

STATE OF VERMONT
AGENCY OF ENVIRONMENTAL CONSERVATION NATURAL RESOURCES
DEPARTMENT OF WATER RESOURCES
AND ENVIRONMENTAL ENGINEERING CONSERVATION

ENVIRONMENTAL PROTECTION RULE, CHAPTER 4
WATER POLLUTION ABATEMENT WASTEWATER TREATMENT FACILITY

Operator Certification Regulations Rule

Effective Date October 21, 1985

Section 1. _____ Authority, Purpose, and Applicability

Sections 1263 and 1265 of Title 10 of the Vermont Statutes (—10 V.S.A., §§ 1263 and §1265) provide that any permit for the discharge of waste into the waters of the state State shall require proper operation and maintenance of the pollution abatement wastewater treatment facility as approved by the Secretary of the Agency of Environmental Conservation in the treatment or processing of waste; by qualified personnel in accordance with standards established by the Secretary. The Secretary has delegated this responsibility to the Commissioner of Water Resources and Environmental Engineering Conservation. These regulations are This Rule is established to provide minimum standards of experience and knowledge required of chief operators, and assistant chief operators, and operators of water pollution abatement wastewater treatment facilities. A certified operator shall be present at a treatment plant facility when any operational activity is being undertaken. These standards are This Rule is applicable to any state Agency agency regulating activity which results in a requirement for requires a certified water pollution abatement wastewater treatment facility operator.

Section 2. _____ Definitions

Advisory Board means a group of individuals appointed to advise the Commissioner on addressing wastewater operator certification issues including regulatory and policy revisions, training requirements, determinations of training contact hours, application and examination reviews, and reciprocities.

(a) —“Assistant Chiefchief Operatoroperator”²² means the person whose principal function is performance of operatingwho performs operations duties under the supervision of the chief operator and is identified by the owner of the facility as the person who makes the daily operatingoperational decisions at the facility in the absence of the chief operator.

Biological wastewater treatment means the process by which metabolic activities of bacteria and other microorganisms break down complex organic materials into simple, more stable substances.

Certificate means an official document issued by the Commissioner or delegated authority, stating the operator named therein has met the minimum requirements for the classification of wastewater treatment facility specified therein.

(b) —“Chemical Precipitation” as used in Section 7, means a method of wastewater treatment utilizing chemicals for flocculation and may include precipitation. Addition of these chemicals is specifically designed to remove Biochemical Oxygen Demand (BOD);

suspended solids (SS), Chemical Oxygen Demand (COD), phosphorus, heavy metals or other deleterious constituents of wastewater and as distinguished from chemical addition to enhance sludge dewatering capabilities or to disinfect wastes.

(c) "Chief Operatoroperator" means the person who is stationed on site and identified an individual designated by the owner of the facility as the person to be the certified operator who makes the process control decisions that directly impact the quality or quantity, or both, of wastewaterdaily operating decisions at the facility.

(d) "Commissioner " means the Commissioner of the Department of Water Resources and Environmental EngineeringConservation.

Continuing Education Unit (CEU) means a certain number of training contact hours. Some seminars, workshops, training courses, and college courses have official CEU values. 1.0 CEU = 10 Training Contact Hours (TCH).

Contract operations means the operation, management, and/or maintenance of a wastewater treatment facility by someone under contract or agreement other than the owner of the facility.

(e) "Department" means the Vermont Department of Water Resources and Environmental EngineeringConservation.

(f) "Design Flowflow" means the design capacity of the wastewater treatment facility.

Direct responsible charge for a chief operator means experience as an on-site daily supervisor of the operation of a wastewater treatment facility. The person has responsibility for, without limitation, all process and control direction. Operation of individual process units alone does not constitute direct responsible charge experience.

Domestic wastewater means wastewater discharges from residences or from employee or public washrooms in institutions, businesses, or industrial establishments.

Educational substitution (in place of wastewater experience) means college level courses resulting in a degree relating to wastewater treatment.

General Equivalency Diploma (GED) means a diploma obtained by passing a general educational development test or its equivalent as recognized by the issuing state board of education.

In the field means employment at a wastewater treatment facility or employment which is directly related to the operation of a wastewater treatment facility.

Inactive means the status of a certificate due to operator retirement or certificate expiration.

Industrial wastewater means wastewater, other than domestic, discharged from institutions, businesses, or industrial establishments that is amenable to treatment by means of biological, mechanical, or chemical wastewater treatment.

Operational activity means an activity which directly affects the operations of the wastewater treatment facility (e.g. adjusting valves, performing process control tests, increasing aeration rates, etc.)

~~(g) "Experience in Operation" means time as an operator, assistant chief operator or chief operator, all as defined herein.~~

~~(h) "Facility" means a pollution abatement facility permitted by the Department for the purpose of treating domestic sewage and/or industrial wastewaters.~~

~~(i) "**Operator**" means a person whose principal function (greater than 50% of working time) is operating process equipment/valves, etc., at a facility or performing laboratory testing and who is not a chief operator or assistant chief operator. An operator works under the direct supervision of a chief operator or assistant chief operator. Persons whose principal duty is maintenance or truck driving are not operators. ~~An operator works under the direct supervision of a chief or assistant chief operator.~~ The owner of the facility must identify the principal function of an employee applying for certification.~~

~~(j) "Operator Certificate" means a certificate issued by the Department of Water Resources and Environmental Engineering certifying that a chief operator, assistant chief operator or operator has met the requirements of the Certification Program as provided for in these regulations.~~

~~(k) "**Owner**" as used herein, refers to means the discharge permit holder who is legally responsible for the operation of the pollution abatement wastewater treatment facility and refers to a public, private, municipal or industrial treatment facility.~~

Reciprocity means the certification of an individual who has successfully complied with wastewater operator certification requirements in another state which are equivalent to certification standards in Vermont, as determined by the Commissioner or delegated authority.

Satisfactory evidence means certified copies of official transcripts, diplomas, course descriptions, or other documentation acceptable to the Commissioner or delegated authority.

Training Contact Hour (TCH) means one hour of instruction, approved by the Commissioner or delegated authority, on a topic related to wastewater treatment facility operation. 10 TCHs = 1.0 CEU.

Wastewater treatment facility means a pollution abatement facility permitted by the Department for the purpose of treating domestic sewage or industrial wastewaters, or both.

Section 3. _____ General Policy and Requirements for Owners of Wastewater Treatment Facilities

~~(a) Any Owners of wastewater treatment facilities that have discharge permits issued pursuant to 10 V.S.A. §§ 1263 or 1265 or a permit or certificate of compliance issued~~

~~pursuant to 10 V.S.A. § 1973¹, when such a permit or certificate requires facility operation by certified operators owner of a facility having a permit issued pursuant to 10 V.S.A., §1263 or §1265, or, a permit or certificate of compliance issued pursuant to 18 V.S.A., §1218 or §1303, when such permit or certificate requires facility operation by certified operators, shall employ only a chief operators, and an assistant chief operators, and/or operators who hold valid certifications of the grades and/or industrial type as required herein, or in the case of an owner unable to recruit a chief and assistant chief operator possessing or capable of obtaining a certificate in the required grade, a provisional certificate shall be issued as provided in Section 6 of these regulations. (The Agency fully encourages the employment of competent, experience and certified operators.) Chief operators of domestic wastewater treatment facilities are required to hold a certificate in the numerical grade and/or industrial type equal to the numerical class of the facility at which they are employed. Assistant chief operators of domestic wastewater facilities are required to hold a certificate not more than two grades and/or industrial types below the numerical class of the facility at which they are employed. Employees of businesses that provide contract operations services shall be certified in accordance with this Rule. Chief operators of industrial wastewater facilities are required to hold a certificate in the numerical grade and industrial type equal to the numerical class and industrial type of the facility at which they are employed. Assistant chief operators of industrial wastewater facilities are required to hold a certificate in the industrial type and not more than two grades below the industrial class of the facility for which they are employed.~~

~~"The granting of a provisional certificate shall not be a defense for improper operation and maintenance of any treatment facility or equipment or for non-compliance with the terms and conditions of a permit issued pursuant to 10 V.S.A., §1263 or §1265 or a permit or certificate of compliance issued pursuant to 18 V.S.A., §1218 or §1303."~~

~~(b) Each wastewater treatment facility must have adequate staffing by certified operators to ensure proper operations and maintenance of the facility.~~

~~(bc) The owner of a wastewater treatment facility will shall require and permit each chief operator, assistant chief operator, and operator to display prominently display his or her, his wastewater operator certificate in the office of the wastewater treatment facility.~~

~~(c) Certification is voluntary for operators.~~

Section 4. Certificate Grades and Basic Requirements

(a) Operator certificates will be graded in accordance with the facility type, complexity, and design flow of facilities as classified by the Department under Section 7.

(b) Applicants ~~in for all classifications~~ certifications shall be able to read and write the English language and have a high school diploma, General Equivalency Diploma (GED), or equivalent.

¹ The permitting requirements of 18 V.S.A. §§ 1218 and 1303 were transferred to 10 V.S.A. § 1973. Facilities covered by such permits, which require facility operation by certified operators, must also comply with this Rule.

(c) Each certificate grade shall require a certain amount of relevant experience outlined in Table 1 below. Education may be substituted for experience for up to one half of the experience requirement established in section 4(e) through 4(f)-the table below. All education to be substituted for experience must be documented by a technical school completion certificate or college degree accompanied by a transcript detailing the courses completed; equivalent documented training and education provided by the military shall also be considered. All course-work resulting in a degree must be in a the field of sanitary engineering, environmental engineering, public health engineering, chemical engineering, chemistry or biology with specific course concentration in waste water treatment water quality related field. Examples include biology, chemical engineering, chemistry, civil engineering, environmental engineering, public health engineering, and sanitary engineering. All requests for educational substitution shall be reviewed by the Commissioner or delegated authority. A college or technical school certificate must be specifically in the field of wastewater treatment.

A list of certificates and degrees and the amount of education that can may be substituted for experience is as follows:

<u>Type of degree</u>	<u>Degree or Certificate</u>	<u>Experiene</u>	<u>Educational Substitution</u>
	Technical school or college certificate		up to 6 months
	Two-year associate's degree		up to 1 year
	Four-year Bachelors	bachelor's degree	up to 2 years
	Master's degree		up to 3 years

(d) Applicants for certification must be employed as an operator, assistant chief operator or chief operator in Vermont at the time of application. Chief operators of wastewater treatment facilities are required to hold a certificate in the numerical grade and/or industrial type equal to the numerical class of the facility at which they are employed. Assistant chief operators of wastewater treatment facilities are required to hold a certificate not more than two grades below the numerical class and/or industrial type of the facility at which they are employed.

TABLE 1

<u>Wastewater Treatment Facility Classification</u>	<u>Successful completion of wastewater operator certification exam</u>	<u>Experience in the operation of a wastewater treatment facility</u>
<u>I Domestic or Industrial</u>	<u>Grade 1</u>	<u>2 years</u>
<u>II Domestic or Industrial</u>	<u>Grade 2</u>	<u>2 years</u>
<u>III Domestic</u>	<u>Grade 3</u>	<u>3 years</u>
<u>IV Domestic or Industrial</u>	<u>Grade 4</u>	<u>4 years</u>
<u>V Domestic</u>	<u>Grade 5</u>	<u>5 years</u>

(e) Grade I Certificate (Domestic or Industrial)

~~—Applicants for this grade must submit satisfactory evidence of at least two years experience in operation of a plant in this or higher class, and will be required to have passed a Grade I examination.~~

~~(f) Grade II Certificate (Domestic or Industrial)~~

~~—Applicants for this grade must submit satisfactory evidence of at least two years experience in the operation of a plant in Class I or higher and pass a Grade II examination.~~

~~(g) Grade III Certificate~~

~~—Applicants for this grade must submit satisfactory evidence of at least three years experience in the operation of a plant in Class I or higher and pass a Grade III examination.~~

~~(h) Grade IV Certificate (Domestic or Industrial)~~

~~—Applicants for this grade must submit satisfactory evidence of at least four years experience in the operation of a plant in Class I or higher and pass a Grade IV examination.~~

~~(i) Grade V Certificate~~

~~—Applicants for this grade must submit satisfactory evidence of at least five years experience in the operation of a plant in Class I or higher and pass a Grade V examination.~~

Section 5. General Procedure

~~(a) Application filing. An operator, assistant chief operator or chief operator desiring to be certified shall file an application for certification on a form approved by the Department~~
applicant for a wastewater operator certificate or certificate renewal shall file an application on a form approved by the Department and pay applicable fees as set by 3 V.S.A. § 2822(j)(14).

~~(b) Application and supporting documents will be reviewed by the Department to ascertain whether or not the applicant possesses the requirements provided herein for the grade applied for, and will notify the applicant of his status in writing~~
Application review. The Commissioner or delegated authority shall review an applicant's application and supporting documents to determine whether or not the applicant possesses the requirements provided herein for the grade applied for, and the Commissioner or delegated authority shall notify the applicant of the application status in writing.

~~(c) The Department will prepare such written and oral examinations as will properly reflect the knowledge and ability required of the various classes. The Department will conduct examinations at such times and places as they may find necessary, but not less than once annually. Applicants will be notified of the results. Applicants may take the examination prior to meeting the experience requirements.~~
First time applicants. First-time applicants for certification must be employed as an operator, assistant chief operator, or chief operator at a

wastewater treatment facility in Vermont at the time of application. The Commissioner or delegated authority shall consider relevant military experience.

(d) In the event an applicant fails to pass an examination, he may reapply to take the next scheduled examination. Certification examinations. Examinations shall properly reflect the knowledge and ability required of the various facility classifications. The Department shall conduct certification examinations at such times and places as they may find necessary, but not less than once annually. Applicants will be notified of the results. Anyone may take an exam when offered regardless of experience, training and employment.

(e) Retaking the examination. Applicants who do not obtain a passing grade on a certification examination may be retested at the next scheduled examination.

(ef) Reciprocity. The Department Commissioner or delegated authority may waive examination for applicants holding valid certificates or licenses in a comparable or higher classification issued by other states or certifying authorities which the Department determines have equivalent certification standards, but reciprocity shall not be granted at the highest grade for each category, except upon examination. The applicant's previous job description and experience in the wastewater field will be considered. Applicants will be notified in writing of the Department's determination for certification. If the applicant is a service member, veteran, or military spouse, the applicant shall be notified within 60 days of the receipt of a complete application of the Department's determination.

(fg) Waiver of certification. The Department Commissioner or delegated authority may waive the requirement for a certified chief operator, or assistant chief operator, or operator based on the simplicity lack of complexity of the operation of the facility involved.

(h) Emergency situations. In emergency situations the Commissioner or delegated authority reserves the right to, on a case-by-case basis, suspend the certification requirement for a chief operator, assistant chief operator, or operator for up to one year. A wastewater treatment facility must provide sufficient evidence to the Department that an emergency exists at the facility and that a suspension of the certification requirement for a particular employee or employees is the only means by which the facility can continue to safely operate.

Section 6. _____ Issuance of Certificates

(a) Upon satisfactory fulfillment of the requirements provided herein, the Department will Commissioner or delegated authority shall issue a suitable certificate. The Each certificate for domestic and/or industrial facility operators will shall state the grade and type for which the applicant is certified. For industrial grades, the grade and type of the industry will be stated.

-(b) Provisional Certificates

(b) For individuals new to the wastewater field, which do not meet the minimum requirements for full certification, the Commissioner or delegated authority may issue a provisional certificate. The A provisional certificate will be issued if the applicant must meets the requirements of sectionSection 4(b) and be currently employed at a Vermont wastewater treatment facility. -First-time applicants for Domestic(e) and in addition or Industrial Grade 3, 4, or 5, -Industrial orprovisional certificates -Domestic Grade III, IV and V provisional certificates willmust also have -require experience in operation-the wastewater field of-for a minimum of one, two, or three years respectively.

(ii) A provisional certificate shall be valid only for the period of time, not to exceed two years, necessary for the applicant to acquire the training required, as shown in the following table, and to qualify for a full certificate valid for the facility. In the event the requirements for approved training and for full certificate are not met within two years, the provisional certificate will terminate and will not be reissued.

TABLE 2
TRAINING REQUIREMENTS FOR PROVISIONALS

Grade I	8 10 hours
Grade II	10-12 hours
Grade III	12-15 hours
Grade IV	12-15 hours
Grade V	16-20 hours

(iii) Applicants holding provisional certificates must present evidence to the Department that demonstrates they have completed the completion of at least the above hours of training, have the requisite years of experience, and have successfully passed the certification examination in order to be eligible for a full certificate. courses, short courses, or seminars in order to be eligible for a full certificate. Such pre-approved training courses, short courses or seminars must relate directly to the field of wastewater treatment operations and be approved by the department. Attendance at these courses must be for at least 75 percent of the training hours involved in the course and be verified by a certificate signed by the instructor designating the total training hours involvedverified by a signed affidavit.

(iv) The granting of a provisional certificate shall not be a defense for improper operation and maintenance of any wastewater treatment facility or equipment or for non-compliance with the terms and conditions of a permit issued pursuant to 10 V.S.A. §§ 1263 or 1265 or a permit or certificate of compliance issued pursuant to 10 V.S.A. § 1973², when such a permit or certificate requires facility operation by certified operators.

(c) Full Certificates and Full Certificate Renewal

(i) Once granted, full Certificatescertificates shall continue in effect for a period of five years after July 1 of the year in which issued or renewed, unless upgraded or revoked prior to that time. The certificate may be renewed in the same grade by application to the

² The permitting requirements of 18 V.S.A. §§ 1218 and 1303 were transferred to 10 V.S.A. § 1973. Facilities covered by such permits, which require facility operation by certified operators, must also comply with this Rule.

Department on an approved form, Operators may apply for renewal sixty60 days prior to the date of expiration date of the certificate, subject to the requirements of (d) immediately following. The Commissioner or delegated authority shall review the application and promptly notify the applicant of any deficiencies. If the application is complete and the renewal requirements fulfilled, the Commissioner or delegated authority shall issue a renewed certificate.

(dii) Applicants for renewal shall present evidence to the Department that demonstrates the completion of courses, short courses and/or seminars, the contents of which directly relate to the field of wastewater treatment approved training hours in amounts indicated in the table below. Within the five years preceding the application for renewal, the following number of completed hours is the minimum required to qualify the applicant for renewal:

TABLE 3
RENEWAL TRAINING REQUIREMENTS

	<u>Domestic</u>		—————	<u>Industrial</u>
hours	——Grade I	-	20 hours	Grade I - 10
hours	——Grade II	-	25 hours	Grade II - 15
hours	——Grade III	-	30 hours	Grade IV - 30
	——Grade IV	-	30 hours	
	——Grade V	-	40 hours	

~~Each short course, course or seminar attended for the purposes of certification renewal must be verified by a completion certificate designating the training hours involved and signed by the instructor. All training courses to be used for renewal training must be approved by the Department. Attendance at these courses must be at least 75 percent of the total classroom hours involved. All courses to be used for renewal training must be pre-approved by the Commissioner or delegated authority. Such pre-approved training must relate directly to the field of wastewater treatment operations and be verified by a signed affidavit. Wastewater related training obtained through on-line or webinar courses shall not exceed 50% of the total renewal training hours required.~~

—————The Department assumes no responsibility to provide any training in conjunction with these training requirements.

~~(a)iii) Certificates shall not be renewed if the training requirements are not met. In the case a certificate is not renewed Any wastewater operator who fails to renew their certificate within 60 days of the certificate expiration due to the lack of training, applicants seeking reissuance must pass a retest of a level at least equal to the level of the previously unrenewed certificate and meet the training requirements. Any reissued certificate shall terminate on the same date as would have occurred had the certificate been originally renewed. All holders of unrenewed certificates are not eligible for provisional certification.~~

~~(ifv) Applicants for renewal must be employed as an operator, assistant chief operator, or chief operator in Vermont at the time of application. If the applicant is not so employed, the certificate shall not be renewed. Such certificates may be reissued upon application to the Department provided the applicant is again employed as a chief, assistant chief or operator and has met the training requirements since his/her last renewal. Any reissued certificates shall terminate on the same date as would have occurred had the certificate been originally renewed. Fully certified operators not able to meet training requirements within 60 days of the certificate's expiration may opt to downgrade their certificate to a level based on conformance with training requirements and subject to all other provisions of this Rule. Any upward change will require examination.~~

~~(dg)~~ The Department may revoke a certificate if it finds that the certificate was obtained through fraud or deceit, or evidence is presented indicating the certificate holder knowingly

provided ~~inaccurate~~ fraudulent information on any documents, ~~or reports,~~ and communications regarding the operation of the facility submitted to ~~this~~ the ~~Agency~~ Department.

(eh) If any applicant or operator is aggrieved by the decision of the ~~Department~~ Commissioner or delegated authority, ~~he~~ the applicant or operator may request, in writing, a review of the decision by the Secretary of the ~~Agency of Environmental Conservation~~ Natural Resources. The Secretary may call a hearing within 10 days and shall render ~~his~~ a decision within 30 days of the written request for review. Pursuant to 10 V.S.A. § 1269, ~~the applicant or operator~~ may appeal the decision of the Secretary to the ~~Vermont Water Resources Board~~ Environmental Division of the Vermont Superior Court in accordance with ~~as provided in 10 V.S.A. § 1269~~ chapter 220.

Section 7. Facility Classification

(a) ~~For the purpose of establishing chief and assistant chief operator certification requirements for every new or upgraded facility, the Department shall, upon completion of construction, classify the facility in accordance with the requirements stated herein. The Department may also establish the class of any facility which does not specifically fall into the categories below. Non-discharging facilities will be categorized on the basis of the treatment provided before disposal. Each facility classification rating shall be established by evaluating the facility's treatment process and design capacity in accordance with the Wastewater Facility Classification Procedure, available on the Department website or upon request.~~

(b) Domestic Facilities Classification

1) Domestic Class I Facilities

~~1. Facilities with a design flow up to 1.5 MGD which do not employ any of the following:~~

- ~~A. Separate sludge digestion with gas collection;~~
- ~~B. Mechanical sludge dewatering;~~
- ~~C. High rate trickling filters or RBCs;~~
- ~~D. Highly mechanized or specialized methods of sewage treatment;~~
- ~~E. Chemical precipitation;~~
- ~~F. Activated sludge;~~

2) Domestic Class II Facilities

~~1. Those plants with a design flow under 0.5 MGD employing chemical precipitation or activated sludge.~~

~~2. Those plants with a design flow under 1.5 MGD employing one or more of the methods contained in Section 7(b)(1) A thru D.~~

~~3. Those plants with a design flow of 1.5 MGD to 4.99 MGD which do not employ any of the methods contained in Section 7(b)(1) A thru F.~~

3) ~~Domestic Class III Facilities~~

~~1. Those plants with a design flow of 0.5 MGD to 1.49 MGD employing chemical precipitation or activated sludge.~~

~~2. Those plants with a design flow of 1.5 MGD to 4.99 MGD employing one or more of the methods contained in Section 7(b)(1) A thru D.~~

~~3. Those plants with a design flow of 5.0 MGD to 9.99 MGD which do not employ any of the methods contained in Section 7(b)(1) A thru F.~~

4) Domestic Class IV Facilities

1. Those plants with a design flow of 1.5 MGD to 4.99 MGD employing chemical precipitation or activated sludge.

2. Those plants with a design flow of 5.0 MGD to 9.99 MGD employing one or more of the methods contained in Section 7(b)(1) A thru D.

5) Domestic Class V Facilities

1. Those plants with a design flow of 5.0 MGD to 9.99 MGD employing chemical precipitation or activated sludge.

2. Those plants with a design flow greater than or equal to 10.0 MGD employing one or more of the methods contained in Section 7(b)(1) A thru D.

(c) Simplified Plant Classification
Plant Rating

Grade	Activated Sludge		
	Specialized Methods*	Chemical Precip.	Other
I			Up to 1.5 MGD
II	Up to 1.5 MGD	Up to 0.5 MGD	1.5 to 4.99 MGD
III	1.5 to 4.99 MGD	0.5 to 1.49 MGD	5.0 to 9.99 MGD
IV	5.0 to 9.99 MGD	1.5 to 4.99 MGD	10.0 to MGD
V	10.0 to MGD	5.0 to 9.99 MGD	

*Including Sludge Digestion with Gas Collection
Mechanical Sludge Dewatering
High Rate Trickling Filter or RBCs

(d) Where at least any three of the following five aspects are involved at a treatment facility, the class of that facility will be one class higher than that determined by the above classification system to a maximum of grade V.

1. Effluent filtration
2. Separate sludge digestion with gas collection
3. Mechanical sludge dewatering
4. Permit limit on ultimate oxygen demand or total kjeldahl nitrogen
5. Effluent spray irrigation

(e) Industrial Facilities Classification

1) Industrial Class I Industrial Facilities

~~Facilities treating an industrial wastewater discharge requiring a certified operator under these rules, but not falling into the following industrial classifications:~~

~~2) Industrial Class II – Paper Facilities~~

~~Facilities treating paper industry discharges without biological treatment.~~

~~3) Industrial Class II – Dairy Facilities~~

~~Facilities pretreating dairy industry discharges before release to a municipal system.~~

~~4) Industrial Class II – Metals Facilities~~

~~Facilities treating metals industry discharges which include no more complex treatment processes than pH adjustment, precipitation, flocculation, settling and/or flotation with or without flocculant and to remove metals.~~

~~5) Industrial Class IV – Paper Facilities~~

~~Facilities treating paper industry discharges with biological treatment.~~

~~6) Industrial Class IV – Dairy Facilities~~

~~Facilities treating dairy industry discharges for disposal on land or to state waters.~~

~~7) Industrial Class IV – Metals Facilities~~

~~Facilities treating metals industry discharges using more complicated processes than pH adjustment, precipitation, flocculation settling and or floatation to remove metals.~~

Section 8. Status of Existing Certificates

(a) ~~From the e~~Effective on the date of these regulationsthis Rule is adopted, the 197485 Water Pollution Abatement Facility Operator Certification Program regulationsRegulations are superseded ~~by these regulations.~~

(b) Certificates issued under the 197485 ~~regulationsRegulations~~ will not expire ~~when the new rules become~~continue in effective under this Rule, but will lapse as they are replaced by certificates issued under ~~the new rulesthis Rule.~~

(c) All persons employed as chief operators, assistant chief operators, and operators in Vermont on the effective date of ~~these regulationsthis Rule,~~ holding a full certificates (not provisionals) under the 197485 regulationsRegulations, will be issued new certificates ~~in the same gradeupon renewal.~~ The certificates will be valid for a period of 5 years ~~from July 1st of the year these regulations become effective as provided in Section 6(c)(i).~~

(d) All persons employed as chief operators holding a full certificate on the effective date of this Rule for which the certificate grade does not meet the facility class calculated in

accordance with Section 7, shall be grandfathered at the employing facility. Such grandfathered certifications shall lapse upon departure from the employing facility unless examination at the grade is successful.

(e) All persons employed as assistant chief operators holding a full certificate on the effective date of this Rule that do not meet the facility class calculated in accordance with Section 7, shall be granted a two-year grace period to successfully complete the examination for certification.

~~(df) All chief operators, assistant chief operators, and operators who had been fully certified under the 1974⁸⁵ regulations~~Regulations but were not employed as such in Vermont on the effective date of ~~these regulations~~this Rule, upon application, shall be issued a new certificate of the same grade as the one previously held, if they become re-employed as a chief, assistant chief or operator at a Vermont wastewater facility within five years of the effective date of these regulations at a Vermont wastewater treatment facility within five years of the effective date of this Rule and have met the renewal training requirement. Any such reissued certificates shall expire on July 1st five years from the year in which ~~these regulations~~this Rule becomes effective ~~if the renewal requirements of section 6(d) have not been met.~~

~~— Chief operators, assistant chief operators and operators who had been fully certified under the 1974 regulations, but were not employed as such in Vermont on the effective date of these regulations who then gain employment at a Vermont wastewater facility after these regulations have been in effect for five years, must apply for a new certification as provided in Section 5 of these regulations.~~

~~(e) All persons employed as chief and assistant chief operators in Vermont on the effective date of these regulations, holding provisional certification under the 1974 regulations will be issued a new provisional certificate as provided by Section 6(b) of these regulations.~~

~~(gf) All operators holding provisional certification under the 1974⁸⁵ regulations~~Regulations will not be issued new certificates under ~~these regulations~~this Rule, but may apply for full certification once examination, experience, and training requirements are met. Training requirements under the 1985 Regulations shall apply to these applicants on a voluntary basis. Any such issued certificate shall expire on Jul 1st, five years from the year in which these regulations become effective. ~~All requirements of these regulations, including the training requirements of Section 6(d), will apply to the renewal of the expired certificate.~~