

## **PART 19. EXAMINATION AND CERTIFICATION OF OPERATORS**

### **R 325.11901 Classification of treatment systems.**

Rule 1901. (1) Complete treatment systems are classified based on population served by the public water supply or rated treatment capacity of the treatment system as follows:

(a) Class F-1: Complete treatment systems for community supplies serving a population greater than 20,000, or with a rated treatment capacity greater than 5.0 million gallons of water per day.

(b) Class F-2: Complete treatment systems for community supplies serving a population from 4,000 to 20,000, or with a rated treatment capacity from 2.0 to 5.0 million gallons of water per day.

(c) Class F-3: Complete treatment systems for community supplies serving a population from 1,000 to 4,000 or with a rated treatment capacity from 0.5 to 2.0 million gallons of water per day.

(d) Class F-4: Complete treatment systems for community supplies serving a population of less than 1,000, or with a rated treatment capacity less than 0.5 million gallons of water per day.

(e) Class F-5: Complete treatment systems for noncommunity supplies.

(2) Limited treatment systems are classified based on population served by the public water supply or rated treatment capacity of the treatment system as follows:

(a) Class D-1: Limited treatment systems for community supplies serving a population greater than 20,000, or with a rated treatment capacity greater than 5.0 million gallons of water per day.

(b) Class D-2: Limited treatment systems for community supplies serving a population from 4,000 to 20,000, or with a rated treatment capacity from 2.0 to 5.0 million gallons of water per day.

(c) Class D-3: Limited treatment systems for community supplies serving a population from 1,000 to 4,000, or with a rated treatment capacity from 0.5 to 2.0 million gallons of water per day.

(d) Class D-4: Limited treatment systems for community supplies serving a population of less than 1,000, or with a rated treatment capacity less than 0.5 million gallons of water per day.

(e) Class D-5: Limited treatment systems for noncommunity supplies.

(3) Waterworks systems that use as a source surface water or ground water under the direct influence of surface water shall be classified as F systems.

History: 1979 AC; 2000 AACs.

### **R 325.11902 Classification of distribution systems and other public water supplies.**

Rule 1902. The following classifications are assigned to public water supplies:

- (a) Class S-1: Distribution systems for community supplies serving a population greater than 20,000.
- (b) Class S-2: Distribution systems for community supplies serving a population from 4,000 to 20,000.
- (c) Class S-3: Distribution systems for community supplies serving a population from 1,000 to 4,000.
- (d) Class S-4: Distribution systems for community supplies serving a population of less than 1,000.
- (e) Class S-5: Nontransient noncommunity water supplies with no treatment or community supplies with no treatment and a distribution system limited in extent.

History: 1979 AC; 2000 AACS.

### **R 325.11903 Change in classification of treatment system, distribution system, or public water supply.**

Rule 1903. Any public water supply classified in accordance with R 325.11901 and R 325.11902 may be placed in a different classification by the department by reason of:

- (a) Incorporation in the treatment system of special features of design.
- (b) Making operation different from usual.
- (c) Treating a particularly difficult type of raw water.
- (d) Upon a finding that the population served has changed.
- (e) The use of complex treatment systems.
- (f) The presence of a large service population.
- (g) When the distribution system is extensive or complex.
- (h) When a treatment system failure will not impact public health.

History: 1979 AC; 2000 AACS.

### **R 325.11904 Notification of change in classification.**

Rule 1904. (1) A public water supply affected by a change in classification shall be notified by the department by mail. A change in classification by the department shall be effective 6 months after the date of the next applicable examination.

(2) The classification of a newly constructed waterworks system shall be effective at the time of initial operation.

History: 1979 AC; 2000 AACS; 2009 AACS.

**R 325.11905 Certification of operators.**

Rule 1905. (1) Any waterworks system or portion of a system which has been classified in accordance with R 325.11901 or R 325.11902 shall be under the supervision of an operator in charge certified in the system classification as specified in these rules.

(2) A certified operator may operate any waterworks system as follows:

(a) Within a classification at or below the level of his or her certificate.

(b) At a different classification as follows:

(i) A certified operator who holds an F certificate meets the qualifications to operate a D treatment system of comparable numerical classification.

(ii) A certified operator who holds an F certificate or D certificate meets the qualifications to operate a class S-5 system.

(3) A shift operator shall be on site and in charge of each operating shift at a community supply in the F classification when the operator in charge is not on site.

(4) The department may waive the requirement of subrule (3) of this rule upon approval of an operational plan submitted by the public water supply that demonstrates that public health will be adequately protected when a certified shift operator is not on site. The operational plan shall include provision for a back-up operator holding an F-4 or higher certificate.

(5) Shift operators at a community supply in the F classification are required to hold an F-4 or higher certificate, except that shift operators at community supplies with a rated treatment capacity more than 100,000,000 gallons of water per day shall hold an F-3 or higher certificate.

(6) For purposes of training a shift operator to occupy a vacant position, the department may authorize a deviation from the requirements of subrule (3) of this rule by granting a provisional certification for a period of time, which shall not be more than 2 years. A person who occupies a position pursuant to this subrule shall otherwise be qualified to become certified by examination during this time and shall be titled an operator trainee.

(7) A class D-1 or class D-2 system shall designate one or more operators holding a D-4 or higher certificate as a back-up operator.

(8) A class S-1 or class S-2 system shall designate one or more operators holding an S-4 or higher certificate as a back-up operator.

(9) A waterworks system shall have in place a plan for proper operation of the waterworks system when the operator in charge is not available.

(10) Any form of operator certification not currently recognized in these rules shall be considered null and void as of the effective date of these rules.

History: 1979 AC; 1991 AACS; 2000 AACS.

**R 325.11906 Rescinded.**

History: 1979 AC; 2000 AACS.

**R 325.11906a Restricted certificates.**

Rule 1906a. With the concurrence of the advisory board, the department may issue site specific, restricted certification to an operator on a case-by-case basis. An operator issued restricted certification under this rule is only authorized to operate the waterworks system or portion of the system that is designated on the restricted certificate issued to him or her, except such operator may operate any other waterworks system or portion of a system for which he or she holds an unrestricted certification. An operator with a restricted certification is subject to the same requirements for performance as other certification classes and the certificate may be suspended or revoked or the operator placed on probation under R 325.11917.

History: 2000 AACS; 2009 AACS; 2015 MR 20, Eff. Oct. 16, 2015.

**R 325.11906b Notices to the department.**

Rule 1906b. (1) A public water supply shall provide to the department upon request the name of the operator in charge of the waterworks system or portion of the system, any shift operator, and any back-up operator required under R 325.11905.

(2) A public water supply shall notify the department within 7 days when the supply no longer has the services of an operator in charge, a shift operator, or a back-up operator.

History: 2000 AACS.

**R 325.11907 Advisory board; terms of office; filling vacancies.**

Rule 1907. (1) The members of the advisory board shall be appointed by the director pursuant to the provisions of section 9 of the act for a term of 3 years each. Members of the advisory board may be reappointed.

(2) Member vacancies in an unexpired term shall be filled by the director by appointment to complete the 3-year term.

History: 1979 AC; 1991 AACS.

**R 325.11908 Advisory board; powers and duties.**

Rule 1908. (1) The advisory board shall meet not less than twice each year at designated times and places and shall advise the department in program implementation and any revisions to the operator certification program. The advisory board shall assist the department in examining all persons making application for certification who meet the minimum requirements established by the department pursuant to R 325.11911. The advisory board shall schedule at least 1 annual examination for treatment system operators in the F-1, F-2, F-3, F-4 and D-1, D-2, D-3, D-4 classes and at least 1 annual examination for the distribution system operators in the S-1, S-2, S-3, S-4 classes, and shall provide public notice of the date, time, and place for each examination not less than 90 days before the date set for the examination.

(2) The advisory board shall approve a protocol for the examination of operators in class F-5, class D-5, and class S-5 systems.

(3) After review of the application and the results of the examination, the department shall issue or deny an applicant a certificate in the appropriate public water supply classification.

(4) The advisory board shall evaluate and either approve or disapprove continuing education training, shall categorize such training as "technical", "managerial," or "other" and shall determine the continuing education training hour value in each category. All continuing education training approved by the advisory board shall relate to the duties, responsibilities, operation, maintenance, or supervision of a drinking water system.

History: 1979 AC; 2000 AACS; 2009 AACS.

**R 325.11909 Advisory board; selection of officers; quorum; expenses and compensation.**

Rule 1909. (1) Each year, the advisory board shall select, from its membership, a chair and such other officers as may be needed to conduct its business.

(2) Five members of the advisory board constitute a quorum.

(3) Members of the advisory board shall not be compensated, but shall be entitled to all actual and necessary expenses incurred in the performance of their official duties in accordance with the rates established by the latest edition of the standard travel regulations of this state.

History: 1979 AC; 1991 AACS.

**R 325.11910 Application for examination; notice to accepted applicants of examination.**

Rule 1910. (1) To be certified for the operation of a public water supply, an individual shall submit to the department, not less than 60 days before the announced examination date, an application for examination on a form provided by the department. This deadline is extended to not less than 30 days before the examination for the F-5, D-5, or S-5 classification examinations if proof of credit card or debit card fee payment under MCL 324.3110 is submitted with the application. The information contained on the application shall be evaluated by the department, shall be subject to review by the advisory board, and shall constitute a part of the examination. The department may require verification of the education and experience of an applicant for an examination.

(2) Not less than 15 days before the examination the department shall notify all applicants of its findings and shall notify those applicants accepted for examination of the date, time, and place of the examination.

(3) For the purposes of certifying individuals attending specific department approved training programs specified under R 325.11906a, the department may waive the requirement for an examination application.

History: 1979 AC; 1991 AACs; 2000 AACs; 2015 MR 20, Eff. Oct. 16, 2015.

**R 325.11911 Applicant for certification; grading.**

Rule 1911. (1) An applicant for certification shall be graded in 4 major divisions as follows:

- (a) Educational qualifications of the applicant.
- (b) Experience qualifications of the applicant, where applicable.
- (c) The examination.
- (d) The laboratory examination, where applicable.

(2) An applicant shall satisfy the minimum criteria established by the department as outlined in table 1 for educational qualifications before admission to the examination.

TABLE 1 Education Points Required to Write an Examination  
Educational Qualifications

F-1	80	D-1	70	S-1	70
F-2	70	D-2	60	S-2	60
F-3	60	D-3	60	S-3	60
F-4	60	D-4	60	S-4	60
F-5	60	D-5	60	S-5	60

Schedule of Points Given for Formal Education

8TH Grade	40
10TH Grade	50
H.S. Diploma, GED or Equivalent	60
2 yr. Associate Degree	70
Bachelor Degree	70
Advanced Degree	70
*Approved Two year Water/Wastewater Tech.	80
Bachelor of Science in Engineering, Chemistry or Microbiology	80
Advanced Degree in Engineering, Chemistry or Microbiology	90

Education Points Allowed as Substitution for Experience

	F-1	F-2	F-3	F-4	D-1	D-2	D-3	D-4	S-1	S-2	S-3	S-4
**Science B.S.	12	9	6	0	12	9	6	3	12	9	6	3
**Adv Degree	18	12	6	0	18	12	6	3	18	12	6	3
Bach Degree	4	4	0	0	2	2	0	0	2	2	0	0
Adv Degree	4	4	0	0	2	2	0	0	2	2	0	0
*W/WW Tech	0	0	0	3	0	0	0	6	0	0	0	6

\*Curriculum approved by advisory board of examiners \*\*Degree shall be in engineering, chemistry, or microbiology

(3) Criteria used for grading shall be determined by the department subject to the approval of the advisory board and shall be made available by the department.

(4) An applicant for certification may be required to submit, to the department, on request, names of persons familiar with the experience qualifications of the applicant.

History: 1979 AC; 1991 AACS; 2000 AACS.

#### **R 325.11912 Examination.**

Rule 1912. (1) A written examination shall be prepared by the department with the concurrence of the advisory board for each public water supply classification, except the F-5, D-5, or S-5 classifications.

(2) A performance-based laboratory examination may be prepared by the department with the concurrence of the advisory board for any classification.

(3) Examinations shall be administered by the department subject to review by the advisory board.

(4) Examinations for F-5, D-5, or S-5 classifications may be any combination of training, written, or oral examination or performance based examination approved by the advisory board.

History: 1979 AC; 1991 AACS; 2000 AACS.

#### **R 325.11913 Rescinded.**

History: 1979 AC; 1991 AACS; 2000 AACS; 2009 AACS.

#### **R 325.11914 Reciprocity.**

Rule 1914. (1) An operator certificate in a comparable classification may be issued by the department, without examination, to an individual who holds a similar operator certificate in another state, a territory or possession of the United States, or another country, if the requirements for certification of operators under which the certificate was issued are comparable to the requirements prescribed by this part.

(2) The department may issue a temporary certificate for an individual who petitions for reciprocity under subrule (1) of this rule. The temporary certificate shall expire at such time as the individual has an opportunity to obtain the results from taking the next available equivalent Michigan certification exam but shall not exceed 18 months in duration. If the individual fails the equivalent Michigan certification exam, he or she will not be eligible for any additional temporary certification.

History: 1979 AC; 2000 AACS.

#### **R 325.11915 Renewal requirements.**

Rule 1915. (1) The department shall renew a certificate on a 3-year cycle. To renew a certificate, a certificate holder shall submit, to the department, an application for renewal on a form provided by the department.

(2) To have a certificate renewed, a holder of a drinking water certificate shall satisfy the minimum criteria for continuing education requirements as required in the following table:

Table 1. Minimum requirements for continuing education

Highest certification level held	Minimum number of continuing education training hours required to renew	Minimum number of continuing education training hours categorized as "technical", "managerial," or both

1 or 2	24	18
3	24	12
4	12	6
5	9	no minimum

(3) Types of education or training programs that may be approved include any of the following:

(a) Association programs that are sponsored by any of the following entities:

(i) American water works association.

(ii) Township, municipal, and county organizations.

(iii) Professional and trade organizations.

(iv) National rural water association.

(b) Distance learning, such as videotapes, DVDs, correspondence courses, and online courses.

(c) Private contractor technical courses.

(d) University, college, and community college courses.

(e) Department and environmental protection agency sponsored training programs.

(f) Training sponsored by nationally recognized organizations.

(g) Water utility in-service training.

(4) A holder of a certificate shall be responsible for renewal of a certificate regardless of notification.

(5) A certificate holder shall keep his or her own record of approved training, education, and work experience and be prepared to present proof of that training, education, and experience if required by the department.

(6) The failure of an applicant for renewal to meet the requirements of this subrule and subrules (1) to (5) of this rule shall constitute grounds for refusing to renew a certificate.

(7) For a holder of multiple certificates within a category, the department shall only renew the certificate representing the higher class within a waterworks system category.

(8) A holder of a certificate who is not eligible for renewal or who has been refused renewal pursuant to subrules (1) to (7) of this rule may apply for examination pursuant to R 325.11910.

(9) A holder of a certificate who has not met the continuing education requirements of subrule (2) of this rule for his or her certification may be issued a certificate for the classification within the same category for which the continuing education requirements have been met. A certificate that is not renewed shall expire.

History: 1979 AC; 1991 AACS; 2000 AACS; 2009 AACS; 2015 MR 20, Eff. Oct. 16, 2015.

#### **R 325.11915a Reinstatement.**

Rule 1915a. The department may reinstate an expired certificate within 1 year from the expiration date of the certificate when an individual has completed the necessary continuing education requirements as prorated from the certificate's expiration date. Upon department approval, a new certificate shall be issued.

History: 1991 AACS; 2000 AACS.

#### **R 325.11916 Rescinded.**

History: 1979 AC; 1991 AACS.

#### **R 325.11917 Suspension or revocation of certificates.**

Rule 1917. (1) After notice and a hearing before the advisory board, the director may deny exam application to an individual or place on probation, suspend, or revoke the certificate of an operator if the director determines that any of the following provisions apply:

(a) The operator is incompetent or unable to properly perform the duties of a waterworks system operator.

(b) An individual or operator has committed fraud or has falsified an application, examination, report, or record with respect to a water supply.

(c) The operator has been negligent in the discharge of properly assigned duties or responsibilities with respect to a water supply.

(d) An individual or operator has impersonated or misrepresented a certified operator or falsified a certificate of completion or training record.

(2) The department shall provide a notice of probation, suspension, or revocation, in writing, to the operator and to the owner of the public water supply where the operator is employed.

(3) The department shall not accept an application for examination during the time period of suspension for an operator who has a suspended certificate.

(4) Upon recommendation of the advisory board, the director shall determine the length of suspension of a certificate.

(5) Renewal of a suspended certificate is allowed if the applicant meets all renewal requirements including the training and continuing education requirements; however, the renewal does not affect the terms of suspension in any way.

(6) The department shall not accept an application for examination from an operator for a period of 5 years from the effective date of the revocation of certificate.

(7) Upon recommendation of the advisory board, the director may place a certified operator on probation for up to 2 years in accordance with the provisions of subrule (1) of this rule. A certificate holder who is placed on probation is subject to the terms and conditions of the order of probation.

History: 1979 AC; 1991 AACS; 2000 AACS; 2009 AACS.

#### **R 325.11918 Appeals.**

Rule 1918. An individual who feels aggrieved by an action of the department pursuant to the act or this part, or who wishes to appeal any other action of the department with respect to certification may request a hearing pursuant to Act No. 306 of the Public Acts of 1969, as amended, being §§24.201 to 24.315 of the Michigan Compiled Laws, and part 2 of these rules.

History: 1979 AC.