

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Water Treatment Facility Operators Certification Board

RULE CITATION: 15A NCAC 18D .0105

**DEADLINE FOR RECEIPT: Tuesday, August 7, 2018**

**PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (1)(a), line 6, (b), line 19, (c), line 31, (d), Page 2, line 7, please put "acceptable experience" in quotation marks. Or, consider stating "for all... the term shall mean..."*

*In (1)(a), line 12, please insert a comma after "fields" and remove the comma after "such"*

*On line 13, should this be "a water or wastewater laboratory"? It seems with the use of "stations" and "wells" that it should be. Please note this question elsewhere the term is used in (1).*

*On lines 16 and 29, and Page 2, lines 4 and 15, "Public Water Supply Section personnel" – personnel of whom? Is this a known term?*

*In Item (3), Page 2, line 20, what is "regionally-accredited"? By whom?*

*In Item (5), line 25, please insert a comma after "government"*

*In Item (6), line 30, why are you changing 70 to 80 after publication in the Register? Was this as a result of public comment?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 24, 2018

1 15A NCAC 18D .0105 is readopted with changes as published in 32:18 NCR 1781 as follows:

2  
3 **15A NCAC 18D .0105 DEFINITIONS**

4 The following definitions shall apply throughout this Subchapter:

5 (1) "Acceptable Experience"

6 (a) For all surface ~~grades~~ grade certifications, 'acceptable experience' means at least 50 percent  
7 of the duties ~~shall~~ consist of active on-site performance of operational duties, including on-  
8 site water facility laboratory duties, at a surface water treatment facility. This experience  
9 shall be based on the use of mathematics, equipment, materials, maintenance, installation  
10 and repair techniques, ~~cross-connection control~~ [cross-connection control], cross-  
11 connection control, and other skills necessary for maintaining and operating a surface water  
12 treatment facility. The remaining duties shall be in related fields ~~such~~ such, as wastewater  
13 facility operation, ~~water/wastewater~~ water or wastewater laboratory, water pumping  
14 stations, water system design and engineering, wells, distribution systems, or ~~[cross-~~  
15 ~~connection control]~~ [cross-connection control]. The experience of ~~Division of~~  
16 ~~Environmental Health~~, Public Water Supply Section personnel shall be acceptable if at  
17 least 50 percent of their job duties include inspection or on-site technical assistance of  
18 public water systems.

19 (b) For all well ~~grades~~ grade certifications, 'acceptable experience' means at least 50 percent  
20 of the duties ~~shall~~ consist of active on-site performance of operational duties for public  
21 water systems with chemical treatment having one or more wells. This experience shall be  
22 based on the use of mathematics, equipment, materials, maintenance, installation and repair  
23 techniques, ~~cross-connection control~~ [cross-connection control], cross-connection control,  
24 and other skills necessary for maintaining and operating a treated well water system. The  
25 remaining duties shall be in related ~~fields~~ fields, such as wastewater facility operation,  
26 ~~water/wastewater~~ water or wastewater laboratory, water pumping stations, water system  
27 design and engineering, surface facilities, distribution systems, or ~~[cross-connection~~  
28 ~~control]~~ [cross-connection control]. The experience of ~~Division of Environmental Health~~,  
29 Public Water Supply Section personnel shall be acceptable if at least 50 percent of their  
30 job duties include inspection or on-site technical assistance of public water systems.

31 (c) For all distribution ~~grades~~ grade certifications, 'acceptable experience' means at least 50  
32 percent of the duties ~~shall~~ consist of active on-site performance of operational duties for  
33 distribution systems within public water systems. This experience shall be based on the use  
34 of mathematics, equipment, materials, maintenance, installation and repair techniques,  
35 ~~cross-connection control~~ [cross-connection control], cross-connection control, and other  
36 skills necessary for maintaining and operating a water distribution system. The remaining  
37 duties shall be in related ~~fields~~ fields, such as wastewater facility operation,

~~water/wastewater~~ water or wastewater laboratory, water pumping stations, water system design and engineering, surface facilities, wells, or ~~[cross-connection-control]~~ cross-connection control. The experience of ~~Division of Environmental Health~~, Public Water Supply Section personnel shall be acceptable if at least 50 percent of their job duties include inspection or on-site technical assistance of public water systems.

(d) For all ~~[cross-connection-control]~~ cross-connection control grade certifications, 'acceptable experience' means the duties ~~shall~~ consist of on-site performance of cross-connection-control duties for a public water system. This experience shall be based on the use of mathematics, equipment, materials, maintenance, installation and repair techniques, back flow ~~prevention~~ prevention, and other skills necessary for maintaining and operating a ~~[cross-connection-control]~~ cross-connection control program for a public water system. The remaining duties shall be in related ~~fields~~ fields, such as wastewater facility operation, ~~water/wastewater~~ water or wastewater laboratory, water pumping stations, water system design and engineering, surface facilities, or wells. The experience of ~~Division of Environmental Health~~, Public Water Supply Section personnel shall be acceptable if at least 50 percent of their job duties include inspection or on-site technical assistance of public water systems.

(2) "Certified Operator" means any holder of a certificate issued by the Board in accordance with the provisions of G.S. ~~90A-25, 90A-20 to -29~~.

(3) "College Graduate" means a graduate of a ~~regionally-accredited~~ regionally-accredited four-year institution awarding degrees on the bachelor level.

(4) ~~"Licensee" means any person who holds a current certificate issued by the Water Treatment Facility Operators Board of Certification.~~ "Fire Protection System" means dry or wet sprinkler systems or fire hydrant connections to the water distribution system.

(5) "Owner" ~~shall mean~~ means the person, unit of local government ~~political subdivision~~, firm, corporation, association, ~~partnership~~ partnership, or non-profit corporation formed to operate a public water supply facility.

(6) ~~"Political Subdivision" means any city, town, county, sanitary district, or other governmental agency or privately owned public water supply operating a water treatment facility.~~ "Satisfactorily Completed" means the attendance of at least [70]80 percent of the training required for examination eligibility and 100 percent of the training required for professional growth hours.

(7) "Secretary" ~~shall mean~~ means the Secretary of the Department of ~~Environment and Natural Resources~~, Environmental Quality.

(8) "Service Connection" means a water tap made to provide a water connection to ~~the~~ a water distribution system.

~~(9) "Fire Protection System" means dry or wet sprinkler systems or fire hydrant connection to the water distribution system.~~

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*History Note:* Authority G.S. 90A-21(c);  
Eff. February 1, 1976;  
Readopted Eff. March 1, 1979;  
Amended Eff. May 1, 2006; August 1, 2002; August 1, 1998; August 3, 1992; January 1, 1992;  
September 1, 1990; June 1, ~~1988~~, 1988;  
Readopted Eff. September 1, 2018.

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Water Treatment Facility Operators Certification Board

RULE CITATION: 15A NCAC 18D .0201

**DEADLINE FOR RECEIPT: Tuesday, August 7, 2018**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*Throughout this Rule, when you refer to "satisfactorily complete," what does that mean? I note that in (a)(13), Page 3, line 34, you seem to address this by saying that the individual must correctly answer at least 70 percent of questions. You need to define the term "satisfactorily complete" or delete "satisfactorily"*

*Also throughout this Rule, what is a "school approved by the Board"? How is this done? Is there a Rule addressing the process for the Board to approve a school? How does your public know what schools are approved?*

*Throughout this Rule, are the degrees awarded for "physical or natural sciences" known to your regulated public?*

*In (a)(12)(C), line 30, you have "conducted" here, but elsewhere, you replaced the term with "approved" Did you intend to leave it as "conducted" here?*

*Isn't (b) being used to implement G.S. 90A-25(b)? If so, shouldn't this be in your History Note?*

*But what is this Paragraph stating that the statute does not? Do you even need to retain it?*

*Assuming you need to retain it, the contents of a form must be in rule or law. On line 6, are the contents of this application in another rule or law? If not, the contents of this form should be in this Rule.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 24, 2018

1 15A NCAC 18D .0201 is readopted with changes as published in 32:18 NCR 1781 as follows:

2  
3 **15A NCAC 18D .0201 GRADES OF CERTIFICATION**

4 (a) Applicants for ~~the various grades of~~ certification shall be at least 18 ~~years~~ years' old ~~old~~, possess a high school  
5 diploma or general educational development equivalent (GED), and meet the following educational and experience  
6 requirements:

7 (1) ~~GRADE A-SURFACE~~ C-SURFACE applicants shall have ~~one year~~ six months of acceptable  
8 experience at a surface water facility ~~while holding a Grade B-Surface certificate~~ and have  
9 satisfactorily completed ~~an A-Surface~~ C-Surface school ~~conducted~~ approved by the Board.

10 (2) GRADE B-SURFACE applicants shall:

11 (A) ~~be~~ Be a college graduate with a bachelor's degree in the physical or natural sciences or be  
12 a graduate of a two-year ~~two-year~~ technical program with a diploma in water and  
13 wastewater technology, have six months of acceptable experience at a surface water  
14 facility, and have satisfactorily completed a B-Surface school ~~conducted~~ approved by the  
15 Board; or

16 (B) ~~have~~ Have one year of acceptable experience at a surface water facility while holding a  
17 Grade C-Surface certificate and have satisfactorily completed a B-Surface school  
18 ~~conducted~~ approved by the Board.

19 (3) ~~GRADE C-SURFACE shall:~~ A-SURFACE applicants shall have one year of acceptable experience  
20 at a surface water facility while holding a Grade B-Surface certificate and have satisfactorily  
21 completed an A-Surface school approved by the Board.

22 (A) ~~Be a college graduate with a bachelor's degree in the physical or natural sciences or be a~~  
23 ~~graduate of a two-year technical program with a diploma in water and wastewater~~  
24 ~~technology, have six months of acceptable experience at a surface water facility, and have~~  
25 ~~satisfactorily completed a C-Surface school conducted by the Board; or~~

26 (B) ~~Be a high school graduate or equivalent, have six months acceptable experience at a surface~~  
27 ~~water facility and have satisfactorily completed a C-Surface school conducted by the~~  
28 ~~Board.~~

29 (4) ~~GRADE A-WELL D-WELL applicants~~ shall have ~~one year~~ three months of acceptable experience  
30 at a well water facility ~~while holding Grade B-Well certificate~~ and have satisfactorily completed ~~an~~  
31 A-Well a C-Well or D-Well school ~~conducted~~ approved by the Board.

32 (5) ~~GRADE B-Well~~ C-WELL applicants shall:

33 (A) ~~be~~ Be a college graduate with a bachelor's degree in the physical or natural sciences or be  
34 a graduate of a two-year ~~two-year~~ technical program with a diploma in water and  
35 wastewater technology, have ~~six~~ three months of acceptable experience at a well water  
36 facility, and have satisfactorily completed a ~~B~~ C -Well school ~~conducted~~ approved by the  
37 Board; ~~or~~

- (B) ~~have~~ Have one year six months of acceptable experience at a well water facility ~~while holding a Grade C-Well certificate~~ and have satisfactorily completed a ~~B-Well~~ C-WELL school ~~conducted~~ approved by the Board; or
- (C) hold either a Grade A-Surface certification or a Grade A-Distribution certificate and have satisfactorily completed a C-Well school approved by the Board.
- (6) GRADE ~~C-WELL~~ B-WELL applicants shall:
- (A) be ~~Be~~ a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a two-year ~~two-year~~ technical program with a diploma in water and wastewater technology, have ~~three~~ six months of acceptable experience at a well water facility, and have satisfactorily completed a ~~C-Well~~ B-WELL school ~~conducted~~ approved by the Board; or
- (B) ~~Be a high school graduate or equivalent,~~ have ~~six months~~ one year of acceptable experience at a well water ~~facility,~~ facility while holding a Grade C-Well certificate and have satisfactorily completed a ~~C-WELL~~ B-WELL school ~~conducted~~ approved by the Board.
- ~~Board; or~~
- (C) ~~Hold a Grade A-Surface certification and have satisfactorily completed a C-Well school conducted by the Board.~~
- (7) GRADE ~~D-WELL~~ A-WELL applicants shall be a high school graduate or equivalent, have ~~three months~~ one year of acceptable experience at a well water ~~facility,~~ facility while holding a Grade B-Well certificate and have satisfactorily completed ~~a C-Well or an D-Well~~ A-WELL school ~~conducted~~ approved by the Board.
- (8) ~~GRADE A-DISTRIBUTION shall:~~ D-DISTRIBUTION applicants shall have one year ~~three months~~ of acceptable experience at ~~Class B or higher~~ a distribution system ~~while holding a Grade B-Distribution certificate~~ and have satisfactorily completed ~~an A-Distribution~~ C-Distribution or D-Distribution school ~~conducted~~ approved by the Board.
- (9) ~~GRADE B-DISTRIBUTION shall:~~ C-DISTRIBUTION applicants shall hold a certificate of completion of trench shoring training from a school approved by the Board and shall:
- (A) be ~~Be~~ a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a two-year ~~two-year~~ technical program with a diploma in water and wastewater technology, have ~~six~~ three months of acceptable experience at a Class ~~B~~ C or higher distribution system, and have satisfactorily completed a ~~B-Distribution~~ C-Distribution school ~~conducted~~ approved by the ~~Board,~~ and shall hold a certificate of completion of trench shoring training conducted by the Board; Board; or
- (B) ~~have~~ Have one year six months of acceptable experience at a Class ~~C~~ D or higher distribution system ~~while holding a Grade C-Distribution certificate~~ and have satisfactorily completed a ~~B-Distribution~~ C-Distribution school ~~conducted~~ approved by the Board.

- (10) ~~GRADE C-DISTRIBUTION~~ B-DISTRIBUTION applicants shall: ~~shall hold a certificate of completion of trench shoring training conducted by the Board and shall:~~
- (A) ~~be~~ Be a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a ~~two-year~~ two-year technical program with a diploma in water and wastewater technology, have ~~three~~ six months of acceptable experience at a Class ~~C~~ B or higher distribution system, ~~and~~ have satisfactorily completed a ~~C-Distribution~~ B-Distribution school ~~conducted~~ approved by the ~~Board;~~ Board, and shall hold a certificate of completion of trench shoring training from a school approved by the Board; or
- (B) ~~Be a high school graduate or equivalent,~~ have ~~six months~~ one year of acceptable experience at a Class ~~D~~ C or higher distribution system while holding a Grade C-Distribution certificate and have satisfactorily completed a ~~C-Distribution~~ B-Distribution school ~~conducted~~ approved by the Board.
- (11) ~~GRADE D-DISTRIBUTION~~ A-DISTRIBUTION applicants shall ~~be a high school graduate or equivalent,~~ have ~~three months~~ one year of acceptable experience at a Class B or higher distribution system, ~~system while holding a Grade B-Distribution certificate~~ and have satisfactorily completed a ~~an D-Distribution~~ A-Distribution school ~~conducted~~ approved by the Board.
- (12) GRADE ~~[CROSS-CONNECTION CONTROL]~~ CROSS-CONNECTION CONTROL applicants shall:
- (A) ~~be~~ Be a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a two-year technical program with a degree in water and wastewater or civil engineering technology, and have satisfactorily completed a ~~[cross-connection]~~ cross-connection control school ~~conducted~~ approved by the Board; or
- (B) ~~Be a high school graduate or equivalent,~~ have six months of acceptable experience at Class D-Distribution or higher system or have one year experience in the operations of cross connection control devices, and have satisfactorily completed a ~~cross-connection control~~ [cross-connection control] cross-connection control school ~~conducted~~ approved by the Board; or
- (C) ~~Be~~ be a plumbing contractor licensed by the State of North Carolina and have satisfactorily completed a ~~cross-connection control~~ [cross-connection control] cross-connection control school conducted by the Board.
- (13) ~~APPRENTICE shall be a high school graduate or equivalent. The apprentice applicants shall have met the education requirement and~~ satisfactorily completed a Grade B, Grade C, Grade D, or ~~CC~~ [Cross-Connection Control] cross-connection control school ~~conducted~~ approved by the Board and shall have correctly answered at least 70 percent of the questions on ~~successfully passed~~ an examination designed for the class of certification for which the applicant is applying. The apprentice certification may be renewed annually for a maximum of five years, pursuant to the continuing education and renewal requirements of this Subchapter. An apprentice shall not act as a



1 certified operator or an ~~ORC~~ Operator in Responsible Charge for a facility. An apprentice is eligible  
2 for Grade B, Grade C, Grade D, or ~~CC~~ [Cross Connection Control] cross-connection control  
3 certification after meeting the applicable experience requirements as set forth in this Rule and  
4 making application to the Board.

5 (b) Applications for certification of an operator certified in a state other than North Carolina shall be submitted to  
6 the Board for review, on the Board's form. The application shall supply information to assist the Board in determining  
7 whether ~~or not~~ the requirements under which the out-of-state certification was obtained are equivalent to those  
8 required by ~~the rules of~~ the Water Treatment Facility Operators Board of Certification.

9  
10 *History Note: Authority G.S. 90A-21(c); 90A-22; 90A-23; 90A-24;*

11 *Eff. February 1, 1976;*

12 *Amended Eff. September 1, 1977;*

13 *Readopted Eff. March 1, 1979;*

14 *Amended Eff. February 1, 2012; May 1, 2006; September 1, 2004; August 1, 2000; August 1, 1998;*

15 *May 3, 1993; August 3, 1992; July 1, 1991; December 31, ~~1980, 1988~~;*

16 *Readopted Eff. September 1, 2018.*

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Water Treatment Facility Operators Certification Board

RULE CITATION: 15A NCAC 18D .0203

**DEADLINE FOR RECEIPT: Tuesday, August 7, 2018**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (2)(B), line 16, what do you mean by "fraction thereof over 5"? Do you mean for every well over five, so that 6-10 is another point? Because you don't mean wells can have fractions, correct? Is the use of "fraction" necessary here?*

*In (8)(B), line 37, and (15)(D), Page 2, line 32, should this be "lime or soda"? Or is the term known as "lime/soda ash"?*

*In (17)(E), Page 3, line 3, please remove the extra space before "12"*

*In (20)(C), line 17, is the extra tank what is addressed by (20)(B)?*

*Also, does "pt" mean point or part? Does your regulated public know?*

*In Items (21), line 19, and (22), line 20, why does "max" end in a period? I note that you don't use periods elsewhere, even when it appears you are abbreviating terms. (See Sub-Item (20)(C), line 17)*

*In (22), what is "MGD"?*

*In Sub-Item (23)(J), Page 4, line 4, what is "pt."? Is it point or part?*

*Also, what are "others" here? Is this known?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 24, 2018

1 15A NCAC 18D .0203 is readopted as published in 32:18 NCR 1781 as follows:

2  
3 **15A NCAC 18D .0203 RATING VALUES TO DETERMINE ~~DETERMINATION OF~~ VARIOUS**  
4 **CLASSES OF CERTIFICATION**

5 ~~(a) Determination of various classes of certification shall be based on the classification of water treatment facilities~~  
6 ~~to be operated.~~

7 ~~(b) The designation of public water system treatment classifications plant classification shall be based on the following~~  
8 ~~rating values: point system:~~

	PARAMETER	RATING VALUE
(1)	Surface Water Source	
(A)	flowing stream	5
(B)	flowing stream with impoundment	7
(C)	raw water treatment	3
(2)	Ground Water Source	
(A)	first five wells	5
(B)	add 1 point per 5 wells or fraction thereof over 5	1
(3)	Coagulation	
(A)	aluminum sulfate, ferric chloride	10
(B)	polymer	5
(4)	Mixing	
(A)	baffle	2
(B)	mechanical	4
(C)	air	3
(5)	Oxidation (pre-treatment)	
(A)	$\text{Cl}_2\text{O}_2$	5
(B)	ozone	5
(C)	$\text{KMnO}_4$	3
(D)	$\text{Cl}_2$	3
(6)	Carbon Treatment	2
(7)	Aeration	
(A)	mechanical draft	3
(B)	coke <del>tray</del> tray or splash tray	2
(C)	diffused	3
(D)	packed tower (VOC reduction)	10
(8)	pH Adjustment (primary)	
(A)	caustic (NaOH)	10
(B)	lime/soda ash	3

1	(C)	acid	10
2	(9)	Sedimentation	
3	(A)	standard rate	5
4	(B)	tube settlers	3
5	(C)	upflow	8
6	(D)	pulsators and plates	5
7	(10)	Contact Tank	1
8	(11)	Filtration	
9	(A)	pressure	
10	(i)	<del>sand/anthracite</del> <u>sand or anthracite</u>	8
11	(ii)	synthetic media (birm)	8
12	(iii)	granular activated carbon (GAC)	<del>9 40</del>
13	(B)	gravity	
14	(i)	sand	10
15	(ii)	<del>anthracite (mixed)</del> <u>GAC (mixed) or GAC</u>	12
16	(iii)	with surface wash or air scour	2
17	(C)	membrane	10
18	(12)	Ion Exchange	
19	(A)	softener, Na cycle	5
20	(B)	softener, H cycle	7
21	(C)	Fe and Mn (greensand)	<del>9 40</del>
22	(D)	mixed bed or split stream	<del>9 42</del>
23	(13)	Lime Softening	
24	(A)	spiractors	10
25	(B)	clarifier with coagulation	12
26	(C)	fuel burner (recarbonation)	5
27	(14)	Phosphate (sequestering agent)	5
28	(15)	Stabilization	
29	(A)	acid feed	10
30	(B)	phosphate	2
31	(C)	caustic (NaOH)	10
32	(D)	lime/soda ash	3
33	(E)	contact units	5
34	(16)	Reverse Osmosis, Electrodialysis	15
35	(17)	Disinfection	
36	(A)	gas Cl <sub>2</sub>	10
37	(B)	hypochlorite solution	7

1	(C)	C1 <sub>2</sub> O <sub>2</sub> (sodium chlorite and C1 <sub>2</sub> )	13
2	(D)	ozone	13
3	(E)	ammonia and C1 <sub>2</sub>	12
4	(F)	ultraviolet light (uv)	5
5	(18)	Fluoridation	
6	(A)	saturator	8
7	(B)	dry feed	8
8	(C)	solution (acid)	10
9	(19)	Pumping	
10	(A)	raw	3
11	(B)	intermediate	1
12	(C)	finished	3
13	(D)	system booster	2
14	(20)	Storage	
15	(A)	raw	1
16	(B)	treated ground level tank	1
17	(C)	elevated in system (each extra tank 1 pt)	2
18	(D)	hydropneumatic	2
19	(21)	Population Served 1 point per 1,000 persons served	50 max.
20	(22)	Plant Capacity 1 point per 1 MGD capacity	25 max.
21	(23)	On-Site Quality Control	
22	(A)	bacteriological	
23	(i)	MPN/MF	5
24	(ii)	HPC	2
25	(iii)	MMO-MUG (Colilert)	2
26	(B)	pH	
27	(i)	meter	2
28	(ii)	test kit	1
29	(C)	fluoride	
30	(i)	meter	3
31	(ii)	colorimetric	3
32	(D)	chlorine	
33	(i)	titrator	3
34	(ii)	colorimeter/spec.	2
35	(iii)	test kit	1
36	(E)	iron	1
37	(F)	hardness	1

1	(G)	alkalinity	1
2	(H)	turbidity	1
3	(I)	manganese	1
4	(J)	others (1 pt. each)	1
5	(K)	A.A. Spec, or G.C. Unit	5 each

~~(c) The designation of distribution system classifications shall be based on system characteristics as outlined in Rule .0205 of this Section.~~

*History Note: Authority G.S. 90A-21(c); 90A-22;*

*Eff. February 1, 1976;*

*Readopted Eff. March 1, 1979;*

*Amended Eff. August 1, 2000; August 3, 1992; January 1, 1992; September 1, ~~1990~~.1990;*

*Readopted Eff. September 1, 2018.*

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Water Treatment Facility Operators Certification Board

RULE CITATION: 15A NCAC 18D .0205

**DEADLINE FOR RECEIPT: Tuesday, August 7, 2018**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (a), line 8, there is no longer a Paragraph (b) in Rule .0203. Please update the cross-reference.*

*In (b), you are assigning distribution grades using (a) as guidance. Are the (a) classifications for wells? And does your regulated public know what is "greater"?*

*On line 19, is "fire protection" the same as "fire protection system" as defined in Rule .0105? If so, shouldn't you use the same term here? I note you use the full term in (b)(1) through (3).*

*In (b)(2), line 22, and (b)(3), line 24, do you need "but"? Could you not say "connections, not exceeding..."? That's just a stylistic suggestion.*

*In (b)(3), lines 24-25, will the "1000 to 3300 service connections" be without any fire protection system? Does that need to be stated here?*

*In (b)(4), so that I'm clear – the existence (or not) of a fire protection system will not matter?*

*In (c), line 28, consider replacing "is" with "shall be"*

*On lines 29-30, could you simplify this language to "... any distribution system that is required to have installed five or more testable backflow prevention assemblies in accordance with ..."*

*And I take it that the term "testable backflow prevention assemblies" is known to your regulated public?*

*On line 30, since this Rule is under the authority of another rulemaking body, you will need to incorporate it by reference pursuant to G.S. 150B-21.6. In order to comply with the statute, you just need to specify whether the Board is incorporating subsequent amendments.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 24, 2018

1 15A NCAC 18D .0205 is readopted with changes as published in 32:18 NCR 1781 as follows:

2  
3 **15A NCAC 18D .0205 PUBLIC WATER SYSTEM TREATMENT, DISTRIBUTION, AND ~~CROSS-~~**  
4 **~~CONNECTION CONTROL~~CROSS-CONNECTION CONTROL**  
5 **~~CLASSIFICATIONS CLASSIFICATION OF WATER TREATMENT~~**  
6 **~~FACILITIES~~**

7 (a) Public water system treatment facilities, except for Class D-Well systems, shall be classified based on the sources  
8 of water and the number of points assigned to the facilities pursuant to Rule .0203(b) of this Section, as follows: ~~With~~  
9 ~~the exception of Class D-Well, the public water system treatment classification shall be based on the source of water~~  
10 ~~and the number of points assigned to each facility as taken from the table in Rule .0203(b) of this Section.~~  
11 Classifications are as follows:

12	Class C	1-50 points
13	Class B	51-110 points
14	Class A	over 110 points

15 ~~Class D-Well is any non~~ Non-community public water system systems with hypochlorite solution as the only treatment  
16 applied to the water. water shall be classified as Class D-Well.

17 (b) The classification of distribution systems shall apply to all community and non-transient non-community public  
18 water systems. The distribution system class level shall be the greater of the treatment plant class level from Paragraph  
19 (a) of this Rule or the following class level based on the number of service connections and fire protection:

- 20 (1) Class D-DISTRIBUTION is any system with 100 or fewer service connections with no fire  
21 protection system;
- 22 (2) Class C-DISTRIBUTION is any system with more than 100 service connections but not exceeding  
23 1,000 service ~~connections~~ connections, with no fire protection system;
- 24 (3) Class B-DISTRIBUTION is any system with more than 1,000 service connections but not exceeding  
25 3,300 service connections or any system not exceeding 1,000 service connections with a fire  
26 protection system; and
- 27 (4) Class A-DISTRIBUTION is any system with more than 3,300 service connections.

28 (c) The classification ~~[CROSS-CONNECTION CONTROL]~~ [CROSS-CONNECTION CONTROL] is ~~also~~ applied to  
29 any distribution system with requirement for the installation of five or more testable backflow prevention assemblies  
30 to be installed in accordance with 15A NCAC 18C .0406(b). ~~within the water distribution system.~~

31  
32 *History Note: Authority G.S. 90A-21(c); 90A-22;*

33 *Eff. February 1, 1976;*

34 *Amended Eff. September 1, 1977;*

35 *Readopted Eff. March 1, 1979;*

36 *Amended Eff. November 1, 2006; August 1, 2002; August 1, 2000; August 3, 1992; September 1,*  
37 *1990; December 31, 1980; January 1, ~~1980-1980~~;*





## REQUEST FOR TECHNICAL CHANGE

AGENCY: Water Treatment Facility Operators Certification Board

RULE CITATION: 15A NCAC 18D .0307

**DEADLINE FOR RECEIPT: Tuesday, August 7, 2018**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (a), line 5, consider inserting "the operator's" before "certificate" to be consistent with (b).*

*And so that I'm clear – this is the annual expiration on December 31 of each year, pursuant to G.S. 90A-25.1?*

*In (b), line 7, you say it "may" be revoked? Do you mean following the procedure following G.S. 150B in G.S. 90A-26? If not, then under what circumstances will the certificate not be revoked if the individual fails to meet the requirements of Rule .0701?*

*In (c)(2), line 12, how is the school "approved by the Board"?*

*Also on line 12, what is the exam? Who conducts it – the Board (as in G.S. 90A-26) or the school? How does one register to take it?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 24, 2018

1 15A NCAC 18D .0307 is readopted as published in 32:18 NCR 1781 as follows:

2  
3 **15A NCAC 18D .0307 EXPIRATION AND REVOCATION OF CERTIFICATE**

4 (a) If ~~the an~~ operator fails to pay the renewal fee or meet the continuing education requirements of Rule .0308(a) of  
5 this Section, the certificate shall expire.

6 (b) If an operator in responsible charge fails to meet the requirements of 15A NCAC 18D .0701, ~~his/her~~ his or her  
7 operator's certificate may be revoked.

8 (c) An individual who has had certification revoked by the Board ~~shall~~ may petition the Board for any ~~new~~ certification  
9 sought ~~if: and may not petition the Board for such new certification sooner than two years after the effective date of~~  
10 ~~the revocation.~~

11 (1) two years have elapsed since the effective date of the revocation; and

12 (2) the individual has completed a school approved by the Board and passed an exam corresponding to  
13 the certification being sought.

14 ~~(d) An operator who has a certificate that has been expired less than two years shall pay any renewal fees in arrears~~  
15 ~~and late fees before receiving an upgrade or a certificate in another area.~~

16  
17 *History Note: Authority G.S. 90A-25.1; 90A-26;*

18 *Eff. August 3, 1992;*

19 *Amended Eff. November 1, 2008; August 1, 2004; August 1, 2002; August 1, 2000; August 1,*  
20 *~~1998.1998;~~*

21 *Readopted Eff. September 1, 2018.*

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Water Treatment Facility Operators Certification Board

RULE CITATION: 15A NCAC 18D .0308

**DEADLINE FOR RECEIPT: Tuesday, August 7, 2018**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*Throughout this Rule, you use the terms "contact hours," "professional growth contact hours," and "professional growth hours." it appears the terms mean the same thing. If that is correct, please only use one term. If that is not correct, what is the difference between them?*

*In (a), what standards will the Board use to approve training? Where are those standards set forth? If you have a cross-reference, please put it in the Rule. If they are not in another rule or law, they need to be stated here.*

*On line 7, should this read "Submitting or Obtaining proof..."?*

*In (b), line 11, what is required to seek approval? And upon what basis is the approval granted or denied by the Board?*

*On line 13, what is the "certification ID number"? Is this provided by the Board?*

*On line 15, is the contact person from the provider?*

*On line 16, is "proof of completion" intended to include both a certificate and the other forms of proof?*

*On line 17, please insert a comma after "course number"*

*And how is this course number determined? Is it assigned by the Board or can the provider just make it up?*

*Also on line 17, can you not just state "and the date of the training."?*

*On lines 17-18, what is "in-house" training?*

*In (c), you state that the Board will keep a record and notify the certified operator of the record. But in (a), you state that the certified operator is responsible for proof. What exactly do you mean to state in this Rule? If you mean that the ultimate responsibility of establishing completion of the six hours is upon the certified operator, I think that can be stated more clearly.*

Amanda J. Reeder

Commission Counsel

Date submitted to agency: July 24, 2018

*On line 19, will the notice not also include the requirement to pay the renewal fee, as set forth in G.S. 90A-25.1?*

*On line 22, replace "does" with "shall"*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1 15A NCAC 18D .0308 is readopted as published in 32:18 NCR 1781 as follows:

2  
3 **15A NCAC 18D .0308 PROFESSIONAL GROWTH HOURS**

4 (a) All certified operators shall complete six contact hours of ~~Board-approved~~ Board-approved training each year  
5 following the year of initial certification. ~~The Board shall approve training if it determines that the subject matter of~~  
6 ~~the training is relevant to water treatment facility operation, and to the professional growth of operators~~ Training  
7 ~~providers shall submit an attendance roster to the Board after completion of the training event. Ultimately proof~~ Proof  
8 of professional growth contact hours is shall be the responsibility of the operator. Failure to complete the six contact  
9 hours shall result in expiration of the operator's certificates. ~~The roster shall contain the operator's certification ID~~  
10 ~~number or the last four digits of the Social Security number.~~

11 (b) Training providers shall seek Board approval prior to offering events that provide professional growth contact  
12 hours. Training providers shall submit an attendance roster to the Board within ten business days after completion of  
13 the training event. The roster shall contain each attendee's full name and certification ID number, or the last four digits  
14 of the Social Security number. The organization providing the training shall give each participant a certificate or other  
15 proof of completion ~~which that~~ includes the name of the provider, the provider's address, and contact person with  
16 telephone number. The proof of completion shall identify the name of the participant, the number of contact hours  
17 completed, the course name, the course number the instructor's name, and the date of the training received. For in-  
18 house training, an instructor from outside of the organization shall provide the training.

19 (c) The Board shall mail renewal notices to operators prior to the renewal date and shall state whether the Board has  
20 a record of their professional growth hours for the preceding year. If the Board does not have a record of professional  
21 growth for an operator, the operator shall provide proof of the required six contact hours of training prior to renewal  
22 at of any the time of annual certification issued by the Board, renewal. Failure to receive a renewal notice does not  
23 relieve a certified operator of the responsibility to renew the certificate by the renewal due date.

24  
25 *History Note: Authority G.S. 90A-25.1; 90A-26;*

26 *Eff. August 1, 1998;*

27 *Amended Eff. December 1, 2008; August 1, 2004; August 1, ~~2000~~2000;*

28 *Readopted Eff. September 1, 2018.*

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Water Treatment Facility Operators Certification Board

RULE CITATION: 15A NCAC 18D .0309

**DEADLINE FOR RECEIPT: Tuesday, August 7, 2018**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In this Rule, I take it the fees are the ones set forth in Rule .0304 of this Section?*

*In (a), line 5, you refer to "continuing education" but you don't call it that in Rule .0308. Should you use the term from Rule .0308 here?*

*In (b), I think you are saying that the operator must renew the original certificate before he or she can seek to upgrade it. If that is correct, why are you reciting so much of (a) here?*

*In (c), what is required for this reinstatement? Is there an examination or fees or proof of continuing education? If it's the same procedure as in (a), what does this Paragraph do?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 24, 2018

1 15A NCAC 18D .0309 is readopted as published in 32:18 NCR 1781 as follows:

2  
3 **15A NCAC 18D .0309 CERTIFICATION REINSTATEMENT**

4 (a) An operator whose certification has expired may seek reinstatement within two years of expiration by paying any  
5 renewal fees in arrears, including late ~~fees~~ fees, and either providing proof of continuing education for each calendar  
6 year as required in Rule .0308 of this ~~Section~~, Section or passing another examination of that grade.

7 (b) An operator whose certificate has been expired for less than two years must pay any renewal fees in arrears and  
8 late fees before seeking an upgrade from the certificate type that has expired. ~~Any person having a certification expired~~  
9 ~~for more than two years or revoked shall apply to the Board for approval to be eligible for any further certification or~~  
10 ~~reinstatement of certificate.~~

11 (c) Any person whose certification has been expired for more than two years may apply to the Board for reinstatement  
12 of the certificate type that was expired.

13  
14 *History Note: Authority G.S. 90A-25.1; 90A-26;*

15 *Eff. August 1, 1998;*

16 *Amended Eff. May 1, 2006; August 1, 2004; August 1, ~~2000~~, 2000;*

17 *Readopted Eff. September 1, 2018.*



## REQUEST FOR TECHNICAL CHANGE

AGENCY: Water Treatment Facility Operators Certification Board

RULE CITATION: 15A NCAC 18D .0701

**DEADLINE FOR RECEIPT: Tuesday, August 7, 2018**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (a), how will the individual have a certificate that exceeds the requirements of this Subchapter? Doesn't the individual need to have a certificate issued by the Board, so how can he or she exceed your certificates? Do you mean it can exceed the certification grade issued to the individual?*

*In (b), line 12, if you would like to reinsert "any" feel free to do so.*

*Also on line 12, as well as line 24, you refer to "written permission" from the Board. I know in Paragraph (c) that you address how to request that permission. But how does the Board determine whether to grant it and how is the permission granting or denial communicated? And how far in advance is the permission required? Or can it be given afterwards?*

*In (c), line 27, you are referring to rules under the rulemaking authority of the Commission for Public Health. Is this the correct cross reference? If so, you will need to incorporate these rules by reference pursuant to G.S. 150B-21.6, and state whether you are incorporating subsequent amendments.*

*In (d), line 29, who assigns the public water system identification number? Is it the Board or another entity? I take it your regulated public knows this number?*

*In (e), line 32, consider replacing "this" before "change" with "the"*

*In (f), line 36, are the "decisions affecting public health" known? It seems that most decisions made at a facility will affect public health.*

*In (g), Page 2, line 3, is the impossibility of the appearance going to be entirely within the discretion of the operator in responsible charge?*

*On line 5, insert "the" before "standard operating procedures"*

*On line 7, I believe the "for" before "any temporary" be "of", so it reads "shall notify the Board of any temporary..."*

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 24, 2018

*So that I'm clear – if the designation is for 13 days, the Board does not have to be notified?*

*And if it is required, is the notification required in advance of the designation?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 24, 2018

1 15A NCAC 18D .0701 is readopted as published in 32:18 NCR 1781 as follows:

2  
3 **15A NCAC 18D .0701 OPERATOR IN RESPONSIBLE CHARGE**

4 (a) ~~The owner shall ensure that the public water system facilities are managed by an operator in responsible charge~~  
5 ~~who possesses a certificate equivalent to or exceeding the requirements in this Subchapter. An operator in responsible~~  
6 ~~charge shall possess a valid certificate issued by the Board equivalent to or exceeding the classification for which he~~  
7 ~~or she is designated.~~

8 (b) ~~The operator in responsible charge is actually in charge of~~ shall manage the daily operation and maintenance of  
9 the ~~facility. facility and shall not reside more than 50 miles from the facility without written permission from the~~  
10 ~~Board. The operator in responsible charge shall be readily available for consultation on the premises of the facility in~~  
11 ~~case of an emergency, malfunction or breakdown of equipment or other needs.~~ No person shall be in responsible  
12 charge of more than ~~any~~ one of the following without written permission from the Board:

- 13 (1) ~~One one~~ surface water treatment facility;  
14 (2) ~~Five five~~ community public water systems with well water facilities;  
15 (3) ~~40 ten~~ non-community public water systems with well water facilities;  
16 (4) ~~One one~~ distribution system serving over 3,300 service connections;  
17 (5) ~~Five five~~ distribution systems serving over 500 service connections and less than 3,300 service  
18 connections;  
19 (6) ~~40 ten~~ total distribution systems; ~~or~~  
20 (7) ~~40 ten~~total cross-connection control ~~systems. systems; or~~  
21 (8) any facility located more than a 50-mile radius from where the operator resides.

22 No person shall be in responsible charge of any combination of a surface water treatment facility, a community public  
23 water system with well water facilities, a non-community public water system with well water facilities, a distribution  
24 system, and a cross-connection control facility without written permission from the Board.

25 (c) ~~When A request for permission from the Board is required, the request~~ shall include ~~sufficient~~ documentation  
26 ~~demonstrating to satisfy the Board~~ that the facilities in question ~~can~~ will be managed in compliance with the  
27 requirements of 15A NCAC 18C.

28 (d) The operator in responsible charge shall ~~report report,~~ with annual certification ~~renewal renewal,~~ the names  
29 ~~name(s)~~ and public water system identification numbers ~~number(s)~~ for all systems for which the operator is the  
30 operator in responsible charge.

31 (e) If an operator in responsible charge takes responsibility for an additional system or relinquishes responsibility for  
32 any system, the operator shall notify the Board in writing within ~~30~~ 10 days of this change.

33 (f) The operator in responsible charge shall establish standard operating procedures for each facility for which he or  
34 ~~she he/she~~ is responsible. These procedures shall ~~provide sufficient instruction to ensure that his or her his/her~~  
35 decisions about water quality or quantity that affect public health are carried out. ~~out properly.~~ The procedures shall  
36 instruct persons lacking proper certification to refer all ~~the such~~ decisions affecting public health to the certified  
37 operator on duty or to the operator in responsible charge.

1 (g) The operator in responsible charge shall be available for consultation on the premises of the facility in case of an  
2 emergency, equipment malfunction, or breakdown of equipment. The operator in responsible charge may designate a  
3 temporary operator in responsible charge during times when it is impossible for the operator in responsible charge to  
4 be on the premises. The temporary operator in responsible charge shall be familiar with the water system and have  
5 access to standard operating procedures developed under Paragraph (f) of this Rule. The temporary operator in  
6 responsible charge shall possess a certification equivalent to or exceeding that required by the water system treatment  
7 classification. The operator in responsible charge shall notify the Board for any temporary operator in responsible  
8 charge designation lasting longer than 14 days.

9  
10 *History Note: Authority G.S. 90A-21(c); 90A-31;*

11 *Eff. August 1, 1998;*

12 *Amended Eff. May 1, 2006; August 1, 2002; August 1, ~~2000~~2000;*

13 *Readopted Eff. September 1, 2018.*