

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 380
PROCEDURE FOR THE CERTIFICATION OF OPERATORS OF
WASTEWATER TREATMENT WORKS

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AUTHORITY: Implementing and authorized by Sections 13(a)(4) and 13.5 of the Environmental Protection Act [415 ILCS 5/13(a)(4) and 13.5].

SOURCE: Adopted at 6 Ill. Reg. 1630, effective January 27, 1982; amended at 9 Ill. Reg. 2663, effective February 15, 1985; amended at 10 Ill. Reg. 18774, effective November 1, 1986; recodified at 31 Ill. Reg. 10532.

SUBPART A: INTRODUCTION

380.100 Purpose

These rules contain the procedures and classifications necessary for certification of operators for wastewater treatment works.

(Recodified from Section 380.101 to Section 380.100 at 31 Ill. Reg. 10532)

380.105 Definitions

"Activated Sludge" means sludge floc produced in raw or settled wastewater by the growth of zoogical bacteria and other organisms in the presence of dissolved oxygen and accumulated in sufficient concentration by returning floc previously formed;

"Activated Sludge Process" means a biological wastewater treatment process in which a mixture of wastewater and activated sludge is agitated and aerated. The activated sludge is subsequently separated from the treated wastewater by sedimentation and wasted or returned to the process as needed;

"Board of Certification" means the ten Board of Certification members composed of an Agency employee, one representative from each of the four Sections, a representative of municipal government, a representative of sanitary districts, two representatives of the Metropolitan Sanitary District of Greater Chicago, and a representative of industry;

"Certificate of Technical Competency" means a certificate issued by the Agency attesting that a wastewater treatment works operator has fulfilled the requirements for a given class of certification;

"Certified Operator" means an operator who holds a Certificate of Technical Competency issued by the Agency;

"Contract Operator" means a properly certified operator who operates or supervises the operation of a wastewater treatment works by contractual agreement with the owner;

"DAF" means design average flow;

"Fixed-film Process" means the biological treatment processes in which the microorganisms responsible for the conversion of organic matter in wastewater to gases and cell tissue are attached to some inert media, such as rocks, slag, or specially designed ceramic or plastic materials. Fixed-film process includes trickling filters and rotating biological contractors but excludes sand filters;

"Lagoon" means a pond containing raw or partially treated wastewater in which aerobic and/or anaerobic stabilization occurs;

"MGD" means millions of gallons per day;

"Operator" means a wastewater operator;

"Primary Treatment" means the removal, usually by sedimentation, of a substantial amount of suspended matter but little or no removal of colloidal or dissolved matter;

"Properly Certified Operator" means a wastewater operator employed at a wastewater treatment works who has been granted authority by the owner to control treatment processes and who holds a Certificate of Technical Competency meeting the requirements established by Section 380.415;

"Section" means the geographical regions designated as Northeastern, Northwestern, Central and Southern as indicated in Appendix A.

"Wastewater Course" means:

A course consisting of three quarter hours, or two semester hours, or 3.0 continuing education units, approved by the Agency on wastewater collection, treatment, operations, maintenance or management from an accredited college, university or technical vocational and trade school; or

60 contact hours of attendance at professional wastewater meetings, conferences, workshops and seminars. No more than one wastewater course will be approved for an applicant using this method. Verification and documentation of the 60 hours of attendance will be the responsibility of the applicants;

"Wastewater Operator" means any person who regularly makes recommendations or is responsible for process control decisions at a wastewater treatment works. The term does not apply to persons whose duties are limited solely to laboratory testing or maintenance or to other persons who exercise general or indirect supervision only;

"Wastewater Operator Experience" means the length of service while functioning as a wastewater operator.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.102 to Section 380.105 at 31 Ill. Reg. 10532)

Section 380.110 Definitions from Other Parts

All definitions found in 35 Ill. Adm. Code: Subtitle C, Chapter I (Illinois Pollution Control Board's Water Pollution Rules) shall apply to this Part.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.103 to Section 380.110 at 31 Ill. Reg. 10532)

SUBPART B: CERTIFICATES

Section 380.200 Issuance

Technical competency of operators will be attested by the issuance of an appropriate certificate by the Agency.

(Recodified from Section 380.201 to Section 380.200 at 31 Ill. Reg. 10532)

Section 380.205 Requirement

- a) The use or operation of a wastewater treatment or pretreatment works for which a permit is required by 35 Ill. Adm. Code 309 shall be by or under the supervision of a properly certified operator.
- b) A wastewater treatment works which is operated as part of a public water supply and treats waste generated only by that supply shall be considered to be under the supervision of a properly certified operator if it is under the supervision of a public water supply operator certified by the Agency pursuant to the Public Water Supply Operations Act [415 ILCS 45].

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.202 to Section 380.205 at 31 Ill. Reg. 10532)

Section 380.210 Validity

A Certificate of Technical Competency shall be effective until:

- a) Replaced by a certificate of higher level;
- b) Cancelled at the request of the holder; or
- c) Revoked or suspended under Subpart F of this Part.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.203 to Section 380.210 at 31 Ill. Reg. 10532)

SUBPART C: BOARD OF CERTIFICATION

Section 380.300 Purpose

A Board of Certification will advise the Agency on certification actions.

(Recodified from Section 380.301 to Section 380.300 at 31 Ill. Reg. 10532)

380.305 Composition

The Board of Certification shall consist of:

- a) One Agency employee who shall be a non-voting member,
- b) One certified operator from each Section,
- c) One representative of municipal government,
- d) One representative of industry,
- e) One representative of sanitary districts,
- f) Two representatives from the Metropolitan Sanitary District of Greater Chicago, one of which shall be a certified operator.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.302 to Section 380.305 at 31 Ill. Reg. 10532)

Section 380.310 Chairman

The Board of Certification will elect a Chairman annually from its members. The Agency representative will not be eligible for that position.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.303 to Section 380.310 at 31 Ill. Reg. 10532)

Section 380.315 Selection and Terms of Office

- a) The wastewater operators shall select a certified operator from their Section to serve as their representative on the Board of Certification.
 - 1) The representative from the Central Section shall be selected during 1981 and every three years thereafter.
 - 2) The representatives from the Northeast and Southern Sections shall be selected during 1982 and every three years thereafter.
 - 3) The representative from the Northwest Section shall be selected during 1983 and every three years thereafter.
- b) The other representatives shall be chosen in the following manner.
 - 1) One representative of the Metropolitan Sanitary District of Greater Chicago shall be selected by that District by July 1, 1982 and every three years thereafter, the second representative shall be selected by that District by July 1, 1983 and every three years thereafter.
 - 2) The representative of municipal government shall be selected by the Illinois Municipal League by July 1, 1983 and every three years thereafter.
 - 3) The representative of industry shall be selected by the Illinois Manufacturer's Association by July 1, 1984 and every three years thereafter.
 - 4) The representative of the sanitary districts shall be selected by the Illinois Association of Sanitary Districts by July 1, 1984 and every three years thereafter.
 - 5) The representative of the Agency shall be selected by the Director of the Agency.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.304 to Section 380.315 at 31 Ill. Reg. 10532)

Section 380.320 Alternates

- a) Alternate representatives shall be selected at the same time as the representatives are selected. The alternate's term of office shall be concurrent with that of the selected representative.

- b) An alternate shall perform the duties of the representative to the Board of Certification when that person does not perform them.

(Recodified from Section 380.305 to Section 380.320 at 31 Ill. Reg. 10532)

Section 380.325 Vacancies

- a) If a representative or alternate is not selected by the time specified in Sections 380.315 and 380.320, the Board of Certification shall appoint a representative.
- b) If a representative vacates a position on the Board of Certification, the alternate shall complete the term of office. If the alternate does not complete the term of office, the Board of Certification shall appoint a representative to complete the term.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.306 to Section 380.325 at 31 Ill. Reg. 10532)

Section 380.330 Meetings

- a) The Chairman of the Board of Certification shall convene two regular meetings annually.
- b) Five voting representatives shall constitute a quorum. No official action shall be taken without agreement of five voting members. A special meeting may be called upon agreement of a quorum.
- c) Written notice must be given at least ten days in advance of meetings except in emergency situations.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.307 to Section 380.330 at 31 Ill. Reg. 10532)

Section 380.335 Duties

- a) The duties of the Board of Certification members shall be:
 - 1) To solicit the opinions and comments of those persons they represent on matters pertaining to certification and to report them to the Agency and to the Board;
 - 2) To provide advice to the Agency regarding certification policy;
 - 3) To report Board of Certification activities and decisions to those they represent; and

- 4) To attend Board of Certification meetings.
- b) The Board shall also make recommendations to the Agency on any sanction proceeding for which a hearing is held.
- c) The Board shall make recommendations to the Agency for changes in these procedures and shall comment on changes proposed by the Agency.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.308 to Section 380.335 at 31 Ill. Reg. 10532)

SUBPART D: GROUPING OF WASTEWATER TREATMENT WORKS

Section 380.400 Types of Wastewater Treatment Works

Domestic and industrial wastewater treatment works shall be grouped as follows:

- a) All publicly owned treatment works and domestic wastewater treatment works not owned by an industry shall be grouped as follows:
 - 1) Group 1 shall consist of all wastewater treatment works over 1.0 MGD DAF, excluding lagoon systems and primary treatment systems.
 - 2) Group 2 shall consist of activated sludge systems having a DAF of 1.0 MGD or less.
 - 3) Group 3 shall consist of fixed film processes and Imhoff tank systems having a DAF of 1.0 MGD or less and all primary treatment systems.
 - 4) Group 4 shall consist of lagoon treatment systems.
- b) Group K shall consist of industrial wastewater treatment works, pretreatment works, and domestic wastewater treatment works owned and operated by industries.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.401 to Section 380.400 at 31 Ill. Reg. 10532)

Section 380.405 Special

- a) When a wastewater treatment works consists of more than one wastewater treatment process, the classification of the wastewater treatment works will be based upon the more complex process.

- b) Wastewater treatment works which cannot be clearly grouped according to Section 380.400 will be considered individually and designated within one of the above groups by the Agency. This determination shall be based on the nature of the wastewater treatment works and on the education and experience necessary to operate it.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.402 to Section 380.405 at 31 Ill. Reg. 10532)

Section 380.410 Appeals

The owner of a wastewater treatment works designated within one of the groups of Section 380.400 shall have the right to appeal such designation. The designation shall be appealed to the Pollution Control Board in accordance with 35 Ill. Adm. Code 105 of the Board's Procedural Rules.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.403 to Section 380.410 at 31 Ill. Reg. 10532)

Section 380.415 Certification Required by Group

The operation of a wastewater treatment works, grouped pursuant to Section 380.400 or 380.405, shall be by or under the supervision of an operator possessing a Certificate of Technical Competency of the class indicated below:

- a) Group 1 requires a certified Class 1 operator.
- b) Group 2 requires a certified Class 2 operator or an operator certified at a higher level.
- c) Group 3 requires a certified class 3 operator or an operator certified at a higher level.
- d) Group 4 requires a certified Class 4 operator or an operator certified at a higher level.
- e) Group K requires a certified Class K operator.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.501 to Section 380.415 at 31 Ill. Reg. 10532)

SUBPART E: GROUPS AND CERTIFICATION

Section 380.500 General Requirements

All requirements presented below must be met by the applicant in order to qualify for a class of certification.

(Recodified from Section 380.701 to Section 380.500 at 31 Ill. Reg. 10532)

Section 380.505 Prior Certification

Certificates of Technical Competency issued to operators who were certified by the Agency before the effective date of these Procedures shall remain valid. A Class 7-Industrial Certificate shall remain valid and is equivalent to a Class K Certificate.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.502 to Section 380.505 at 31 Ill. Reg. 10532)

Section 380.515 Applications

- a) No person shall be considered or examined for certification until the individual has applied for certification using a form supplied by the Agency. Information required in an application must be complete and accurate.
- b) An application must be signed by the applicant and, if the applicant is employed at a wastewater treatment works, by the applicant's employer. Falsification of any information in the application by either party will disqualify the application and be grounds for sanctions of current certificates held by either party.
- c) Persons applying for reciprocity pursuant to Section 380.535 must also complete a Reciprocity/Verification form supplied by the Agency. The Reciprocity/Verification form must be signed by the applicant and must be submitted to the Agency with the application form for certification.

(Source: Amended at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.503 to Section 380.515 at 31 Ill. Reg. 10532)

Section 380.520 Substitution Criteria

- a) Five semester hours or seven and a half quarter hours of college credit is equal to one month of wastewater operator experience.
- b) Two months of operating experience of collection systems or water supplies or two months of laboratory or maintenance experience while employed at a wastewater treatment works is equal to one month wastewater operator experience. Credit for operating experience of collection systems or water supplies will not be given if such experience was concurrent with wastewater operator experience.

- c) Successful completion of one wastewater course is equal to three months wastewater operator experience. Credit taken for wastewater courses may not be used as credit for college courses.
- d) The requirement for a high school education or the equivalent shall be waived for applicants who obtained a Certificate of Technical Competency prior to January 27, 1982.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.707 to Section 380.520 at 31 Ill. Reg. 10532)

Section 380.525 Examination

- a) Each applicant for a certificate will be given a written examination only after he or she has satisfied the other requirements for the class certificate sought. Waiver of the examination will be allowed only to individuals issued a certificate by reciprocity or employees of the Metropolitan Sanitary District of Greater Chicago who are on an eligibility list for titles specified in Section 380.540.
- b) The Class 1 through 4 examinations will include questions on:
 - 1) The particular type of treatment specified for the class sought, higher class examinations will include questions on units of treatment of lower classifications,
 - 2) Laboratory techniques and interpretation,
 - 3) National Pollution Discharge Elimination System (NPDES) Permit requirements,
 - 4) Mathematics,
 - 5) Collection systems,
 - 6) Safety, and
 - 7) Administration/management.
- c) Examinations, or any part thereof, are the property of the Agency. Examinations are not to be taken from the examination site and are not to be copied. Violation of this rule will result in the applicant being ineligible for certification, and will be grounds for sanction of current certification.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.709 to Section 380.525 at 31 Ill. Reg. 10532)

Section 380.530 Identification

Examinees will be required to present a positive form of identification at the examination site. An examinee who fails to provide this identification will not be allowed to take the examination.

(Recodified from Section 380.710 to Section 380.530 at 31 Ill. Reg. 10532)

Section 380.535 Reciprocity

- a) An applicant for a Class 1, 2, 3, or 4 certificate who possesses a valid certificate issued under the laws of another state will be issued a Certificate of Technical Competency, without examination, provided:
 - 1) The Agency can determine by examining other states' requirements that the applicant has met minimum standards equivalent to or more stringent than the standards specified in Sections 380.700, 380.705, 380.710 or 380.715, respectively, prior to receiving the certificate from the other state;
 - 2) The state which issued the certificate to the applicant accepts, by reciprocity, certificates issued by the Agency; and
 - 3) The applicant resides in Illinois or obtains employment at a wastewater treatment works in Illinois.
- b) An applicant satisfying subsection (a)(1) and subsection (a)(2) above but failing to meet the residency or employment requirements of subsection (a)(3) above, shall be issued a notice of intent to grant reciprocity. Should the applicant fail to meet the requirements outlined in subsection (a)(3) within 90 days of issuance of the notice, the notice shall become void.
- c) Applicants for reciprocity described in Section 380.515 shall be processed by the Agency as follows:
 - 1) The Agency shall review each applicant's education and experience to determine the levels of certification examinations for which the applicant is eligible pursuant to Sections 380.700, 380.705, 380.710 and 380.715;
 - 2) An applicant for reciprocity shall be notified of, and given the option to take, the certification examinations for which the applicant qualifies;
 - 3) The Agency shall contact the certifying officials from the other states to determine the level of certification of each applicant for reciprocity and whether or not the certificates are currently valid;

- 4) The Agency shall review the applicant's qualifications and the other state's eligibility requirements for certification with those described in Subpart G to determine if the requirements of subsection (a) above are fulfilled. If the requirements of subsection (a) are fulfilled, reciprocity shall be granted at the appropriate level;
 - 5) If it is determined that reciprocity should be granted, the Agency shall issue the appropriate level Certificate of Technical Competency to the applicant and shall notify the certifying official from the other state;
 - 6) If it is determined that reciprocity should not be granted, the Agency shall notify the applicant and the certifying official from the other state and provide reasons for the decision.
- d) If a certificate of Technical Competency which is issued by reciprocity, is suspended or revoked pursuant to Subpart F, the Agency shall notify the certifying official from the other state.

(Source: Amended at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.711 to Section 380.535 at 31 Ill. Reg. 10532)

Section 380.540 Metropolitan Sanitary District of Greater Chicago Certification

- a) Employees of the Metropolitan Sanitary District of Greater Chicago, who are on an eligibility list for appointment for the position titles listed below, shall be issued an appropriate Illinois Certificate of Technical Competency as a wastewater operator upon receipt of an acceptable application for such certification and evidence of appointment or appointment eligibility.
- b) The position titles on the eligibility list shall be:
 - 1) Treatment Plant Operator I
 - 2) Treatment Plant Operator II
 - 3) Treatment Plant Operator III
 - 4) Assistant Engineer of Treatment Plant Operations I
 - 5) Assistant Engineer of Treatment Plant Operations II
 - 6) Engineer of Treatment Plant Operations I
 - 7) Assistant Chief Engineer

- c) Only employees of the Metropolitan Sanitary District of Greater Chicago, who are on a certified eligibility list or who have individual certification of their title by that District, shall be deemed to have passed the written examinations for Class 4 through Class 1 Certificates of Technical Competency.
- d) Metropolitan Sanitary District of Greater Chicago applicants shall be issued the level of Certificate of Technical Competency for which they possess the experience and education requirements.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.504 to Section 380.540 at 31 Ill. Reg. 10532)

SUBPART F: SANCTIONS

Section 380.600 Causes

Certificates of Technical Competency shall be subject to sanctions of revocation or suspension upon a showing of cause by a preponderance of the evidence. Such sanction shall not be a bar to any civil or criminal proceedings. Causes for sanction shall include but are not limited to:

- a) Obtaining or attempting to obtain a Certificate of Technical Competency by fraud or deceit;
- b) Gross negligence or gross misconduct in the operation of a wastewater treatment works or pretreatment works;
- c) Falsification or willful failure to maintain or willful nonsubmission of records and reports required by 35 Ill. Adm. Code: Subtitle C, Chapter I, this Part or any rules adopted under the Act;
- d) Willful violation of the Illinois Environmental Protection Act, 35 Ill. Adm. Code: Subtitle C, Chapter I, this Part or any rules adopted under the Act; or
- e) A final judgment in a civil action or a conviction in a criminal action that the operator has performed any of the acts listed in Subsections (a) through (d) above.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.601 to Section 380.600 at 31 Ill. Reg. 10532)

Section 380.605 Procedures

- a) Any person may initiate the procedure for sanction by filing a written complaint with the Agency. The complaint shall state the name and address of the complainant, the name of the operator and all information which supports the complaint. If the Agency determines that the complaint is duplicitous or

frivolous, it shall notify the person filing the complaint but shall take no further action.

- b) If the Agency determines that a sanction procedure is warranted either on the basis of a valid complaint or on its own motion, it shall notify the operator by certified mail.
- c) Such notice shall specify the cause for which sanction is sought and shall meet the requirements of the Agency's Procedures for Contested Case Hearings, 35 Ill. Adm. Code 168.

(Source Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.602 to Section 380.605 at 31 Ill. Reg. 10532)

Section 380.610 Hearing and Decision

- a) Should a hearing be requested, the Director shall appoint one or more persons to act as hearing officer(s). The hearing shall be conducted in accordance with the Agency's Procedures for Contested Case Hearings, 35 Ill. Adm. Code 168.
- b) The Board of Certification shall be notified of the hearing. A copy of the hearing transcript shall be sent to the operator and to the Board of Certification. The Agency shall pay the cost of providing transcripts.
- c) The Board of Certification shall recommend on the basis of the hearing transcript, whether sanction is appropriate. If the Board determines that a certificate should be revoked or suspended, it may, at its option, recommend a suspension period or a period of time before the operator may reapply in accordance with Section 380.615. This recommendation shall be submitted in writing to the operator and the Director within 30 days after receipt of transcripts and shall include a statement of reasons for the Board's actions. If the recommendation is not sent to the Director within 30 days, the Director shall proceed pursuant to Subsection (d) below.
- d) The Director shall make a decision on the basis of the contested case record. If the Director determines sanction is appropriate, a decision shall be issued suspending or revoking the certificate. This decision shall state a suspension period or a period of time before the operator may reapply in accordance with Section 380.615. The Director shall give written notice of the decision and the reasons to the operator by certified mail.
- e) If a hearing is not requested, or if the operator does not respond to the notice prepared pursuant to Section 380.605(c), the Director shall assume all facts contained in the notice are true and shall base the decision on this notice. This decision shall be made within 30 days of the deadline stated in this notice and shall state a suspension period or a period of time before the operator may reapply

in accordance with Section 380.615. The Director shall give written notice of the decision and the reasons to the operator by certified mail.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.603 to Section 380.610 at 31 Ill. Reg. 10532)

Section 380.615 Sanctions

- a) The decision between revocation and suspension shall be based on the following:
 - 1) The severity of the violations that led to the sanction including:
 - A) The frequency or duration of the violations;
 - B) The impact on the operation of the wastewater treatment works;
 - C) The impact on the water quality or aquatic life of the receiving waters.
 - 2) The recalcitrance of the operator in preventing the recurrence of the violations.
 - 3) Any other mitigating or aggravating factors.
- b) If a Certificate of Technical Competency is suspended, it shall be considered void for a period of time not to exceed a year and a half. This period shall be set according to the factors listed in Subsection (a). Experience obtained during this period shall not be credited towards meeting the requirements described in Subpart G. At the end of this period the suspended certificate shall be considered valid.
- c) If a Certificate of Technical Competency is revoked, the operator may not reapply for any certificate for a period of not less than one and a half years but not more than four years. This period shall be set according to the factors listed in Subsection (a).
- d) After a Certificate of Technical Competency is revoked, an operator may not apply for a certificate until after the period set pursuant to Subsection (c) above has elapsed. In order to obtain a certificate the operator must successfully complete a written examination for the class certificate sought. Education and wastewater operator experience prior to revocation shall be credited towards meeting the requirements described in Subpart G. However, any experience obtained during the period set pursuant to Subsection (c) above will not be credited towards certification.

(Source: Former Section 380.604 renumbered to Section 380.605, new Section 380.604 adopted at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.604 to Section 380.615 at 31 Ill. Reg. 10532)

Section 380.620 Appeal

Within 35 days of the receipt of the notice of sanction from the Director the operator may appeal the sanction to the Pollution Control Board. The revocation or suspension of the operator's Certificate of Technical Competency shall be stayed pending a final decision on the appeal by the Pollution Control Board.

(Source: Renumbered from Section 380.604 and amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.605 to Section 380.620 at 31 Ill. Reg. 10532)

SUBPART G: REQUIREMENTS FOR WASTEWATER TREATMENT WORKS OPERATOR CERTIFICATION

Section 380.700 Class 1

- a) The Class 1 certificate requires:
 - 1) Eight years wastewater operator experience,
 - 2) High school education or equivalent, and
 - 3) A score of 70 or higher on a Class 1 examination.
- b) The following may be substituted for the Class 1 experience requirements:
 - 1) Credit for wastewater courses may be substituted for a maximum of two years wastewater operator experience.
 - 2) Other credits or experience:
 - A) College credits, including any college wastewater courses not credited in Subsection 380.700(b)(1), may be substituted for a maximum of two years wastewater operator experience.
 - B) Operating experience of collection systems or water supplies or laboratory or maintenance experience while employed at a wastewater treatment works may be substituted for a maximum of one year wastewater operator experience.

C) Any combination of substitute credits described in Subsection (A) or Subsection (B) above will be accepted, provided that the total of those credits shall not exceed two years.

3) The successful completion of a one year or more college program specifically designed for wastewater treatment works operation, which includes actual operation of a wastewater treatment works, may be substituted for a maximum of one year wastewater operator experience.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.702 to Section 380.700 at 31 Ill. Reg. 10532)

Section 380.705 Class 2

a) The Class 2 certificate requires:

- 1) Six years wastewater operator experience,
- 2) High school education or equivalent, and
- 3) A score of 70 or higher on a Class 2 examination.

b) The following may be substituted for the Class 2 experience requirements:

- 1) Credit for wastewater courses may be substituted for a maximum of one year wastewater operator experience.
- 2) Other credits or experience:
 - A) College credits, including any college wastewater courses not credited in Subsection 380.705(b)(1), may be substituted for a maximum of two years wastewater operator experience.
 - B) Operating experience of collection systems or water supplies or laboratory or maintenance experience while employed at a wastewater treatment works may be substituted for a maximum of one year wastewater operator experience.
 - C) Any combination of substitute credits described in Subsection (A) or Subsection (B) above will be accepted provided that the total of these credits shall not exceed two years.
- 3) The successful completion of a one year or more college program specifically designed for wastewater treatment works operation, which includes actual operation of a wastewater treatment works, may be substituted for a maximum of one year wastewater operator experience.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.703 to Section 380.705 at 31 Ill. Reg. 10532)

Section 380.710 Class 3

- a) The Class 3 certificate requires:
 - 1) Three years wastewater operator experience,
 - 2) High school education or equivalent, and
 - 3) A score of 70 or higher on a Class 3 examination.

- b) The following may be substituted for the Class 3 experience requirements:
 - 1) Credit for wastewater courses may be substituted for a maximum of six months wastewater operator experience.

 - 2) Other credits or experience:
 - A) College credits, including any college wastewater courses not credited in Subsection 380.710(b)(1), may be substituted for a maximum of one year wastewater operator experience.

 - B) Operating experience of collection systems or water supplies or laboratory or maintenance experience while employed at a wastewater treatment works may be substituted for a maximum of six months wastewater operator experience.

 - C) Any combination of substitute credits described in Subsection (A) or Subsection (B) above will be accepted, provided that the total of these credits shall not exceed one year.

 - 3) The successful completion of a one year or more college program specifically designed for wastewater treatment works operation, which includes actual operation of a wastewater treatment works, may be substituted for a maximum of one year wastewater operator experience.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.704 to Section 380.710 at 31 Ill. Reg. 10532)

Section 380.715 Class 4

- a) The Class 4 certificate requires:

- 1) One year wastewater operator experience, and
 - 2) A score of 70 or higher on a Class 4 examination.
- b) The following may be substituted for the Class 4 experience requirements:
- 1) The completion of high school or the equivalent, or operating experience of collection systems or water supplies or laboratory or maintenance experience while employed at a wastewater treatment works may be substituted for a maximum of three months wastewater operator experience.
 - 2) Credit for wastewater courses may be substituted for a maximum of six months wastewater operator experience.
 - 3) The successful completion of a one year or more college program specifically designed for wastewater treatment works operation, which includes actual operation of a wastewater treatment works may be substituted for a maximum of one year wastewater operator experience.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.705 to Section 380.715 at 31 Ill. Reg. 10532)

SUBPART H: REQUIREMENTS FOR INDUSTRIAL WASTEWATER OPERATOR CERTIFICATION

Section 380.800 Industrial Certificates

A Class K certificate will indicate, and is only valid for, the specific industrial wastewater treatment works or pretreatment works for which the operator has been certified. The Agency shall invalidate a Class K certificate if the industrial wastewater treatment works or pretreatment works is modified to include a different treatment process. The determination shall be based on review of the construction permit required pursuant to 35 Ill. Adm. Code 309.202 and the expertise necessary to operate the modified treatment works.

(Source: Amended at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.801 to Section 380.800 at 31 Ill. Reg. 10532)

Section 380.805 Class K Examination

Each applicant for a Class K Certificate must achieve a score of 70 or higher on an examination designed to test the applicant's knowledge of the industrial wastewater treatment works for which certification is being sought. The examination will include, but is not limited to:

- a) Mathematics,

- b) Flow schematic,
- c) Characteristics, concentrations, and sources of wastewater,
- d) Treatment principles and removal efficiencies for each treatment unit,
- e) Wastewater treatment works upset procedures,
- f) Solids handling and sludge processing and disposal,
- g) Laboratory techniques and interpretation,
- h) Safety, and
- i) Rules.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.802 to Section 380.805 at 31 Ill. Reg. 10532)

Section 380.810 Additional Industrial Certificates

An operator may hold Class K Certificates of Technical Competency for more than one industrial wastewater treatment works or pretreatment works. An applicant can obtain additional Class K Certificates by completion of the examination requirements under Section 380.805.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.803 to Section 380.810 at 31 Ill. Reg. 10532)

SUBPART I: OPERATOR IN TRAINING PROGRAM

Section 380.900 General

The operator in training program consists of classifications and certificates for applicants who qualify pursuant to Sections 380.905, 380.910 and 380.915. The Advanced and Intermediate classifications provide operators, with less than six years of wastewater operator experience, transitional levels of certification for treatment processes associated with Group 1 and 2 wastewater treatment works. The Basic classification provides pre-service and entry level operators certification for general knowledge of wastewater treatment works. Individuals with operator in training certification will not qualify as properly certified operators for any wastewater treatment works without obtaining the appropriate Certificate of Technical Competency pursuant to Section 380.415.

(Source: Added at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.850 to Section 380.900 at 31 Ill. Reg. 10532)

Section 380.905 Advanced Operator in Training Certificate

- a) The Advanced Operator in Training Certificate requires:
 - 1) Three years wastewater operator experience,
 - 2) High school education or equivalent, and
 - 3) A score of 70 or higher on an Advanced Operator in Training examination.

- b) The following may be substituted for the Advanced Operator in Training experience requirements:
 - 1) Credit for wastewater courses may be substituted for a maximum of six months wastewater operator experience.
 - 2) Other credits or experience:
 - A) College credits, including any college wastewater courses not credited in subsection 380.905(b)(1), may be substituted for a maximum of one year wastewater operator experience.
 - B) Operating experience of collection systems or water supplies or laboratory or maintenance experience while employed at a wastewater treatment works may be substituted for a maximum of six months wastewater operator experience.
 - C) Any combination of substitute credits described in Subsection (A) or Subsection (B) above will be accepted provided that the total of these credits shall not exceed one year.
 - 3) The successful completion of a one year or more college program specifically designed for wastewater treatment works operation, which includes actual operation of a wastewater treatment works, may be substituted for a maximum of one year wastewater operator experience.

(Source: Added at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.851 to Section 380.905 at 31 Ill. Reg. 10532)

Section 380.910 Intermediate Operator in Training Certificate

- a) The Intermediate Operator in Training Certificate requires:
 - 1) One year wastewater operator experience, and

- 2) A score of 70 or higher on an Intermediate Operator in Training examination.
- b) The following may be substituted for the Intermediate Operator in Training experience requirements:
- 1) The completion of high school or the equivalent, or operating experience of collection systems or water supplies or laboratory or maintenance experience while employed at a wastewater treatment works may be substituted for a maximum of three months wastewater operator experience.
 - 2) Credit for wastewater courses may be substituted for a maximum of six months wastewater operator experience.
 - 3) The successful completion of a one year or more college program specifically designed for wastewater treatment works operation, which includes actual operation of wastewater treatment works, may be substituted for a maximum of one year wastewater operator experience.

(Source: Added at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.852 to Section 380.910 at 31 Ill. Reg. 10532)

Section 380.915 Basic Operator in Training Certificate

The Basic Operator in Training Certificate requires:

- a) Completion of one wastewater course or have three months wastewater operator experience, and
- b) A score of 70 or higher on a Basic Operator in Training examination.

(Source: Added at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.853 to Section 380.915 at 31 Ill. Reg. 10532)

380.920 Operator in Training Substitution Criteria

- a) Five semester hours or seven and a half quarter hours of college credit is equal to one month of wastewater operator experience.
- b) Two months of operating experience of collection systems or water supplies, or two months of laboratory or maintenance experience while employed at a wastewater treatment works is equal to one month wastewater operator experience. Credit for operating experience of collection systems or water supplies will not be given if such experience was concurrent with wastewater operator experience.

- c) Successful completion of one wastewater course is equal to three months wastewater operator experience, if such course has not been applied toward fulfilling the requirements of section 380.920(a).
- d) The requirement for a high school education or the equivalent shall be waived for applicants who obtained a Certificate of Technical Competency prior to January 27, 1982.

(Source: Added at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.854 to Section 380.920 at 31 Ill. Reg. 10532)

Section 380.925 Operator in Training Examination

- a) Each applicant for an Operator in Training Certificate will be given a written examination only after he or she has satisfied the other requirements for the Operator in Training Certificate sought.
- b) The Advanced, Intermediate and Basic Operator in Training examinations will consist of questions on the following topics:
 - 1) Process control of wastewater treatment works,
 - 2) Laboratory techniques and interpretation,
 - 3) Electrical,
 - 4) Mathematics,
 - 5) Maintenance,
 - 6) Safety, and
 - 7) General information relating to wastewater treatment.
- c) Examinations, or any part thereof, are the property of the Agency. Examinations are not to be taken from the examination site and are not to be copied. Violation of this rule will result in the applicant being ineligible for certification, and will be grounds for sanction of current certification.

(Source: Added at 10 Ill. Reg. 18774, effective November 1, 1986; recodified from Section 380.855 to Section 380.925 at 31 Ill. Reg. 10532)

SUBPART J: CONTRACTUAL OPERATION

Section 380.1000 General

- a) The owner of a wastewater treatment works or pretreatment works who enters into a contractual agreement with a properly certified operator for the operation of a wastewater treatment works or pretreatment works shall submit a copy of the contractual agreement to the Agency.
- b) The contractual agreement must be submitted to the Agency within seven days of the effective date of the contractual agreement. The Agency must be notified by the owner in writing within seven days should the contract be terminated prior to the expiration date of the contract.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.901 to Section 380.1000 at 31 Ill. Reg. 10532)

Section 380.1005 Contract Provisions

The contract must include the following:

- a) The parties involved, including names, addresses and phone numbers of each and the Social Security number of the contract operator;
- b) The specific starting and expiration dates of the contract;
- c) The minimum number of visits to be made to the wastewater treatment works by the contract operator each week;
- d) The duties and responsibilities of each party involved including, at a minimum, the party responsible for:
 - 1) Proper operation of the wastewater treatment works including meeting all NPDES permit effluent requirements;
 - 2) Sample collection pursuant to the NPDES Permit;
 - 3) Preparation and submittal of Discharge Monitoring Reports;
 - 4) Laboratory analysis;
 - 5) Maintaining lift stations;
 - 6) Maintaining spare parts inventory;
 - 7) Maintaining required operating records and reports;
 - 8) Providing labor and materials for correcting any maintenance and operational problems;

- 9) Maintaining, and if necessary, implementing an emergency operating plan;
 - 10) Performing preventive maintenance on equipment as recommended by the manufacturer; and
 - 11) Performing routine operational control testing as recommended by the Agency.
- e) The signature of each party of the contract.

(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.902 to Section 380.1005 at 31 Ill. Reg. 10532)

Section 380.1010 Non-party Operators

- a) When the properly certified operator is not a party to the contract, the operator must sign a document indicating acceptance of responsibilities of the certified operator as specified in the contract.
- b) In the event that a different properly certified operator is assigned to operate the wastewater treatment works, which is the subject of the contract, the new operator shall sign and submit a document as required in Subsection (a) above.

(Source: Former Section 380.903 renumbered to Section 380.905, new Section 380.903 added at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.903 to Section 380.1010 at 31 Ill. Reg. 10532)

Section 380.1015 Documentation of Contract Provisions

The contract operator shall maintain records to document that all contract provisions are being met.

(Source: Former Section 380.904 renumbered to Section 380.906, new Section 380.904 added at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.904 to Section 380.1015 at 31 Ill. Reg. 10532)

Section 380.1020 Contract Approval

The Agency will approve a contract agreement when the contractual operator is properly certified and the provisions of Sections 380.1000, 380.1005 and 380.1010 are satisfied. The Agency will withdraw an approval when it is determined that the contract provisions are not being met or are inadequate to assure proper operation of the wastewater treatment works.

(Source: Section 380.905 renumbered from Section 380.903 and amended at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.905 to Section 380.1020 at 31 Ill. Reg. 10532)

Section 380.1025 Contract Modifications and Extensions

Modifications or extensions to contractual agreements must be submitted to the Agency as a new contract.

(Source: Section 380.906 renumbered from Section 380.904 at 9 Ill. Reg. 2663, effective February 15, 1985; recodified from Section 380.906 to Section 380.1025 at 31 Ill. Reg. 10532)

Section 380.APPENDIX A Map of Illinois Sections



(Source: Amended at 9 Ill. Reg. 2663, effective February 15, 1985)