

NEBRASKA ADMINISTRATIVE CODE

Title 197 - RULES AND REGULATIONS FOR THE CERTIFICATION OF WASTEWATER TREATMENT OPERATORS

Chapter 1 – DEFINITIONS, APPLICABILITY

001 In addition to the definitions in § 81-15,129, the following definitions will apply.

001.01 Catastrophic Condition is considered a medical condition such as cancer, heart condition, organ transplant, and any other major medical condition that limits an operator's ability to work.

001.02 Classification System or System means the procedure used to classify wastewater treatment facilities including the point rating worksheets and classification tables in Appendix A and B.

001.03 Collection System means the part of the wastewater treatment facility that includes the structures, equipment, and processes required to collect and transport wastewater from its point of origin to a wastewater treatment facility.

001.04 Compatible Industrial Facility means a wastewater treatment facility treating or pretreating wastewater produced by an industry whose wastewater is treated similar to domestic wastewater.

001.05 Continuing Education Unit (CEU) is a standard unit of measurement meaning ten contact hours of participation in, and successful completion of an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction which is approved by the director or some nationally recognized association.

001.06 Contract Operation means operation of a wastewater treatment facility by an individual operator who is not an employee of the owner of the wastewater treatment facility, or by a private firm employing certified operators, authorized to operate a facility through a contract with the owner of the wastewater treatment facility.

001.07 Direct Responsible Charge (DRC) means the person(s) designated by the owner to be the certified operator(s) responsible for making decisions regarding the daily operational activities of a wastewater treatment facility and decisions that will impact compliance with the National Pollutant Discharge Elimination System permit.

001.08 Domestic Wastewater means human body waste and household type wastes including bath and toilet wastes, laundry wastes, kitchen wastes, and other similar wastes from households.

001.09 Exempt Facility means a wastewater treatment facility that is not required to be operated by a certified operator.

001.10 Initiation of Operation means the date on which a new or upgraded wastewater treatment facility is put into operation or is capable of being placed in operation for the purpose for which it was planned, designed, and built.

001.11 National Pollutant Discharge Elimination System (NPDES) means the national system for the issuance, reissuance, modification, suspension, revocation, monitoring, and enforcing of permits pursuant to the Federal Water Pollution Control Act, 33 USC, 1342, as amended, and includes any State program which has been approved by the Administrator of the U.S. Environmental Protection Agency, in whole or in part, pursuant to the Federal Water Pollution Control Act, 33 USC 1251, et seq., as amended.

001.12 Non-compatible Industrial Facility means an wastewater treatment facility treating or pre-treating wastewater produced by an industry whose wastewater is not treated similar to domestic wastewater.

001.13 Non-discharging Lagoon Systems means the shallow earthen basins, used for the treatment of wastewater by natural processes involving the use of both algae and bacteria, which do not discharge to waters of the state.

001.14 Operating Experience means the length of time of service while functioning as a wastewater treatment facility operator.

001.15 Population Equivalent Served means the number of persons that would be required to contribute an equivalent quantity of waste. Biochemical Oxygen Demand (BOD) and Suspended Solids (SS) population equivalents are 0.17 lbs. BOD per person per day and 0.20 lbs. SS per person per day, respectively.

001.16 Wastewater means the combination of the liquid or water- carried wastes removed from residences, institutions, and commercial and industrial establishments, together with such ground water, surface water, and storm water as may be present.

002 The following wastewater treatment facilities are hereby exempted from these regulations.

002.01 pH neutralization system.

002.02 Ash and coal pile runoff retention ponds.

002.03 Storm water retention ponds.

002.04 Non-contact cooling water discharges.

002.05 Construction sand and gravel operations.

002.06 Water treatment plant discharges.

002.07 Equalization Basins

002.08 pH adjustments used to break down oil immersions

002.09 Compatible industrial facilities which are awarded 15 points or less in accordance with the point rating system in Appendix B.

002.10 Non-compatible industrial facilities which are awarded 4 points or less in accordance with the point rating system in Appendix B and are not a Significant Industrial User as defined in Title 119, Chapter 1.

002.11 Livestock waste control facilities as defined in Title 130.

002.12 All onsite wastewater treatment facilities as defined in the Department's Title 124 Rules and Regulations.

003 Lagoon wastewater treatment facilities that land apply effluent or are non- discharging lagoon systems may be exempted for a four year period, by the director. To be eligible for exemption, new or modified wastewater treatment facilities are to notify the department within 90 days of startup and renew the exemption every four (4) years.

004 The department will evaluate other wastewater treatment facilities for exemption on a case by case basis. Exemptions may be granted, by the director, for the life of the wastewater treatment facility or for a four (4) year period, at the discretion of the director. Any modification of the wastewater treatment facility will require re-evaluation by the department.

005 All wastewater treatment facilities, not otherwise exempted, are to meet the requirements of this title in accordance with Neb. Rev. Stat. § 81-15,139.

Enabling Legislation: Neb. Rev. Stat. §81-15, 129 §81-15, 130 (1)(10), and §81-15, 134.