plant. Credit for a maximum of twelve months of working experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

(h) For a Grade IV wastewater treatment plant, at least twenty-four months working experience in a Grade IV wastewater treatment plant or thirty-six months of combined working experience in a Grade III or IV wastewater treatment plant. Credit for a maximum of twelve months of treatment experience may be allowed by the Department for the completion of, or attendance at, Department approved training programs, classes or seminars.

(i) For the purposes of calculating working experience, 1900 hours of applicable experience equals twelve months

(j) Substitution for required experience with approved training programs, classes or seminars is as follows (limited by requirements of each grade level in this chapter):

15 Hours..... 3 months experience

30 Hours..... 6 months experience

45 Hours..... 9 months experience

60 Hours.....12 months experience

(k) All working experience claimed in the application must be verified in writing by the operator intern's direct supervisor or another certified operator familiar with the operator intern's experience.

(l) The Director may deny an application for cause, including violations of this Chapter.

Author: Joe Alan Power, Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
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335-10-1-.09 Re-Examination.

(1) A person who fails to pass one examination for a particular classification of water treatment plant, water distribution system, wastewater treatment plant, or public wastewater collection system may take another regularly scheduled examination for the same classification of plant or system provided a new application is submitted together with fees in accordance with Rule 335-10-1-.07.

(2) A person who fails to pass two examinations for a particular classification of water treatment plant, water distribution system, wastewater treatment plant, or public wastewater collection system may take another regularly scheduled examination for the same classification of plant or system provided a new application is submitted together with fees in accordance with Rule 335-10-1-.07 and provided that he submits adequate proof that he has successfully completed 8 hours of additional training programs as approved by the Department.
Author: Joe Alan Power, Aubrey White
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335-10-1-.10 Continuing Education Requirement For Renewal.

(1) All certified operators must demonstrate continuing education activities and file these activities along with the renewal application and nonrefundable fee for certification renewal. Training activities must be attended within the three year period prior to the expiration date except for carry over credit.

(2) Operators with one water certificate must demonstrate 24 continuing education hours (CEH) of actual training in the water field. Wastewater operators with one certificate must demonstrate 24 CEH training in the wastewater field. Training activities can only be counted once. Operators with more than one certificate must obtain 15 CEH of training in the proper field for each

certificate for the renewal period. An operator can only hold one water and one wastewater certificate.

(3) A maximum of 10 CEH of training per certificate may be carried over into the next three year renewal period.

(4) Continuing education training may be obtained by the following means:

(a) Association and/or Department sponsored short-courses, and seminars;

(b) Successfully completing or auditing college sponsored courses, and seminars;

(c) Approved correspondence and online courses;

(d) In-house or regional courses taught by experienced certified operators or qualified instructors;

(e) Teaching or instructing as described in (a) through (d) above.

(5) The following continuing education course topics will be accepted for credit for wastewater treatment plant operators or public wastewater collection system operators:

(a) Operation and maintenance of wastewater treatment plants and/or lagoons;

(b) Operation and maintenance of public wastewater collection systems;

(c) Wastewater treatment plant process control and/or theory;

(d) Wastewater regulation reviews or updates;

(e) Instruction on new wastewater treatment plant technologies;

(f) Anti-terrorism training that is geared towards wastewater collection and treatment facilities;

(g) Training for specific wastewater collection or treatment equipment provided by factory representatives or design professionals;

(h) Sampling or analysis of wastewater;

(i) Wastewater collection or treatment examination review;

(j) Design calculations for wastewater collection or treatment;

(k) Recordkeeping or reporting for wastewater collection or treatment; or,

(l) Up to eight hours maximum per renewal period of chemical safety training that is directly applicable to public wastewater collection systems or wastewater treatment plant processes.

(6) The following continuing education course topics will be accepted for credit for water treatment plant operators or water distribution system operators:

(a) Operation and maintenance of water treatment plants or wells;

(b) Operation and maintenance of water distribution systems;

(c) Water treatment plant process control and/or theory;

(d) Drinking water regulation reviews or updates;

(e) Instruction on new water treatment plant technologies;

(f) Anti-terrorism training that is geared towards water distribution and water treatment facilities;

(g) Training for specific water distribution or water treatment plant equipment provided by factory representatives or design professionals;

(h) Sampling or analysis of drinking water;

(i) Water distribution or treatment examination review;

(j) Design calculations for water distribution or water treatment plants;

(k) Backflow prevention;

(l) Recordkeeping or reporting for water distribution or water treatment plants; or,

(m) Up to eight hours maximum per renewal period of chemical safety training that is directly applicable to water distribution or water treatment plant processes.

(7) The following continuing education course topics will be accepted for credit for public wastewater collection system operators, wastewater treatment plant operators, water treatment plant operators or water distribution system operators:

(a) Up to four hours maximum per renewal period of cardiopulmonary resuscitation (CPR) training;

(b) Up to eight hours maximum per renewal period of trenching and shoring training;

(c) Up to four hours maximum per renewal period of confined space entry training;

(d) Up to eight hours maximum per renewal period of laboratory safety training;

(e) Up to four hours maximum per renewal period of legal liability training specifically geared toward water or wastewater operators;

(f) Up to four hours maximum per renewal period of stormwater pollution prevention training;

(g) Up to four hours maximum per renewal period of temporary traffic control training;

(h) Up to eight hours maximum per renewal period of university-sponsored defensive driving instruction. This training must incorporate classroom, simulation, and hands-on in-vehicle driving instruction that is specifically developed for utility employees;

(i) Up to four hours maximum per renewal period of system management or finance courses that are specifically geared toward water or wastewater operators;

(j) Up to eight hours maximum per renewal period of computer training that is directly applicable to water or wastewater operation; or,

(k) Up to four hours maximum per renewal period of first aid and personal health protection training.

(8) The following courses will not be accepted for continuing education credit:

(a) Regularly-scheduled safety meetings;

(b) General management, business, or personnel law courses;

(c) Repetitive teaching of the same course without significantly updating course material;

(d) Committee meetings or other meetings that are not educational in nature; or,

(e) Courses that are not directly relevant to the class of certificate to be renewed.

(9) All correspondence, in-house, video, audio, or on-1ine courses must require the participant to show evidence of achievement and completion and/or a final graded test.

(10) Upon request by the Department, providers of correspondence, in-house, video, audio, or on-1ine training may be required to submit course information for approval prior to offering the course.

(11) Documentation of class attendance must be obtained from the instructor or sponsoring organization and retained by the operator for at least three years after expiration of the certificate to be renewed. These records must be furnished, if requested, to the Department for audit verification purposes. If the Department disallows claimed continuing education credit, the applicant shall have until 180 days after expiration of the certificate to substantiate the original claim or earn other credit to meet the minimum requirement.

(12) The conversion to CEH units from other units is as follows:

1 College semester hour of credit	45 CEH
1 College quarter hour of credit	30 CEH
1 College Audit hour	1/3 of above
1 Continuing Education Unit (CEU)	10 CEH
1 Hour teaching or instructing	2 CEH
1 Hour of acceptable training	1 CEH

Author: Joe Alan Power, Aubrey White
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335-10-1-.11 Certificate Expiration And Renewal.

(1) Certificates issued under Rule 335-10-1-.05, or 335-10-1-.06 shall remain in effect three years unless revoked or suspended by the Director as provided in Rule 335-10-1-.12.

(2) A complete application for certificate renewal must be received by the Department at least thirty days prior to the expiration date of the certificate sought to be renewed. Failure to submit an application for certificate renewal as provided in

this paragraph may result in a lapse of an operator's certification and may make it unlawful for such operator to continue to operate a water treatment plant, water distribution system, wastewater treatment plant, or public wastewater collection system until a renewal certificate is issued.

(3) Operators who fail to submit a renewal application 30 calendar days prior to certificate expiration date must file a late application and pay a late fee in addition to the certification fee. All late applications must be received by the Department within 180 calendar days of the certificate expiration date. If renewed late, the new certificate will become effective on the date processed by the Department, with an expiration date of three years after the expiration date of the previous certificate. During the period of time between the expiration of the previous certificate, and the effective date of the new certificate, the operator may not practice as a certified operator.

(4) An application for certificate renewal shall be on a form prescribed by the Department. An application shall not be complete without payment of fees required by Rule 335-1-6-.06.

(5) The Director may deny an application for cause, including violations of this Chapter.
Author: Joe Alan Power, Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
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335-10-1-.12 Revocation Of Certificate.

Following a hearing before the Director or his designated representative, the Director may revoke or suspend a certificate if it is found that the operator:

(a) Has practiced fraud or deception in obtaining the certificate or in the performance of his duties as an operator;

(b) Has not used reasonable care, judgment, or the application of his knowledge or ability in the performance of his duties;

(c) Is incompetent or unable to perform his duties as an operator;

(d) Has knowingly submitted incorrect or falsified operational data;

(e) Has consistently failed to submit operational data as required by the department; or

(f) Has violated the requirements of this Chapter.

Author: Joe Alan Power, Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
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335-10-1-.13 Violations.

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

(a) The issuance of a notice of violation;

(b) The issuance of an administrative order directing compliance;

(c) The issuance of an administrative order assessing a civil penalty of not less than $100.00 for each violation and each day of continued violation and not more than $25,000.00 for each violation and each day of continued violation.

(d) The commencement of a civil action to enjoin any threatened or continuing violation;

(e) The commencement of a civil action to assess a civil penalty of not less than $100.00 for each violation and each day of continued violation and not more than $25,000.00 for each violation and each day of continued violation.

(f) The commencement of a criminal action after written notice of the violation.

Author: Joe Alan Power, Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
History: September 18, 1986. **Amended:** Filed May 25, 1994; effective July 1, 1994. **Amended:** Filed May 2, 2000; effective June 6, 2000. **Amended:** Filed October 21, 2004; effective November 25, 2004.

335-10-1-.14 Certification Required For Operation.

Wastewater treatment plants, water treatment plants, water distribution systems, and public wastewater collection systems classified in 335-10-1-.03 must be operated by an operator holding a valid certificate of the same grade or higher. Any person without a valid certificate can only work under the direct supervision of a properly certified operator, and may not work a shift as specified in 335-10-1-.04 unless a properly certified operator is present to supervise the work at all times.
Author: Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
History: **New Rule:** Filed October 21, 2004; effective November 25, 2004.

335-10-1-.15 Process Control Decisions.

Process control decisions at wastewater treatment plants, water treatment plants, water distribution systems and public wastewater collection systems classified in 335-10-1-.03 must be made or supervised by a properly certified operator.
Author: Aubrey White
Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13.
History: **New Rule:** Filed October 21, 2004; effective November 25, 2004.