Kansas Administrative Regulations

Department of Health and Environment

Article 16.—Water Pollution Control—Water and Wastewater Operator Certification.

28-16-33. Operator responsible for the operation and management of a water supply system or wastewater treatment facility, or both.

(a) (1) Each system or facility shall have an individual or individuals in responsible charge at the system or facility site, or available at all times.

(2) For the purposes of this regulation, "individual or individuals in responsible charge" shall be defined as the person or persons designated by the owner to be the certified operator or operators who make decisions regarding the daily operational activities of a water supply system or wastewater treatment facility that will directly impact the quality or quantity of drinking water for human consumption or the quality of wastewater effluent.

(b) Except as provided in K.A.R. 28-16-33(f), each individual in responsible charge of a system shall be a certified operator for that class or a higher class of system.

(c) When a new operator responsible for the operation or management of a system or facility classified as small system, class I, or class II is hired, the owner of the system or facility shall, on a form provided by the department, notify the department within 30 days. The person named on the form shall be issued an operator-in-training (OIT) certificate subject to both of the following requirements:

(1) Within six months after completing one full year of operation as an OIT, the operator-in-training shall take the appropriate certification examination.

(2) If the OIT fails the initial examination, the OIT shall make additional preparation and take the examination again at the next time that the department offers the examination.

(d) An OIT certificate shall be valid for one year from the date of issuance. The OIT certificate may be renewed for up to an additional year if the operator demonstrates to the department that the operator is attending training sessions, studying

correspondence courses, or otherwise preparing to pass the operator certification examination.

(e) The owner of a system or facility shall not be allowed to utilize an OIT for more than two consecutive years.

(f) An operator with an OIT certificate may be the individual in responsible charge of a system subject to the following:

(1) A written request submitted to the department by the system owner and verification by the owner that the system is unable to employ a currently certified operator; and

(2) a finding by the department that the operator has the basic knowledge necessary to operate the system. The following items shall be the basis for the department's decision:

(A) The results of any on-site inspection of the system;

(B) a review of the operational history of the system; and

(C) an examination of other available information.

(Authorized by and implementing K.S.A. 65-4512; effective Sept. 28, 1992; amended Aug. 31, 2001.)

***** Authenticated Kansas Administrative Regulation *****