

**USET CERTIFICATION BOARD  
BYLAWS  
FOR WATER AND WASTEWATER  
TREATMENT PLANT OPERATORS AND  
LABORATORY ANALYSTS**



**USET CERTIFICATION BOARD FOR WATER AND WASTEWATER TREATMENT  
PLANT OPERATORS AND LABORATORY ANALYSTS  
BYLAWS**

**SECTION I**

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October, 2008

# **USET CERTIFICATION BOARD FOR WATER AND WASTEWATER TREATMENT PLANT OPERATORS AND LABORATORY ANALYSTS BYLAWS**

## **SECTION I-ARTICLE I. ORGANIZATION**

The title of this organization is the USET Certification Board for Water and Wastewater Treatment Plant Operators and Laboratory Analysts, further known as the USET Certification Board. The USET Certification Board is hereby created as a subsidiary, under the authority of the United South and Eastern Tribes, Inc. (USET).

## **SECTION I-ARTICLE II. PURPOSE**

The purpose of this organization is to promote and insure a standard of excellence of performance and compliance among those individuals, employed by a federally recognized Indian tribe, who meet the established standards, set forth by the federal government in the Safe Drinking Water Act, Federal Clean Water Act, EPA Tribal Drinking Water Operator Certification Program, and administered through the U.S. Environmental Protection Agency (EPA), for operators of water and wastewater treatment plants. This organization is a recognition of tribal sovereignty through its ability to certify operators of tribal facilities, at the same level as other certification boards. This organization is a vehicle for tribes to undergo training and the certification required by the EPA without having to participate in a particular state's certification program.

The set of standards used to insure adequate performance and compliance are those of the Georgia State Board of Examiners, and are at an accepted level of compliance with the Environmental Protection Agency (EPA) and the Safe Drinking Water Act as well as at the Associated Board of Certifications (ABC Board). USET will enter into an agreement with the State of Georgia Board of Examiners to provide the necessary training of applicants for certification. Once training has been satisfactorily completed, and the applicant has obtained a certification by the State of Georgia, the applicant may submit application to the USET Certification Board for their operator certification through reciprocity.

## **SECTION I-ARTICLE III. MEMBERSHIP**

Participation in the USET Certification Board is entirely optional and voluntary for each individual federally recognized tribe. In order for a tribe to participate, they must submit a formal application to the USET Executive Director's office. Once a tribe elects to be involved with the USET Certification Board, all individual operator and tribal

responsibilities, set forth in these bylaws, should be followed as closely as possible.

## SECTION I-ARTICLE IV. DEFINITIONS

As used in this chapter, the term:

- (a) "Certification Board" means the USET Certification Board for Water and Wastewater Operators and Laboratory Analysts unless specified otherwise.
- (b) "Certificate" means the document issued by the Certification Board stating that the operator or laboratory analyst has met the requirements for the specified operator classification of the certification program.
- (c) "Grandparenting" means exempting an operator from meeting initial certification requirements such as having a high school education or equivalent and passing an exam.
- (d) "Laboratory Analyst" means any person who tests water or wastewater samples in conjunction with the operation of public water supply systems or wastewater treatment plants for a federally recognized tribe.
- (e) "Operator" means any person who performs operational duties and water treatment and wastewater treatment plant laboratory testing for reporting purposes for all operator classifications, as defined by the Certification Board, at wastewater treatment plants, wastewater collection systems, water distribution systems, or public water supply systems for a federally recognized tribe.
- (f) "Person" means any individual, corporation, company, association, partnership, county, municipality, state agency, federal agency, federally recognized Indian tribe, or tribal organization.
- (g) "Public Water System" means the system of pipes, structures, and facilities through which water is obtained and treated to be offered to the public for household use or for any other public consumption.
- (h) "Reciprocity" means the exchange, recognition, or enforcement of licenses, privileges or obligation between USET and other EPA approved certifying agencies.
- (i) "Wastewater Collection System" means the system of sanitary sewers, pipes, manholes, pumps, and other such apparatus used to convey sewage to wastewater treatment plants.
- (j) "Wastewater Treatment Plant" means the facilities provided for the treatment and disposal of wastewater, including industrial processed wastewater.

- (k) "Water Distribution System" means the system of pipes, pumps, valves, and other such apparatus used to distribute water to the public.
- (l) "Water Treatment Plant" means that portion of the water supply system, which in some way alter the physical, chemical, or bacteriological composition of the water.

**SECTION I-ARTICLE V. CREATION & COMPOSITION OF CERTIFICATION BOARD; MEMBERS; MEETINGS; OFFICERS.**

- (A) There is created the USET Certification Board for the certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts. The Certification Board shall be composed of six members to be confirmed by the USET Board of Directors. The appointments shall be made as follows:
  - (1) One member from the USET Natural Resources Committee
  - (2) One member who is a currently employed public water supply system operator holding a valid certificate of the highest classification issued by any certification board and is currently in good standing
  - (3) One member who is a currently employed wastewater treatment plant operator holding a valid certificate of the highest classification issued by any certification board and is currently in good standing
  - (4) One member who is currently employed as an engineer or director of public works
  - (5) One member who is a consultant in the field of water supply and water pollution control, or who is engaged in teaching or administering courses in water supply and water pollution control in an educational institution, and
  - (6) One member from the USET Board of Directors
  - (7) One member who is currently employed as a certified lab analysts (this position is to be added at a later date as the Certification Board deems necessary)

The initial terms for the Certification Board will be staggered: positions 1-3 shall be two-year terms and positions 4-6 shall be one-year terms. After the first term, members will be appointed to three year terms. The Certification Board composition and established rotation provides for stakeholder involvement and gives opportunity to other interested tribal members to serve on the Certification Board without jeopardizing the effectiveness and stability of the Certification Board.

- (B) The USET Board of Directors may fill any vacancy in the appointed membership of the Certification Board and may remove any appointed member for cause.
- (C) The members of the Certification Board shall be reimbursed for allowable expenses as set forth in the USET, Inc. Fiscal Policies and Procedures governing travel (ie: per diem, mileage, lodging, travel).
- (D) The members of the Certification Board shall meet for an organizational meeting at the call of the USET Executive Director, within 60 days after their appointments and thereafter at least once a year, at such time and place as may be provided by rules and regulation adopted by the Certification Board. Special meetings may be called by the Chairperson or the USET Executive Director at such time and under such circumstances as they may deem necessary and proper.
- (E) At the first meeting of the Certification Board and annually thereafter, the members shall elect one of its members to serve as Chairperson and one to serve as Vice-Chairperson, to take office on October 1 of each year.
- (F) A majority of appointed members of the USET Certification Board, in attendance, shall constitute a quorum for the transaction of business.
- (G) All meetings of the USET Certification Board shall be governed by Roberts Rules of Order.

**SECTION I-ARTICLE VI. USET EXECUTIVE DIRECTOR AS SECRETARY OF THE CERTIFICATION BOARD**

The USET Executive Director shall act as the administrative agent for the Certification Board and shall, with respect to the Certification Board, exercise those powers and duties conferred on him by the Certification Board. All rules and regulations pertaining to the Administration of the USET Certification Board for the Certification of Water and Wastewater Operators and Laboratory Analysts shall be administered by the USET Executive Director.

**SECTION I-ARTICLE VII. ADOPTION OF RULES AND REGULATIONS BY CERTIFICATION BOARD**

The Certification Board shall have the authority to adopt such rules and regulations as necessary to administer the purposes expressed in these bylaws. The rules and regulations shall include, but are not limited to, provisions establishing qualifications of applicants and procedures for examination of candidates. All rules and regulations and bylaw modifications are approved by the Certification Board and submitted to the USET Board of Directors for final approval through Resolution.



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**SECTION I-ARTICLE VIII. CERTIFICATION OF OPERATORS OF WATER OR  
WASTEWATER TREATMENT PLANTS AND  
LABORATORY ANALYSTS**

- (A) The Certification Board shall certify persons as qualified to operate and/or perform analyses for: public water supply systems, water distribution systems, wastewater treatment plants, and wastewater collection systems.
- (B) Any person who operates a public water supply system, water distribution system, wastewater treatment plant, wastewater collection system, or performs laboratory analysis may obtain a certificate from the Certification Board. Such person shall make application to the Certification Board for such certificate, said application shall be accompanied by:
- 1) appropriate fees, in the amount established by the Certification Board;
  - 2) proof of successfully completing the training for which the certificate will be awarded at the level approved by the Certification Board;
  - 3) a letter of endorsement from the tribe which the applicant is employed by at the time of issue of the certification.
- (C) Any laboratory analysts who conduct certain tests (ie: temperature, PH, dissolved oxygen, settleable solids, Chlorine, suspended solids, turbidity, and mixed liquors), as defined by the Certification Board, of water or wastewater samples in conjunction with the operation of public water supply systems, wastewater treatment plants, industrial wastewater, or pretreatment may obtain a certificate from the Certification Board, subject to the provisions in paragraph (B).
- (D) Notwithstanding the provisions of paragraph (C) of this subsection, any person who possesses certification by the Certification Board as Class I and II operators of water treatment plant or wastewater treatment plant shall not be required to obtain a certificate to perform the duties of a laboratory analyst.
- (E) Any certificate granted under these bylaws shall be renewable bi-annually. Application for renewal of certificates shall be accompanied by a renewal fee in the amount established by the Certification Board as well as, personal and professional endorsement by the tribe they are employed by at the time of renewal. The Certification Board may also require continuing education as a condition of certificate renewal.
- (F) Any person who possesses certification by the Certification Board as an operator of a public water supply system shall not be required to obtain a certificate to operate a water distribution system if that system serves a population of 3,300 or less and meets the additional requirements of a Class IV water distribution system (Appendix A (2), Distribution Classification). However, any person/tribe



who wishes to pursue a certification for a Class IV water distribution system would be considered acceptable to the Certification Board.

- G) Any person who possesses certification by the Board as an operator of a wastewater treatment plant shall not be required to obtain a certificate to operate a wastewater collection system.
- (H) Those tribes that participate in the Certification Board shall be required to have a minimum of one certified operator per tribe which meets the standards of federal regulations for the operation of safe drinking water treatment facilities.

## **SECTION I-ARTICLE IX. GRANDPARENTING OF OPERATORS**

The Certification Board recognizes that many small tribal systems are maintained by competent operators who may not be able to meet the initial requirements of certification. The Certification Board may provide for grandparenting of an operator to exempt that operator from meeting initial certification requirements, such as a high school education or passing an exam. The operator will be required to meet all training and other requirements necessary for certification (see also, Section III, Article 1). Grandparenting of operators is subject to the following requirements:

- (A) Applications for grandparent status will be received by the Certification Board and submitted to the appropriate Environmental Protection Agency (EPA) Regional Office. The Regional Office will review and accept or decline all applications for grandparent status. The Regional Office will send their response to the system owner stating the determination of the Region. The Certification Board will accept the determination of the Region.
- (B) Grandparent status is site and/or facility specific and non-transferable. If the grandparented operator goes to work for a different water system, he or she will need to meet the initial certification requirements for that system and will lose their grandparent status.
- (C) The Certification Board will determine, in consultation with the appropriate Regional Office, the training and necessary certification requirements applicable to the grandparented operator. The operator must meet all requirements of certification, including completion of training and payment of all applicable fees, within one year of grandparent status approval.
- (D) If the classification of the plant or distribution system changes to a higher level, then the grandparent status will no longer be valid.

## **SECTION I-ARTICLE X. LATERAL ENTRY OR RECIPROCITY**

The Certification Board, upon application, may issue a certificate without examination to any person who holds a certificate in good standing issued by any entity approved through the EPA Tribal Drinking Water Operator Certification Program, by another country, or by any Tribe, state, territory, or possession of the United States, which has requirements for certification that meet or exceed the requirements of the Certification Board, provided that the applicant provides (a) a copy of a system facility classification as determined by the appropriate jurisdictional agency (b) the classification criteria used by the agency which issued the applicant's current certification (c) the issuing agency's continuing education and/or retesting requirements (d) documentation that the applicant has met the continuing education requirements and/or retesting requirements.

## **SECTION I-ARTICLE XI. REVOCATION AND SUSPENSION OF CERTIFICATES**

The Certification Board may investigate the actions of any operator or laboratory analysts and may revoke or suspend the certificate of an operator and/or analysts, as approved by the USET Board of Directors, following a hearing of facts conducted by the Certification Board in accordance with the established administrative procedures as set forth in these bylaws. This applies when it is found that the operator or laboratory analysts has practiced fraud or deception; that reasonable care, judgment, or the application of the operators knowledge or ability was not used in the performance of duties; or that the operator or laboratory analysts is incompetent or unable to perform duties properly.

## **SECTION I-ARTICLE XII. CLASSIFICATION OF CERTIFICATION OF WATER AND WASTEWATER TREATMENT PLANT OPERATORS AND LABORATORY ANALYSTS**

- (A) Water Treatment Plant Operators: The level of certification for water treatment plant operators is determined by the appropriate jurisdictional agency using the Public Water System Classification for Community and Non-transient Non-community Systems in Appendix A (1). A copy of the current facility classification is requested at the time of application. The USET Certification Board encourages facilities to notify EPA or other applicable agency of jurisdiction of any treatment modifications, expansions, or other significant system changes that may affect classification. The classifications at subpart E of this section shall be considered as minimum levels.
- (B) Water Distribution System Operators: The level of certification for water distribution system operators is determined by the appropriate jurisdictional agency using the Distribution Classification (Appendix A (2)). Certification is not required for Class IV distribution system operators.

- (C) Wastewater Treatment Plant Operators: The level of certification for wastewater treatment plant operators is determined by the appropriate jurisdictional agency using the Wastewater Treatment Plant Point Rating System (Appendix A (3)). A copy of the current facility classification is requested at the time of application. The USET Certification Board encourages facilities to notify EPA or other applicable agency of jurisdiction of any treatment modifications, expansions, or other significant system changes that may affect classification. The classifications at subpart E of this section shall be considered as minimum levels.
- (D) Classification for the minimum levels of laboratory analysts shall be established by the Certification Board at a later date as the Certification Board deems necessary.

USET Certification Board will utilize classifications completed by the appropriate jurisdictional agency to classify all community and non-community treatment facilities in Indian Country. EPA approved point rating systems are included as Appendix A.

- (E) Minimum Level Classification for Water and Wastewater Treatment Plant Operators (does not apply to Water Distribution System Operators)

Class I.....76 points or greater	Class III.....31-55 points
Class II.....56-75 points	Class IV.....30 points or less

All transient non-community water systems with groundwater sources must have at least a Class IV operator certification.

Certification of transient non-community water systems with surface water will be specified in their permit to operate a public water system.

When the complexity of water treatment warrants it, a higher classification may be required and specified in the permit to operate a public water system.

**SECTION I-ARTICLE XIII. WELLHEAD PROTECTION**

- (1) This section serves to help protect wells and springs used as sources of water supply for community public water systems serving municipalities, counties, and authorities from nearby pollution sources.
- (2) The Certification Board encourages use of the current EPA and/or Indian Health Service Wellhead Protection Guidelines for every well, well field, or spring which is used as a source for a community public water supply system serving a municipality, county, or authority

USET CERTIFICATION BOARD FOR WATER AND WASTEWATER TREATMENT  
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**SECTION II**

**Articles:**

- Article I. Classification of public water supply systems and wastewater treatment plants
- Article II. Definitions



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## **SECTION II-ARTICLE I. CLASSIFICATION OF PUBLIC WATER SUPPLY SYSTEMS AND WASTEWATER TREATMENT PLANTS**

USET Certification Board will utilize classifications completed by the appropriate jurisdictional agency to classify all community and non-community treatment facilities in Indian Country. EPA approved point rating systems are included as Appendix A.

## **SECTION II-ARTICLE II. DEFINITIONS**

The following words or phrases as used in this section shall, unless a different meaning is required by context, have the following meaning:

- (a) "Certification Board" means the USET Certification Board for the certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts.
- (b) "Class IV Public Water Supply System" means any very small public water supply system in which a ground water/purchased water system is serving a population of less than 1,000.
- (c) "Course work" means curriculum as approved by the USET Certification Board.
- (d) "Laboratory Analyst" means any person who performs a laboratory analysis in conjunction with the operation of a public water system or wastewater treatment plant for a federally recognized tribe.
- (e) "Laboratory Test" means any test performed in conjunction with the operation of a public water supply system or wastewater treatment plant that is required for regulatory reporting purposes excluding dissolved oxygen, pH, chlorine, residual, turbidity, temperature, and specific conductance for a federally recognized tribe.
- (f) "Operator" means any person who performs operation duties, as defined by the USET Certification Board, at wastewater treatment plants, wastewater collection systems, water distribution systems, public water supply systems, or water treatment plants for a federally recognized tribe.
- (g) "Operator In Responsible Charge" means any operator who has direct general charge of the day-to-day field operation of a wastewater treatment plant, wastewater collection system, water distribution system, or public water supply system, and who is responsible for the quality of the treated water or wastewater effluent for a federally recognized tribe.
- (h) "Operational Duties" for a wastewater treatment plant and for a water treatment plant means day-to-day process control decisions which may affect the treatment, and, therefore, the quality of the treated water and/or wastewater effluent; and for a wastewater collection system or for a water distribution system

means the on-site supervision of the cleaning, maintaining, and repairing of the system.

- (i) "Points" means continuing education requirements by the USET Certification Board as a condition of certificate renewal. The number of points awarded by the USET Certification Board for a course or conference may or may not be the same as the number of contact hours in a course or conference.
- (j) "Process Control Decisions" means decisions which may affect the treatment and, therefore, quality of the treated water and/or wastewater effluent.
- (k) "Public Water Supply System" means the system of pipes, structures, and facilities through which water is obtained and treated, to be offered to the public for household use and for any other public consumption.
- (l) "Supervision" means accountability for the work of supervisee.
- (m) "System" means all integral unit operations and processes, including conduits, appurtenances, machine, control elements and laboratory functions.
- (n) "Trainee" means an individual engaged in a training period. A trainee is not required to hold a certification and may not perform operation duties or perform laboratory tests, unless under the direct supervision of a certified operator or a certified laboratory analysts.
- (o) "Training Period" means a period of time during which a trainee is learning operator or laboratory analysts duties and under the direction of a certified operator/laboratory analyst.
- (p) "Wastewater Collection System" means the system of sanitary sewers, pipes, manholes, pumps, and other such apparatus used to convey sewage to wastewater treatment plants.
- (q) "Wastewater Treatment" means any biological, physical/chemical, or settling processes which removes pollutants from industrial or domestic wastewaters prior to discharge to a stream, sewer, or land. It excludes those processes that consist solely of one or more of the following: screening, pH adjustment, sedimentation processes without mechanical solids removal, septic tanks, grease traps or oil-water separators.
- (r) "Wastewater Treatment Plant" means the facilities provided for the treatment and disposal of wastewater, including industrial process wastewater,
- (s) "Wastewater Treatment System" means the combination of a wastewater collection system and a wastewater treatment plant.

- (t) "Water Distribution System" means the system of pipes, pumps, valves, and other such apparatus to distribute water to the public.
- (u) "Water Treatment Plant" means the portion of the water supply system, which in some way alters the physical, chemical, or bacteriological quality of the water.
- (v) "Water Treatment System" means a public water supply system
- (w) "Public Water System" means a system having 15 or more service connections or regularly serving an average of at least 25 people daily at least 60 days each year.
- (x) "Community Water System" means a system having at least 15 service connections used by year-round residents or regularly serving at least 25 year-round residents.
- (y) "Transient Non-Community System" means a system typically serving travelers and other transients at locations such as highway rest stops, restaurants, and public parks, and serving at least 25 people a day for at least 60 days per year, but not typically the same 25 people each day
- (z) "Non-Transient Non-Community System" means a system serving the same 25 persons for at least 6 months a year, but not year-round.




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**SECTION III**

**Articles:**

- Article I. Certification Requirements
- Article II. Operator in Responsible Charge
- Article III. Classification
- Article IV. Requirements
- Article V. Operational Activities without Further Certification
- Article VI. Expiration Date
- Article VII. Renewal of a certificate
- Article VIII. Renewal of more than one certificate
- Article IX. Basic, advanced, and continuing education courses
- Article X. Documentation of continuing education
- Article XI. Revocation for failure to renew
- Article XII. Reinstatement
- Article XIII. Change of name or address
- Article XIV. Fees
- Article XV. Disciplinary Procedures



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**SECTION III-ARTICLE I. CERTIFICATION REQUIREMENTS.**

- (1) Public Water Supply System Operators and Biological Wastewater Treatment System Operators. All operators should be certified; provided, however, that each individual wastewater treatment or pretreatment facility, shall be required to have only one operator in responsible charge obtain such a certification; and
- (2) Water Distribution System and Wastewater Collection System Operators. All operators should be certified; provided, however, that each industrial wastewater collection system or distribution system shall be required to have only one operator in responsible charge obtain such a certification; and
- (3) Water and Wastewater Laboratory Analyst. All laboratory analysts should be certified; provided, however, that any industrial wastewater or pretreatment plant shall be required to have only one responsible analyst obtain such certification, and any other analysts in that facility shall be supervised by that person; and
- (4) All applicable operators and laboratory analysts must have an active certification, at minimum, in the level of system which they are administering (ie. Class three or four operators must have a class three or four certification).

**SECTION III-ARTICLE II. OPERATOR IN RESPONSIBLE CHARGE.**

The operator who is in responsible charge of a public water supply system or wastewater treatment system shall hold a certificate of a class equal to or higher than the class of the plant or system being operated.

**SECTION III-ARTICLE III. CLASSIFICATION.**

Operator and Laboratory Analysts shall be certified as follows:

- (a) Public Water Supply System Operator: Class I, II, III, or IV
- (b) Water Distribution System Operator; Class I, II, III, or IV
- (c) Wastewater Treatment System Operator: Class I, II, III, or IV
- (d) Wastewater Collection System Operator; (Voluntary)
- (e) Water Laboratory Analyst; (Voluntary)
- (f) Wastewater Laboratory Analyst; (Voluntary)



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## SECTION III-ARTICLE IV. REQUIREMENTS.

In order to be certified in a particular class or category, an applicant must meet requirements as set forth below:

(1) **Current Certification.**

(A) Applicants must hold the following certifications before taking an examination for the next level of certification.

<u>Certificate Applied For</u>	<u>Current Certificate</u>
Public Water Supply System Operator	
Class IV	None
Class III	None
Class II	III
Class I	II
Wastewater Treatment System Operator	
Class IV	None
Class III	None
Class II	III
Class I	II
Water or Wastewater Laboratory Analysts	None
Water Distribution System Operator	None
Wastewater Collection System Operator	None (Voluntary)

(2) **Education.**

Every applicant must have earned a minimum of a high school diploma or GED certificate prior to taking the examination and must provide proof of education when he/she submits the application for certificate to the USET Certification Board.

(3) **Experience.**

(A) Applicants must have completed experience in actual system operation prior to taking an examination. The amount of experience that is required is dependent upon the applicant's education, as follows:

<u>Certificate Applied For</u>	<u>Experience</u>	<u>Experience</u>
All Classifications	H.S. Diploma or GED Certificate	With Accredited B.S. Degree or higher in Biology, Chemistry, Engineering, or an equivalent degree, or a current Class I certificate in another category
Public Water Supply System Operator		
Class IV	1 month	1 month
Class III	3 months	3 months
Class II	2 years	1 year
Class I	3 years	2 years
Wastewater Treatment System Operators		
Class IV	1 month	1 month
Class III	3 months	3 months
Class II	2 years	1 year
Class I	3 years	2 years
Water or Wastewater Laboratory Analysts	3 months	3 months
Water Distribution System Operator	3 months	3 months
Wastewater Collection System Operator	3 months	3 months

(B) For those applicants who have a high school diploma or GED certificate, the USET Certification Board may consider other factors, including post secondary education and other training and experience, to determine satisfaction of the experience requirements.

(4) **Course Work.**

(A) Applicants must have complete the required course work prior to taking the examination and provide proof of completion of course work when they submit their application for certificate to the USET Certification Board. The USET Certification Board may evaluate, on a case-by-case basis, post secondary education to determine satisfaction of the course work requirements.



Certificate Applied For

Course Work

Public Water Supply System Operator

Class IV

6 Hours basic water operator course work

Class III

40 Hours basic water operator course work

Class II

48 Hours advanced water operator course work

Class I

No additional

Wastewater Treatment System Operator

Class IV

6 Hours basic waste stabilization pond operator course work

Class III

40 Hours basic wastewater operator course work

Class II

48 Hours advanced wastewater operator course work

Class I

No additional

Water or Wastewater Laboratory Analyst

27 Hours basic water laboratory course work or Associates Degree or higher in Biology, Environmental Science, Chemistry, or an equivalent degree

Water Distribution System Operator course work

27 Hours basic water distribution

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Wastewater Collection System Operator

27 hours wastewater collection course work

**(5) Examination.**

An applicant must pass a written examination in the State of Georgia or a state that meets or exceeds Georgia standards or through an entity approved through the EPA Tribal Drinking Water Operator Program in order to receive a certificate. Examination



will be offered six times a year through the State of Georgia. An updated schedule of dates must be obtained from the USET Certification Board.

**SECTION III-ARTICLE V. OPERATIONAL ACTIVITIES WITHOUT FURTHER CERTIFICATION**

- (1) Certified Class IV Public Water Supply System Operators may operate only very small public water supply systems and their distribution systems.
- (2) Certified Class IV Wastewater Treatment System Operators may operate only Class IV Wastewater Treatment Systems and their collection systems.

**SECTION III-ARTICLE VI. EXPIRATION DATE.**

All certificates will expire quarterly (March 30, June 30, September 30, or December 31) in odd-number years dependent upon date of issuance

**SECTION III-ARTICLE VII. RENEWAL OF A CERTIFICATE.**

- (1) An application for renewal of a certificate must be accompanied by a renewal fee (See Fee Schedule, Appendix B) and attestation of continuing education points accumulated since the last renewal period. The following chart lists the required number of points for each renewal certification:

<u>Certification Held</u>	<u>Continuing Education Points</u>
Class I Operator Water & Wastewater	18
Class II Operator Water & Wastewater	12
Laboratory Analyst Water & Wastewater	12
Class III Operator Water & Wastewater	6
Water Distribution System Operator	6
Wastewater Collection System Operator	6
Class IV Operator Water & Wastewater	2

- (2) The bi-annual renewal fee is due and payable in the applicable quarter of expiration (March 30, June 30, September 30, or December 31 of odd-numbered years). A surcharge will be added for payments received within a three month penalty period. Any continuing education points acquired to renew that certificate during the penalty period may not be used again during the next renewal cycle.

- (3) An individual who passes an examination required by the USET Certification Board for certification is exempt from all continuing education for the first following renewal period after passage of the exam. (There is no continuing education requirement for the first renewal)

**SECTION III-ARTICLE VIII. RENEWAL OF MORE THAN ONE CERTIFICATE.**

- (1) An operator may maintain multiple certifications in more than one class of a category.
- (2) An operator or analyst who holds more than one certificate must submit the following:
- a renewal application for each certificate;
  - a renewal fee for each certificate;
  - attestation of the highest number of continuing education points which are required to renew any of the Operator's or Laboratory Analyst's certificates (ie., 18, 12, or 6).

**SECTION III-ARTICLE IX. BASIC, ADVANCED, AND CONTINUING EDUCATION COURSES.**

- (1) The USET Certification Board shall maintain a list of currently approved course providers in accordance with eligibility criteria published by the USET Certification Board. Course providers must be approved by the USET Certification Board or its designee in order for applicants to receive credit. The USET Certification Board may also elect to approve individual courses. A request by a course provider for approval must be submitted and accompanied by the appropriate fee and supporting documents as required by the USET Certification Board. All course approvals shall expire on or before the applicable quarter of expiration (March 30, June 30, September 30, or December 31 odd-numbered years)
- (2) Persons who have attended courses which have not received Certification Board approval may petition the USET Certification Board for approval and the Certification Board may grant credit at its discretion. This information should be submitted to the USET Certification Board 30 days prior to certification in order for a determination to be made and not negatively affect certification.

**SECTION III-ARTICLE X. DOCUMENTATION OF CONTINUING EDUCATION.**

- (1) Each operator or laboratory analysts shall maintain for three years their own record of the continuing education activities which they have completed. The USET Certification Board will not maintain continuing education files.



- (2) Applicants shall attest on their biennial application that they have satisfied the continuing education requirements set out in these rules. Documentation of the activities should be retained by the applicant. False attestation of satisfaction of the continuing education requirements on an application shall subject the applicant to disciplinary action, including revocation.
- (3) The USET Certification Board shall conduct an annual audit of all applications to insure compliance with requirements. The number or percentage of applications to be audited may be changed at the discretion of the USET Certification Board. Applicants who are audited will be required to document their continuing education activities. Documentation must be in the form of a certification of attendance, a statement signed by the provider verifying participation in the activity, or an official transcript. Failure to provide the USET Certification Board with documentation of the hours attested to on the renewal application shall be grounds for disapproving the application for renewal or, if the certificate has been renewed, revoking the certificate.

### **SECTION III-ARTICLE XI. REVOCATION FOR FAILURE TO RENEW.**

Failure to renew a certificate within 90 days of the renewal date shall have the same effect as revocation of the certificate.

### **SECTION III-ARTICLE XII. REINSTATEMENT.**

- (1) Certificates that have not been renewed may be reinstated at the discretion of the USET Certification Board. An operator or analyst may not be issued more than one certificate number in a class and category.
- (2) Applications for reinstatement shall be accompanied by:
  - a) A reinstatement fee established by the USET Certification Board (see fee schedule, Appendix B)
  - b) Evidence of the completion, since last renewal, of the total continuing education points which would have been required if the certificate had been maintained in a current status; and
  - c) Evidence of meeting the minimum current education requirements for that class and category of certificate.
- (3) If a certificate has lapsed for a period of 2 or more years, the USET Certification Board may require, as a prerequisite for reinstatement passage of an examination for that category of certificate or other evidence of continued competency as the Certification Board deems appropriate.

**SECTION III-ARTICLE XIII. CHANGE OF NAME OR ADDRESS.**

- (1) Change of Name. The holder of a certificate shall notify the USET Certification Board, through the USET Office, in writing, within 30 days of a change in their name and must accompany such a notice with a certified copy of the marriage certificate, court order, or other documentation of a legal name change, with the appropriate fee (see fee schedule).
- (2) Change of Address. The holder of a certificate shall notify the USET Certification Board, through the USET Office, in writing within 30 days of a change in their mailing address.

**SECTION III-ARTICLE XIV. FEES.**

Refer to the Fee Schedule (Appendix B) for appropriate fees payable to the USET Certification Board or its agent. Fees may be reviewed and changed at the discretion of the Certification Board.

**SECTION III-ARTICLE XV. DISCIPLINARY PROCEDURES.**

Disciplinary proceedings will be in accordance with the USET Certification Board's Administrative Procedures.

- (1) The USET Certification Board may revoke or suspend the certificate of an Operator or Laboratory Analyst, following a hearing.
- (2) The USET Certification Board may, upon its own motion or upon the verified complaint in writing of any person, investigate the actions of any operator or laboratory analyst or anyone who shall assume the act in such capacity, if the USET Certification Board has reason to believe a violation of the Laws and Rules regulating Water and Wastewater Plant Operators or Laboratory Analyst may have occurred. Complaints which the USET Certification Board may investigate include, but are not limited to, that the Operator or Laboratory Analyst may have practiced fraud or deception; that reasonable care, judgment, or the application of his knowledge or ability was not used in performance of his duties; or that the Operator or Laboratory Analyst is incompetent or unable to perform his duties properly.

USET CERTIFICATION BOARD FOR WATER AND WASTEWATER TREATMENT  
PLANT OPERATORS AND LABORATORY ANALYSTS  
BYLAWS

**SECTION IV**

**Articles:**

- Article I. Grounds for refusing to grant or revoke licenses; Application of administrative procedures
- Article II. Licensed application to include questions on prior revocation or denial of license

**SECTION IV-ARTICLE I. GROUND FOR REFUSING TO GRANT OR REVOKING LICENSES; APPLICATION OF ADMINISTRATIVE PROCEDURES; SUBPOENA POWERS; JUDICIAL REVIEW.**

- (A) The USET Certification Board shall have the authority to refuse to grant a license to an applicant therefore or to revoke the license of a person licensed by that Board or to discipline a person licensed by that Board, upon a finding by a majority of the entire Certification Board that the license or applicant has:
- (1) Failed to demonstrate the qualifications or standards for a license contained in these bylaws, or the rules and regulations under which the licensure is sought or held; it shall be incumbent upon the applicant to demonstrate to the satisfaction of the Certification Board that he meets all the requirements for the issuance of a license, and, if the Certification Board is not satisfied as to the applicant's qualifications, it may deny a license without a prior hearing; provided, however, that the applicant shall be allowed to appear before the Certification Board if he so desires.
  - (2) Knowingly made misleading, deceptive, untrue, or fraudulent representations in the practice of a business or profession licensed under this document or any document connected therewith; or practiced fraud or deceit or intentionally made any false statement in obtaining a license to practice the licensed business or profession; or made a false statement or deceptive registration with the Certification Board.
  - (3) Been convicted of any felony or of any crime involving moral turpitude in the courts of the federal government or any tribal courts; as used in this paragraph, the term "felony" shall include any offense which, if committed in the applicant's state, would be deemed a felony, without regard to its designation elsewhere; and as used in this paragraph the term "conviction" shall include a finding or verdict of guilty or a plea of guilty, regardless of whether an appeal of the conviction has been sought; or has been arrested, charged, and sentenced for the commission of any felony, or any crime involving moral turpitude, where:
    - (a) First offender treatment without adjudication of guilty pursuant to the charge was granted; or
    - (b) An adjudication of guilt or sentence was otherwise withheld or not entered on the charge, except with respect to a plea on nolo contendere.
  - (4) Had his license to practice a business or profession licensed under these bylaws revoked, suspended, or annulled by any other lawful licensing authority other than the USET Certification Board, or had other

disciplinary action taken against him by any such lawful licensing authority other than the Certification Board; or was denied a license by any such lawful licensing authority other than the Certification Board, pursuant to disciplinary proceedings, or was refused the renewal of a license by any such lawful licensing authority other than the Certification Board, pursuant to disciplinary proceedings.

- (5) Engaged in any unprofessional, immoral, unethical, deceptive, or deleterious conduct or practice harmful to the public, which conduct or practice materially affects the fitness of the licensee to applicant to practice a business to profession licensed under these bylaws, or of a nature likely to jeopardize the interest of the public, which conduct or practice need not have resulted in actual injury to any person or be directly related to the practice of the licensed business or profession, but shows that the licensee to the applicant has committed any act or omission which is indicative of bad moral character or untrustworthiness; unprofessional conduct shall also include any departure from, or the failure to conform to, the minimal reasonable standards of acceptable and prevailing practice of the business or profession licensed under this title;
- (6) Knowingly performed any act which in any way aids, assists, procures, advises, or encourages any unlicensed person or any licensee whose license has been suspended or revoked by a professional licensing board to practice a business or profession licensed under these bylaws or to practice outside the scope of any disciplinary limitation placed upon the licensee by the Certification Board;
- (7) Violated a regulation of the USET Certification Board or any other lawful authority (without regard to whether the violation is criminally punishable), which the regulations relates to the practice of a business or profession licensed under these bylaws, when the licensee or applicant knows or should know that such action is volatile of such regulations; or violated an order of the Certification Board previously entered by the Certification Board in a hearing, decree, or licensing reinstatement.
- (8) Been adjudged mentally incompetent by a court of competent jurisdiction; any such adjudication shall automatically suspend the license of any such person and shall prevent the re-issuance or renewal of any license so suspended for as long as the adjudication of incompetence is in effect; or
- (9) Display an inability to practice business or profession licensed under these bylaws with reasonable skill and safety to the public or has become unable to practice the licensed business to profession with reasonable skill and safety to the public by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any type of material;



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- (B) Applicants or licensee shall obtain from their individual tribe, where they operate under the license issued by the USET Certification Board, a personal endorsement by the tribe insuring that all of the requirements are met and no violations have been made; and they are an “employee in good standing” with that tribe.
- (C) The Executive Director of USET is vested with the power and authority to make, or cause to be made through employees or agents of each professional license board, such investigations as he and the USET Certification Board may deem necessary and proper for the enforcement of the provisions of these bylaws.
- (1) The results of all investigations initiated by the USET Certification Board shall be reported solely to the Certification Board, and the records of such investigations shall be kept for the Certification Board by the USET Executive Director, with the Certification Board retaining the right to have access to such records. No part of any such records shall be released, except to the Certification Board, for any purpose, nor shall such records be subject to subpoena; provided however, that the Certification Board shall be authorized to release such records to another enforcement agency or lawful licensing authority
  - (2) A person, firm, corporation, association, authority, tribal entity shall be immune from civil and criminal liability for reports in or investigating the acts or omission of a licensee or applicant which violate the provisions of these bylaws or any other provision of law relating to a licensee’s or applicant’s fitness to practice the profession licensed under these bylaws
  - (3) Neither the issuance of a private reprimand nor the denial of a license by reciprocity nor the denial of a request for reinstatement of a revoked license nor the refusal to issue a previously denied license shall be considered a contested case. The applicant or licensee shall be permitted to appear before the Certification Board if they so request. The Certification Board may resolve a pending action by the issuance of letter of concern.
  - (4) If any licensee or applicant after reasonable notice fails to appear at any hearing of the professional licensing Board for that licensee or applicant, the Certification Board may proceed to hear the evidence against such licensee or applicant and take action as is such licensee or applicant had been present. A notice of hearing, initial or recommended decision, or final decision of the Certification Board in a hearing shall be served personally to the licensee or applicant by certified mail, return receipt requested.

**SECTION IV-ARTICLE II. LICENSED APPLICATION TO INCLUDE QUESTIONS ON  
PRIOR REVOCATION OR DENIAL OF LICENSE**

Each application for a license to practice a profession or business to be issued by a professional licensing by the USET Certification Board shall include a question as to whether the applicant for such license:

- (1) Has had revoked or suspended or otherwise sanctioned any license issued to the applicant by any board or agency; or
- (2) Was denied issuance of or, pursuant to disciplinary proceedings, refused renewal of license by any board or agency.

The question shall be answered under oath and the answer shall include the name of the board or agency, which revoked, suspended, denied, refused renewal of, or otherwise sanctioned the license.



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