

NEBRASKA ADMINISTRATIVE CODE

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

Chapter 2 - CLASSIFICATIONS OF FACILITIES, STAFFING REQUIREMENTS AND REPORTING REQUIREMENTS FOR OWNERS OF WASTEWATER TREATMENT FACILITIES

001 All wastewater treatment facility operators are to be certified by the director. The level of certification required for the operator(s) in direct responsible charge (DRC) of each municipal, commercial, or compatible wastewater treatment facility will correspond to the wastewater treatment facility's classification. A non-compatible industrial treatment facility is to have one operator designated as DRC of the facility.

002 All wastewater treatment facilities will be operated by operators certified at the classification level of the wastewater treatment facility, unless the wastewater treatment facility is exempted under provisions of Chapter 1 or the operator otherwise qualifies under provisions of Chapter 3.

002.01 Wastewater treatment facilities that are not staffed 24 hours a day, may use uncertified individuals to observe the facility during non-staffed times. All process control or operational changes made to the operation of a facility, during non-staffed periods, must be under the direction of and consultation with a certified operator.

003 Each municipal or commercial wastewater treatment facility will be classified by the department as a Class L, Class I, Class II, Class III, or Class IV wastewater treatment facility based upon complexity of treatment, population equivalent served, downstream water course conditions, and potential health hazards in accordance with the point rating system established in Appendix A. The director will determine a wastewater treatment facility's classification if the department is unable to classify using Appendix A. Classifications and level of certification for operators will be as follows:

Points per Appendix A	Facility Classification	DRC Operator Certification: (Municipal/Compatible)	Other Staffing Requirements
15 or less (for Lagoons)	Class L	Class L or higher	N/A
30 or less (if not Class L)	Class I	Class I or higher	N/A
31 through 55	Class II	Class II or higher	Assistant operator at Class I or higher
56 through 75	Class III	Class III or higher	Assistant operator at Class II or higher; all other personnel commensurate with level of responsibility

76 or more	Class IV	Class IV	Class IV for shift supervisors serving as DRC; all other personnel commensurate with level of responsibility
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004 Compatible industrial facilities: Each compatible industrial wastewater treatment facility, will be classified by the department as an Industrial compatible I, II, III, IV, or exempt facility based upon complexity of treatment, downstream water course conditions, and potential health hazards in accordance with the point rating system established in Appendix B. The director will determine a wastewater treatment facility's classification if the department is unable to classify the facility, using Appendix B. Classifications and level of certification for operators will be as follows:

Points per Appendix B	Facility Classification	DRC Operator Certification: (Municipal/Compatible)	Other Staffing Requirements
15 or less	Exempt	Exempt	N/A
16 through 30	Industrial I compatible	Class I or higher	N/A
31 through 55	Industrial II compatible	Class II or higher	Assistant operator at Class I or higher
56 through 75	Industrial III compatible	Class III or higher	Assistant operator at Class II or higher; all other personnel commensurate with level of responsibility
76 or more	Industrial IV compatible	Class IV	Class IV for shift supervisors serving as DRC; all other personnel commensurate with level of responsibility

005 Non-compatible industrial facilities: Each non-compatible industrial wastewater treatment facility, will be classified by the department as an Industrial non-compatible I, II, III, or IV or exempt facility based upon complexity of treatment, downstream water course conditions, and potential health hazards in accordance with the point rating system established in Appendix B. The director will determine a wastewater treatment facility's classification if the department is unable to classify the facility, using Appendix B. Classifications and level of certification for operators will be as follows:

Points per Appendix B	Facility Classification	DRC Operator Certification: (Physical/Chemical Industrial)	Other Staffing Requirements
4 or less	Exempt	Exempt	N/A
5 through 30	Industrial I non-compatible	Industrial I level or higher	N/A
31 through 55	Industrial II non-compatible	Industrial II level or higher	Assistant operator at Industrial I level or higher
56 through 75	Industrial III non-compatible	Industrial III level or higher	Assistant operator at Industrial II level or higher; all other personnel commensurate with level of responsibility
76 or more	Industrial IV non-compatible	Industrial IV level	Industrial IV level for shift supervisors serving as DRC; all other personnel commensurate with level of responsibility

006 Reporting Requirements for wastewater treatment facility owners and operators are as follows:

006.01 The owner of a wastewater treatment facility will:

006.01A notify the department , in writing, within 30 days of when a DRC operator leaves or is hired;

006.01B furnish the department upon request the names, addresses, and positions of all operators; and

006.01C notify the department prior to construction of any process modifications affecting the quality of effluent or plant capacity.

006.02 The DRC operator in overall charge of the entire Class IV or Industrial IV wastewater treatment facility will submit a staffing plan to the department every year by December 31st. Staffing plans will include organizational charts identifying the DRC operator, shift supervisors who are DRC operators of shifts, and other operators working with treatment processes or making process control decisions.

006.02A Staffing plans will also include an emergency plan. The emergency plan will describe how a treatment facility will be monitored during non-staffed

operation, who will be contacted in the event of an emergency, and who will be in DRC of the plant during an emergency situation.

006.02B Prior to initiation of operation, all new or upgraded Class IV or Industrial IV wastewater treatment facilities will submit a staffing plan for approval by the director, outlining levels of certification for all operators.

007 New wastewater treatment facilities or wastewater treatment facilities reclassified due to an upgrade are to have properly certified operator(s) prior to initiation of operation.

008 Operation of wastewater treatment facilities may be allowed from a remote work station by the director when:

008.01 The owner can demonstrate a capability to comply with all NPDES permit requirements and protect the public health and the environment.

008.02 The level of certification of the DRC operator at the remote workstation will be at least at the level of the classification of the facility, which is being operated from a remote workstation.

008.03 Where multiple facilities are operated from a common remote work station the DRC operator and backups will be certified at the Class IV level. Where multiple non-compatible industrial facilities are operated from a common remote work station the DRC operator will be certified at the Industrial IV level.

008.04 The wastewater treatment facility which is being operated remotely will be readily accessible to the certified operator and will be less than one hour travel time away from the location of the DRC operator.

008.05 The owner will provide a staffing plan which includes all the operators who are responsible for operation of the treatment plant(s) which are being remotely operated.

008.06 The owner will provide a back-up emergency operation plan which describes how the plant to be remotely operated will be operated in case of an emergency.

009 Operators certified to operate municipal, commercial, or compatible industrial facilities (Class L and Class I-Class IV) may not operate a non-compatible industrial facility without obtaining the appropriate industrial certification license (Industrial I – Industrial IV).

010 Operators certified to operate a non-compatible industrial facility (Industrial I – Industrial IV) may not operate municipal, commercial, or compatible industrial facilities without obtaining the appropriate certification license (Class L and Class I-Class IV).

Enabling Legislation: Neb. Rev. Stat. §81-15,130; §81-15,131; §81-15,134.