

3745-7-02 **Certified operators required.**

(A) Responsibilities.

- (1) Each person owning or operating a public water system, except as provided for in paragraph (B) of this rule, shall designate one or more operator of record to oversee the technical operation of the public water system or each water treatment plant and distribution system within the public water system. Each operator of record shall have a valid certification of a class equal to or greater than the classification of the public water system, distribution system or water treatment plant except as provided for in paragraphs (E) to (G) of this rule.
 - (a) The owner and operator of record of a public water system shall notify the director of the identity of an operator of record upon initiation or termination of service or upon request by the director.
 - (b) Notification shall be made on a form acceptable to the director within three days of initiation or termination of service or a request by the director.
 - (2) Each person owning or operating a treatment works or sewerage system shall designate one or more operator of record to oversee the technical operation of the treatment works, sewerage system, or each wastewater treatment facility. Except as provided for in paragraphs (E) to (G) of this rule, each operator of record shall have a valid certification of a class equal to or greater than the classification of the treatment works, sewerage system, or wastewater treatment facility.
 - (a) The owner and operator of record of a treatment works or sewerage system shall notify the director of the identity of an operator of record upon initiation or termination of service or upon request by the director.
 - (b) Notification shall be made on a form acceptable to the director within three days of initiation or termination of service or a request by the director.
- (B) Transient noncommunity ground water public water systems without treatment for nitrate or 4-log removal of viruses serving populations of two hundred fifty or fewer are not required to place the technical operation of such a public water system under an operator of record unless the director determines that an operator is necessary.
- (C) The certified operator required by paragraph (A) or (B) of this rule shall be an employee of the person owning or operating the public water system, treatment works, or sewerage system, except as provided in paragraph (D) of this rule.
- (D) Owners of public water systems, sewerage systems, or treatment works may enter into a contract for the services of one or more appropriately certified operators to serve as the operator of record provided the following:
- (1) The contract requires that the certified operator be available to respond to

emergencies, and provide the services necessary to maintain the reliable operation of the system, and the contract is consistent with the staffing requirements of paragraphs (C) to (E) of rule 3745-7-03 of the Administrative Code and paragraphs (C) to (D) of rule 3745-7-04 of the Administrative Code.

- (2) A copy of the contract is maintained onsite at the public water system, treatment works or sewerage system.
- (E) The director may approve an operator with a valid class III certificate to be the operator of record of a class IV public water system or class IV treatment works for a period no longer than two years, if the class III operator has applied for and received approval to take a class IV examination in accordance with rule 3745-7-06 of the Administrative Code and maintains their class III certificate for the duration of time for which the director grants approval in accordance with this paragraph. A public water system or wastewater treatment works may only use this exemption for a total of thirty months within a five year period.
- (F) Upon request, the director may approve an individual who passes the class I water supply examination to be the operator of record for a class I public water system with a population of less than two hundred and fifty, provided the following conditions are met:
- (1) The operator holds a valid class A certificate.
 - (2) The operator is a full time (forty hours per week) employee of the facility where the public water system is located and has provided assistance in the operation of the treatment system to the class I operator of record for at least one year.
 - (3) The operator completes at least three hours of training specific to the type of treatment being used by the public water system and submits verification with the request.
 - (4) The public water system does not have an active enforcement action or violations related to maximum contaminant levels, treatment techniques, and monitoring or reporting within the last five years.
 - (5) The operator is prohibited from operating any other public water system.
 - (6) The operator remains a full time employee of the facility during the time of the exemption.
 - (7) The operator complies with the class I minimum staffing requirements.
 - (8) The operator obtains twelve contact hours every two years. At least six of those contact hours must be related to operation and maintenance, and at least three of those six hours must be related to the specific treatment in operation at the public water system.

The director shall withdraw the exemption if the public water system or operator does not comply with requirements in paragraphs (F)(1) to (F)(8) of this rule.

- (G) Upon request, the director may approve an individual who passes the class I water supply examination to be the operator of record for a health care facility that purchases water from a public water system and adds treatment for the control of Legionella provided the following conditions have been met:
- (1) The operator holds a valid class A certificate.
 - (2) The operator is a full time (forty hour per week) employee of the facility where the public water system is located and has provided assistance in the operation of the treatment system to the class I operator of record for at least one year.
 - (3) The operator completes at least three hours of training specific to the type of treatment being used by the public water system and submits verification with the request.
 - (4) The public water system does not have an active enforcement action or violations related to maximum contaminant levels, treatment techniques, and monitoring or reporting within the last five years.
 - (5) The operator is prohibited from operating any other public water system.
 - (6) The operator remains a full time employee of the facility during the time of the exemption.
 - (7) The operator complies with the class I minimum staffing requirements.
 - (8) The operator obtains twelve contact hours every two years. At least six of those contact hours must be related to operation and maintenance, and at least three of those six hours must be related to the specific treatment in operation at the public water system.

The director shall withdraw the exemption if the public water system or the operator does not comply with requirements in paragraphs (G)(1) to (G)(8) of this rule.

- (H) Nothing in this rule shall preclude the director from initiating action in accordance with paragraph (E) of rule 3745-7-03 of the Administrative Code or paragraph (D) of rule 3745-7-04 of the Administrative Code.

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