

EXHIBIT 13

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NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

Request for Public Records

File Review Request for Official State Record

Name of Requestor: Carrie Parker Date: 11/14/2018 | 4:42 PM PST

Company you Represent: Nathaniel Seltenreich

Phone #: 775-785-5416 Email Address: cparker@swlaw.com

Identify Bureau(s): State Environmental Commission, NDEP, Bureau of Water Pollution Control, Bd. of Certification for Wastewater T

List Copy or File Review in the text box below: (examples; facility ID, permit #, project name, name of file folder, binder, etc.)

1. All emails, communications, memoranda, notes, drafts, documents, and records related to R115-17, section 11 ("The Division may deny an application for a certificate as an operator of a plant for sewage treatment or suspend or revoke a full certificate, provisional certificate or restricted certificate if the applicant or holder of the certificate...") from January 1, 2017 to present, including but not limited to such documents sent or received internally, between agencies, with the Attorney General's Office, and/or with the Legislative Counsel Bureau;
2. Instructions and other packets or information provided to applicants for the Waste Water Treatment Plant Operator Grade III Certification examination from January 1, 2011 to December 31, 2011;
3. The Nevada Wastewater Professional Code of Conduct that was effective January 1, 2011 to December 31, 2012;
4. Minutes and supporting documents from Board of Certification for Wastewater Treatment Plant Operators closed session on or about November 16, 2017 related to Nathaniel Seltenreich;
5. Standards for professional discipline, including suspension or revocation of a full certificate, provisional certificate, or restricted certificate, for operators of a plant for sewage treatment in effect from January 1, 2011 to December 31, 2012, including but not limited to Waste Water Treatment Plant Operator Graded I-IV.

Please do not hesitate to contact me should you have any questions or concerns.

Regards,
Carrie

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Denver, Las Vegas, Los Angeles, Los Cabos, Orange County, Phoenix, Reno, Salt Lake City, Tucson

Consistent with the State of Nevada's Public Records statute (NRS 239), all public books and public records not determined to be confidential will be made available for public view or copy.

Certification of Operators

NAC 445A.617 Definitions. (NRS 445A.860, 445A.880) As used in NAC 445A.617 to 445A.652, inclusive, unless the context otherwise requires, the words and terms defined in NAC 445A.618 to 445A.625, inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Health, eff. 9-16-92; A 5-23-96; R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.618 "Advisory Board" defined. (NRS 445A.860, 445A.880) "Advisory Board" means the Advisory Board appointed by the State Board of Health pursuant to NRS 445A.870.

(Added to NAC by Bd. of Health, eff. 9-16-92) — (Substituted in revision for NAC 445.3651)

NAC 445A.6185 "Disinfection" defined. (NRS 445A.860, 445A.880) "Disinfection" means a process that inactivates pathogenic organisms in water by using chemical oxidants or equivalent agents and processes, including, without limitation, ultraviolet light and ozonation.

(Added to NAC by Bd. of Health by R021-02, eff. 8-29-2002)

NAC 445A.6188 "Division" defined. (NRS 445A.860, 445A.880) "Division" means the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.6195 "Experience in operating" defined. (NRS 445A.860, 445A.880) "Experience in operating" means having been actively engaged in the operation and maintenance activities of a water treatment or water distribution system.

(Added to NAC by Bd. of Health by R021-02, eff. 8-29-2002)

NAC 445A.620 "Groundwater" defined. (NRS 445A.860, 445A.880) "Groundwater" means water that is protected from surface contamination or pollution, including, but not limited to, water from wells, properly developed springs and infiltration galleries.

(Added to NAC by Bd. of Health, eff. 9-16-92) — (Substituted in revision for NAC 445.3653)

NAC 445A.621 "Groundwater under the direct influence of surface water" defined. (NRS 445A.860, 445A.880) "Groundwater under the direct influence of surface water" means any water beneath the surface of the ground that the Division has determined to have:

1. A significant occurrence of insects or other macroorganisms;
2. Algae or large-diameter pathogens such as *Giardia lamblia*; or
3. Significant and rapid shifts in water characteristics such as turbidity, temperature, conductivity or pH which closely parallel climatological or surface water conditions.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.6225 "Operator" defined. (NRS 445A.860, 445A.880)
"Operator" has the meaning ascribed to it in NRS 445A.830.
(Added to NAC by Bd. of Health by R021-02, eff. 8-29-2002)

NAC 445A.6226 "Operator experience" defined. (NRS 445A.860, 445A.880)
"Operator experience" means the daily performance of activities that consist of the control or oversight of any process or operation at a water treatment facility or in a water distribution system that may affect the quality or quantity of water.
(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.6227 "Postsecondary course of instruction" defined. (NRS 445A.860, 445A.880)
"Postsecondary course of instruction" means a successfully completed college level course which is at least 36 hours and which is related to drinking water.
(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.6228 "Postsecondary course provider" defined. (NRS 445A.860, 445A.880)
"Postsecondary course provider" means an organization which provides instruction and which is an accredited academic institution or which is accredited by or is an authorized provider of the International Association for Continuing Education and Training.
(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.623 "Public water system" defined. (NRS 445A.860, 445A.880)
"Public water system" has the meaning ascribed to it in NRS 445A.840.
(Added to NAC by Bd. of Health, eff. 9-16-92) — (Substituted in revision for NAC 445.3656)

NAC 445A.624 "Responsible charge" defined. (NRS 445A.860, 445A.880)
"Responsible charge" means:

1. Actively engaged in on-site supervision and performance of operation activities including the treatment or distribution of water; and
2. Independently making process control or system integrity decisions about water quality or quantity that affect public health.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R185-99, 2-10-2000; R021-02, 8-29-2002)

NAC 445A.6243 “Shift operator” defined. (NRS 445A.860, 445A.880) “Shift operator” means a person who is in direct charge of the operation of a water treatment facility or distribution system for a specified period of the day and who reports to the person in responsible charge of the facility or system.

(Added to NAC by Environmental Comm’n by R129-05, eff. 10-31-2005)

NAC 445A.6247 “Supervisor or foreperson” defined. (NRS 445A.860, 445A.880) “Supervisor or foreperson” means a person who has the overall responsibility for the daily operation of a water treatment facility or a distribution system and who reports to the person in responsible charge of the facility or system.

(Added to NAC by Environmental Comm’n by R129-05, eff. 10-31-2005)

NAC 445A.625 “Surface water” defined. (NRS 445A.860, 445A.880) “Surface water” means all water open to the atmosphere and subject to surface runoff.

(Added to NAC by Bd. of Health, eff. 9-16-92) — (Substituted in revision for NAC 445.3658)

NAC 445A.626 Requirement for certificate. (NRS 445A.860, 445A.880) A person who desires to operate a public water system described in subsection 1 of NRS 445A.875 must obtain a certificate to operate such a public water system pursuant to NAC 445A.617 to 445A.652, inclusive.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R185-99, 2-10-2000; R021-02, 8-29-2002)

NAC 445A.6267 Minimum certification required; certification of persons making certain decisions. (NRS 445A.860, 445A.880)

1. The staff of a water treatment facility must have a minimum certification as follows:

(a) For a Treatment-1 facility:

- (1) A person in responsible charge must have at least Treatment-1 certification;
- (2) A supervisor or foreperson must have at least Treatment-1 certification; and
- (3) A shift operator must have at least Treatment-1 certification;

(b) For a Treatment-2 facility:

- (1) A person in responsible charge must have at least Treatment-2 certification;
- (2) A supervisor or foreperson must have at least Treatment-2 certification; and
- (3) A shift operator must have at least Treatment-1 certification;

(c) For a Treatment-3 facility:

- (1) A person in responsible charge must have at least Treatment-3 certification;

- (2) A supervisor or foreperson must have at least Treatment-3 certification; and
- (3) A shift operator must have at least Treatment-2 certification; and
- (d) For a Treatment-4 facility:
 - (1) A person in responsible charge must have at least Treatment-4 certification;
 - (2) A supervisor or foreperson must have at least Treatment-3 certification; and
 - (3) A shift operator must have at least Treatment-2 certification.
- 2. The staff of a water distribution system must have a minimum certification as follows:
 - (a) For a Distribution-1 facility:
 - (1) A person in responsible charge must have at least Distribution-1 certification;
 - (2) A supervisor or foreperson must have at least Distribution-1 certification; and
 - (3) A shift operator must have at least Distribution-1 certification;
 - (b) For a Distribution-2 facility:
 - (1) A person in responsible charge must have at least Distribution-2 certification;
 - (2) A supervisor or foreperson must have at least Distribution-2 certification; and
 - (3) A shift operator must have at least Distribution-1 certification;
 - (c) For a Distribution-3 facility:
 - (1) A person in responsible charge must have at least Distribution-3 certification;
 - (2) A supervisor or foreperson must have at least Distribution-3 certification; and
 - (3) A shift operator must have at least Distribution-2 certification; and
 - (d) For a Distribution-4 facility:
 - (1) A person in responsible charge must have at least Distribution-4 certification;
 - (2) A supervisor or foreperson must have at least Distribution-3 certification; and
 - (3) A shift operator must have at least Distribution-2 certification.
- 3. Each public water system shall ensure that all decisions concerning distribution process control and system integrity that may affect public health or the environment are made by a certified water distribution operator. Such decisions include, but are not limited to:
 - (a) Installing, tapping, relining, disinfecting, testing and connecting of water mains and appurtenances;
 - (b) Shutdown, repair, disinfection and testing of broken water mains;
 - (c) Flushing, cleaning and pigging of existing water mains;
 - (d) Pulling, resetting, rehabilitating, disinfecting and testing of water wells;

(e) Standby emergency response duties for after-hour emergencies of the operation of a distribution system;

(f) Draining, cleaning, disinfecting and maintenance of distribution reservoirs;

(g) Operation of pumps and related flow and pressure control and storage facilities manually or through a system control and data acquisition system; and

(h) Maintenance and adjustment of system flow and pressure requirements to meet consumer demands including fire flow demands and minimum pressure requirements.

4. Public water systems must use certified water distribution operators or water treatment operators to make decisions concerning:

(a) The determination and control of appropriate rates of chemical dosage for wellhead disinfection and residual maintenance; and

(b) Any investigation of problems relating to water quality in the distribution system.

(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.6275 Requirements for persons in responsible charge; notification of noncompliance. (NRS 445A.860, 445A.880)

1. A public water system which is:

(a) Classified as a community water system or a nontransient, noncommunity water system; or

(b) Designated by the Division or the appropriate district board of health as being supplied by surface water or groundwater under the direct influence of surface water, ↪ must have a person in responsible charge at the facility or on call at all times. Except as otherwise provided in NAC 445A.6285, the person in responsible charge of the public water system must hold a full certificate in the same classification as, or a higher classification than, the classification of the public water system pursuant to NAC 445A.629.

2. If a public water system serves more than 10,000 persons, the Division may require the public water system to have, in addition to the person in responsible charge, additional persons in responsible charge at the same time, including, without limitation, a person in responsible charge for the treatment of water and a person in responsible charge for the distribution of water. If the Division requires additional persons in responsible charge, the Division shall:

(a) Deliver a written notification of the requirement to the public water system on or before December 31 of the year in which the Division imposes the requirement;

(b) Review the requirement at least once every 3 years to determine if any changes are required regarding any additional person;

(c) Require a public water system that is subject to a requirement of additional persons to employ any additional person not later than 1 year after the public water system receives the written notification of the requirement to employ the additional person; and

(d) Require any additional person in responsible charge to be certified in the same classification as, or a higher classification than, the classification of the public water system pursuant to NAC 445A.629.

3. If a person in responsible charge is on call, the person must be able to:

- (a) Be contacted immediately; and
- (b) Respond at the site within 4 hours.

4. If at any time a public water system is not in compliance with this section, the supplier of water for the public water system shall notify the Division or the appropriate district board of health within 72 hours or 2 working days, whichever is earlier.

(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.6285 Approval of conditional staffing. (NRS 445A.860, 445A.880)

1. The Division shall consider the following in making a decision to approve conditional staffing for a public water system:

- (a) The results of an inspection of the public water system;
- (b) A review of the experience in operating and training of the person holding the certificate as an operator-in-training; and
- (c) Any other reasonably available and relevant information.

2. Upon the request of the owner of a public water system serving less than 10,000 persons and the approval of the Division, a person holding a certificate as an operator-in-training may be the person in responsible charge of the public water system for not more than 6 months. The Division shall not grant approval unless it makes a finding that:

- (a) The person has the minimum amount of knowledge required to operate the public water system;
- (b) The health and safety of the public will be protected; and
- (c) The owner of the public water system can demonstrate that the public water system is unable to employ a person who holds a full certificate.

3. Not more than 30 days after approval is granted pursuant to subsection 2, the Division shall review the status of the public water system to determine whether an extension may be granted. Any decision regarding an extension must be provided to the public water system at least 60 days before the expiration of the period specified in the approval granted pursuant to subsection 2.

4. If an emergency occurs concerning a public water system, the Division may approve any qualified person as the person in responsible charge of the public water system for a period of not more than 6 months.

5. Upon request from a public water system, the Division may approve a certified operator at one classification lower than the person in responsible charge of a public water system to accommodate for vacation and temporary relief of the person in

responsible charge during a 12-month period. Not more than 90 days after approval is granted pursuant to this subsection, the Division shall review the status of the public water system to determine whether an extension may be granted. Any decision regarding an extension must be provided to the public water system at least 120 days before the end of the period specified in the approval granted by the Division.

(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.629 Classification of public water systems. (NRS 445A.860, 445A.880)

1. The Division shall classify all public water systems in this State pursuant to subsections 2 and 3.

2. A public water system which:

(a) Uses only groundwater or water provided by another public water system; and

(b) Does not provide treatment of the water or groundwater or provides only disinfection by chlorination,

↪ must be classified on a point system as follows:

ITEMS FOR DISTRIBUTION CLASSIFICATION	POINTS
Average daily population served	
25 - 500.....	5
501 - 3,300.....	10
3,301 - 10,000.....	15
10,001 - 100,000.....	20
100,001 or more.....	35
Pressure zones (1 point per zone, maximum of 5 points).....	5
Storage reservoirs (1 point per reservoir, maximum of 5 points).....	5
Hydropneumatic tank systems.....	1
Pumping stations, including wells and boosters (1 point per station, maximum of 3 points).....	3
Disinfection to maintain system residual.....	1
System control and data acquisition or other similar instrumentation to provide data or process control.....	5
Existence of recycled or reclaimed water distribution system within drinking water service area.....	3
	5
DISTRIBUTION CLASSIFICATION	TOTAL POINTS

Distribution-1.....	5 - 19
Distribution-2.....	20 - 30
Distribution-3.....	31 - 41
Distribution-4.....	42 or more

3. A public water system which:

(a) Uses surface water or groundwater under the direct influence of surface water;
or

(b) Uses groundwater and provides treatment of the groundwater, other than disinfection by chlorination,

↳ must be classified on a point system as follows:

ITEMS FOR TREATMENT CLASSIFICATION	POINTS
Average daily population served	
25 - 500.....	5
501 - 3,300.....	10
3,301 - 10,000.....	15
10,001 - 100,000.....	20
100,001 or more.....	25
Source for public water system	
Groundwater.....	3
Groundwater under the direct influence of surface water.....	4
Surface water.....	5
Air	4
stripping.....	
Ozone.....	8
Ultraviolet	8
light.....	
Combination of ozone and ultraviolet light.....	10
Chemical addition for adjustments of pH.....	4
Iron and manganese removal.....	5
Iron and manganese sequestering.....	2
Softening - ion exchange, lime or lime soda ash	10
process.....	
Granular activated carbon for organic contamination.....	7
Coagulation for pretreatment	5
only.....	
Taste and odor control.....	4
Fluoridation.....	5
Chlorine-ammonia treatment.....	8
Chlorine dioxide.....	8
Bacteriological or chemical laboratory (other than process	2
control).....	

ITEMS FOR TREATMENT CLASSIFICATION	POINTS
Blending, aesthetic.....	5
Blending, health effects.....	8
Chlorine gas or hypochlorite.....	5
Chlorine gas or hypochlorite generated on-site.....	6
Chemical addition (1 point for each chemical added).....	1
Primary inorganic chemical treatment.....	8
Point-of-use.....	5
Nitrate or nitrite removal.....	8
Adsorption process for aesthetics.....	3
Recycle filter backwash water to process.....	3
Recycle supernatant from sludge removal and sedimentation process.....	2
Recycle water from any mechanical dewatering process.....	2
System control and data acquisition or other similar instrumentation to provide data or process control.....	3
Filtration	
Conventional filtration-coagulation, flocculation, sedimentation.....	10
Direct filtration-coagulation, flocculation, sedimentation.....	10
Rapid sand.....	7
Diatomaceous earth.....	7
Slow sand.....	5
Bag, ceramic, microfiltration, nanofiltration, reverse osmosis, membrane, electro dialysis.....	5

TREATMENT CLASSIFICATION	TOTAL POINTS
Treatment-1.....	5 - 19
Treatment-2.....	20 - 35
Treatment-3.....	36 - 45
Treatment-4.....	46 or more

4. The Division shall review the classification of every public water system not less than once every 3 years to determine whether the public water system continues to meet the criteria for that classification pursuant to this section. Upon a determination that the public water system no longer meets the criteria for the classification, the Division shall:

(a) Reclassify the public water system in accordance with the criteria for classification pursuant to this section;

(b) Deliver a written notification of the reclassification to the public water system on or before December 31 of the year in which the determination is made; and

(c) Require the public water system to comply with the requirements of the new classification within 18 months after the date the public water system receives the written notification of the determination by the Division.

5. As used in this section, "filtration" means a process for removing particulate matter from water by passing the water through porous media.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R185-99, 2-10-2000; R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.6293 Minimum age and education of applicants; timetable for certain requirements. (NRS 445A.860, 445A.880)

1. At the time of application, each applicant must be at least 18 years of age and meet the following minimum education requirements:

(a) For Grade I or Grade II, a high school diploma, general educational development certificate or equivalent;

(b) For Grade III, two postsecondary courses of instruction; and

(c) For Grade IV, four postsecondary courses of instruction.

2. An applicant must submit an application at least 45 days before the date scheduled for the examination. The Division shall provide notice of the examination to the applicant at least 14 days before the date of the examination. The Division shall provide the result of the examination to the applicant not more than 30 days after the date of the examination.

3. If an applicant passes the examination, the Division shall provide a certificate to the applicant not more than 45 days after the date of the examination. The Division shall notify an operator concerning renewal of a certificate at least 90 days before the certificate will expire and, if the certificate is renewed, provide a renewal wallet card not more than 30 days after the expiration of the certificate.

(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.6297 Applicant with disability: Request for special arrangements for taking examination. (NRS 445A.860, 445A.880) If an applicant has a disability that restricts the ability of the applicant to take an examination under standard conditions, the applicant may request special arrangements for taking the examination at the time of application. Such a request must be submitted in writing by a recognized health care or mental health care provider and must state the nature of the disability, the special testing arrangements that are requested and the contact information of the health care provider and the applicant.

(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.630 Examination for certification: Application; submission and applicability of fee; reexamination; scheduling; ascending order of administration; postponement; failure to appear or postpone. (NRS 445A.860, 445A.880)

1. An application to take an examination for certification as an operator must be made on a form provided by the Division and must be submitted to the Carson City office of the Division not less than 45 days before the date of the examination. The application must be complete and must be accompanied by the fee for the certification for which the examination is being administered as set forth in NAC 445A.651.

2. The fee accompanying the application for examination entitles an applicant who passes the examination and meets all other qualifications for certification to be certified until December 31 of the first calendar year after the calendar year in which the certification is issued.

3. An applicant who fails an examination is eligible for reexamination at the next scheduled examination if the applicant satisfies the requirements set forth in subsection 1.

4. Examinations for certification must be given at least twice annually.

5. An applicant must take the examinations for certification in ascending order beginning with the examination for a certificate as a class distribution-1 or class treatment-1 operator, as applicable.

6. An applicant may postpone his or her examination if the applicant submits a written notice to the Carson City office of the Division at least 7 days before the date of the examination. The examination may only be postponed for one test cycle. Emergency situations must be considered by the Division on a case-by-case basis.

7. An applicant who fails to appear for an examination or fails to postpone an examination pursuant to subsection 6 forfeits the application and the application fee.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R185-99, 2-10-2000; R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.631 Examination for certification: Types; return to examinee; maintenance of analysis. (NRS 445A.860, 445A.880)

1. The Division, or its designee, shall offer separate examinations for certification in the four classifications in water treatment and separate examinations for certification in the four classifications in water distribution. The Division shall validate the areas of knowledge tested in an examination pursuant to this subsection before offering the examination to the applicant.

2. Examinations must not be returned to examinees.

3. The Division shall maintain an analysis of each examination administered in the offices of the Division for not less than 1 year after the date on which the examination was administered.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.632 Proctoring, reviewing and grading examinations; passing grade; reviewing qualifications for full certificate. (NRS 445A.860, 445A.880)

1. The Division shall proctor, review and grade, or enter into a contract with a person, organization or agency to proctor, review and grade, the examinations for certification. A score of not less than 70 percent is required to pass the examination.

2. The Division shall review, or enter into a contract with a person, organization or agency to review, the qualifications of each applicant for a full certificate to determine whether the minimum requirements for experience in operating set forth in NAC 445A.633 have been satisfied.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R185-99, 2-10-2000; R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.633 Full certificate: Issuance; required education and experience. (NRS 445A.860, 445A.880)

1. The Division shall issue a full certificate to an applicant who qualifies for a full certificate. Except as otherwise provided in this section, to qualify for a full certificate, an applicant must, in addition to passing the examination for certification for his or her specific classification, have a high school diploma or a general equivalency diploma and have the following experience in operating a public water system of that classification:

Classification Experience	Years
Distribution-1..... months	6
Distribution-2..... year	1
Distribution-3..... years	2
Distribution-4..... years	4
Treatment-1..... months	6
Treatment-2..... year	1
Treatment-3..... years	2
Treatment-4..... years	4

2. Except as otherwise provided in this subsection, the Division may credit experience in operating gained in the field of wastewater treatment or in a related field

toward the experience in operating required pursuant to subsection 1. Not more than one-half of the experience in operating required pursuant to subsection 1 may come from credit issued pursuant to this subsection.

3. The Division may credit all or a portion of the experience in operating gained at a lower classified facility toward the experience in operating required at a higher classified facility if:

(a) The higher classified facility is not more than one classification higher than the highest classified facility for which the applicant is currently certified; and

(b) The Division determines that experience in operating gained at the lower classified facility is equivalent to or is a satisfactory substitute for experience in operating at the higher classified facility.

4. Not more than one-half of the required experience in operating may be satisfied by the successful completion of college level courses in engineering or in physical, chemical or biological sciences.

5. Experience in operating or relevant training may be substituted for a high school diploma or general equivalency diploma upon approval of the Division. Education, training or experience in operating that is substituted for a high school diploma or general equivalency diploma may not be counted toward the experience in operating required in subsection 1.

(Added to NAC by Bd. of Health, eff. 9-16-92; A 5-23-96; R185-99, 2-10-2000; R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.6345 Full, operator-in-training and provisional certificates: Indication of discipline; qualifications; validity; expiration; renewal. (NRS 445A.860, 445A.880)

1. All certificates must indicate the discipline for which they were issued as follows:

- (a) Water treatment operator, full;
- (b) Water treatment operator, operator-in-training;
- (c) Water treatment operator, provisional;
- (d) Water distribution operator, full;
- (e) Water distribution operator, operator-in-training; and
- (f) Water distribution operator, provisional.

2. To qualify for a full certificate, a person must:

(a) Pass the written examination for the appropriate level and meet all requirements for certification for the discipline and grade level;

(b) Be certified as an operator-in-training and meet the requirement for experience in operating set forth in NAC 445A.633; or

(c) Be an operator who holds a current certification by the California-Nevada Section of the American Water Works Association or by reciprocity be certified in another state at full classification if the Division determines, upon review of the

application and supporting material required by NAC 445A.6355 that the applicant has:

(1) Passed an examination that is equivalent to the examination administered pursuant to NAC 445A.631; and

(2) Obtained the experience in operating required by NAC 445A.633.

3. A person qualifies for a certificate as an operator-in-training if the person:

(a) Passes the written examination for certification; and

(b) Does not have the experience required for a full certificate.

4. To qualify for a provisional certificate, a person must:

(a) Be an owner and operator of a public water system or be employed by a public water system that is not designated by the Division as being supplied by surface water or groundwater under the direct influence of surface water;

(b) Provide a written statement to the Division from the governing board or owner of the public water system that the applicant was in a position of responsible charge of the public water system on January 1, 2000;

(c) Have been in a position of responsible charge of the public water system before January 1, 2000, and not required to obtain a full certificate before that date;

(d) Have completed at least 2 days of training that is designed to provide the applicant with basic information on the operation of a public water system, including, without limitation:

(1) Well design;

(2) Safety;

(3) Water quality;

(4) Monitoring;

(5) Reporting;

(6) The Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq.;

(7) Drinking water standards;

(8) Health effects of chemical and bacterial contamination; and

(9) The Total Coliform Rule; and

(e) Have submitted the initial application not later than December 31, 2000.

5. Except as otherwise provided in subsection 6, a provisional certificate is only valid:

(a) During the period that the operator remains in the position of responsible charge for which the operator received the provisional certificate; and

(b) At the public water system where the operator was employed on January 1, 2000.

6. A provisional certificate is not valid if the classification of the treatment facility or distribution system changes to a level which is higher than the level for which the certificate was issued.

7. All certificates expire on December 31 of each year.

8. A certificate may be renewed if:

- (a) The fee for renewal has been submitted pursuant to NAC 445A.651;
 - (b) An application for renewal was made on the forms supplied by the Division;
- and
- (c) The applicant submits evidence of compliance with the requirements of continuing education set forth in NAC 445A.639.
- (Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.6355 Certification by reciprocity. (NRS 445A.860, 445A.880)

1. A certificate may be issued by the Division, without examination, on a case-by-case basis to a person in a comparable classification who has passed an adequate written examination and who holds a valid certificate in another state, territory or possession of the United States or another country if the requirements for the certification of operators are consistent with and not of a lower standard than the provisions of this chapter.

2. Consideration of reciprocity will be given upon request. For a request to be considered, the applicant for reciprocity must submit to the Division:

- (a) A letter setting forth the specific type and level of certification being requested for consideration for reciprocity;

- (b) A resume describing the work history, education and experience of the applicant supporting the certification that is requested;

- (c) A copy of the valid, unexpired certificate for which reciprocity is requested, including the date of issuance and expiration and the type and level of certification;

- (d) A copy of the applicable regulations or references to the regulations which describe the experience and education requirements for certification where the applicant was certified, including the levels of certification and guidelines for reciprocity;

- (e) A copy of the applicable regulations or references to the regulations which describe the facility classification system that correlates with the type and level of certification indicated on the certificate of the applicant;

- (f) A brief description of the examination taken for the certification including whether the examination was multiple-choice, essay, true-false, other type of questions or a combination of types, the approximate number of questions and the general topics covered; and

- (g) Contact information for the agency that issued the certificate of the applicant.

3. An incomplete application or an application that includes an expired certificate will not be considered. The Division shall review an application for completeness and applicability and shall respond to the applicant not more than 60 days after the receipt of the request with a written decision. If reciprocity is granted, the applicant must pay the fee as required pursuant to NAC 445A.651.

(Added to NAC by Environmental Comm'n by R129-05, eff. 10-31-2005)

NAC 445A.639 Continuing education: General requirements. (NRS 445A.860, 445A.880)

1. The holder of a full certificate, provisional certificate or certificate as an operator-in-training must comply with the requirements of continuing education set forth in this section to qualify for renewal of the certificate.

2. Every 2 years, the holder of a Treatment-3, Treatment-4, Distribution-3 or Distribution-4 certificate must earn at least 10 contact hours of participation in a course of training approved by the Division pursuant to NAC 445A.641 or 445A.643.

3. Every 2 years, the holder of a Treatment-1, Treatment-2, Distribution-1 or Distribution-2 certificate must earn at least 5 contact hours of participation in a course of training approved by the Division pursuant to NAC 445A.641 or 445A.643.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.640 Continuing education: Operator who holds full certificate and certificate as operator-in-training at higher classification than full certificate. (NRS 445A.860, 445A.880) An operator who holds a full certificate and a certificate as an operator-in-training at a higher classification than the full certificate must comply with the requirements of continuing education for each certificate to qualify for the renewal of both certificates.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R021-02, 8-29-2002)

NAC 445A.641 Continuing education: Conditions for obtaining credit. (NRS 445A.860, 445A.880) The Division shall not grant any credit of continuing education to the holder of a certificate for participation in training unless:

1. The course of training is approved by the Division.

2. The course of training is relevant to the subject matter of the particular certificate held by him or her.

3. The subject matter of the training is relevant to the operation or maintenance of a water treatment plant or a water distribution system. The subject matter may include, but is not limited to, state and federal regulations concerning drinking water, the mechanics for the operation and maintenance of a water treatment plant or water distribution system and the machinery of a water treatment plant or water distribution system, including the electrical systems of a water treatment plant or water distribution system, the hydraulics of a water treatment plant or water distribution system, the chemical treatment of water, the biological testing of water, the disinfection of water and any relevant applications of mathematics and chemistry to the operation or maintenance of a public water system.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R185-99, 2-10-2000; R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.643 Continuing education: Approval of course of training provided by public water system to its employees. (NRS 445A.860, 445A.880)

1. A public water system may request the written approval of the Division for the public water system to provide a course of training for its employees which is intended to comply with any part of the requirement of continuing education. The Division must approve the request in writing before an employee will be credited with continuing education for the course.

2. The Division shall not approve a course of training pursuant to subsection 1 unless the request meets the following criteria:

(a) An outline of the course of training must be submitted with the request for written approval and must state the subjects to be included in the instruction and the time to be allotted for each subject of instruction.

(b) A list of the objectives of the instructor must be submitted with the request for written approval and must specify the essential points of the instruction and the methods of instruction to be used to illustrate these points.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.644 Reinstatement and renewal of expired certificate. (NRS 445A.860, 445A.880)

1. Except as otherwise provided in subsections 3 and 4, a holder of an expired full certificate may request, within 6 months after its date of expiration, that the full certificate be reinstated and renewed by payment of the reinstatement fee set forth in NAC 445A.651 and verification that all requirements of continuing education have been satisfied. To obtain a full certificate, an operator who has not requested reinstatement and renewal of his or her full certificate within 6 months after the date of its expiration must file a new application for a full certificate accompanied by the required fee set forth in NAC 445A.651.

2. The Division shall not reinstate a provisional certificate or a certificate as an operator-in-training.

3. If the holder of an expired full certificate provides documentation of health problems that made the holder unable to meet the requirements of continuing education for renewal of his or her full certificate in the time provided pursuant to NAC 445A.639, the holder of the expired full certificate may request, within 2 years after its date of expiration, that the full certificate be reinstated and renewed by payment of the reinstatement fee set forth in NAC 445A.651 and verification that all requirements of continuing education have been satisfied. To obtain a full certificate, an operator who has not requested reinstatement and renewal of his or her full certificate within 2 years after the date of its expiration must file a new application for a full certificate and comply with the requirements set forth in NAC

445A.630 to 445A.633, inclusive, and pay the fee for the issuance of a full certificate set forth in NAC 445A.651.

4. If the holder of a full certificate provides documentation of military duty that made the holder unable to meet the requirements of continuing education for renewal of his or her full certificate in the time provided pursuant to NAC 445A.639, the holder of the expired full certificate may request, within 4 years after its date of expiration, that the full certificate be reinstated and renewed by payment of the reinstatement fee set forth in NAC 445A.651 and verification that all requirements of continuing education have been satisfied. To obtain a full certificate, an operator who has not requested reinstatement and renewal of his or her full certificate within 4 years after the date of its expiration must file a new application for a full certificate and comply with the requirements set forth in NAC 445A.630 to 445A.633, inclusive, and pay the fee for the issuance of a full certificate set forth in NAC 445A.651.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R021-02, 8-29-2002; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.646 Denial of application for certificate or suspension or revocation of certificate: Grounds. (NRS 445A.860, 445A.880) The Division may deny an application for a certificate or suspend or revoke an operator's full certificate, provisional certificate or certificate as an operator-in-training if he or she:

1. In applying for or obtaining a certificate, has submitted to the Division any application, document, record, report or affidavit, or any information in support thereof, which is false or fraudulent;

2. Is grossly negligent, incompetent or has committed misconduct in the performance of his or her duties as an operator of a public water system;

3. Has demonstrated disregard for the health and safety of the public;

4. Has acted outside the rights and privileges of his or her classification for which he or she holds a certificate;

5. Has been convicted of a violation of any federal law or law of any state relating to water quality, including, but not limited to, the Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq.;

6. Has been convicted of a felony or other crime involving moral turpitude, dishonesty or corruption;

7. Has willfully made to an employee of the Division or any health authority any false statement which is material to the administration or enforcement of any provision of this chapter or chapter 445A of NRS;

8. Has failed to renew his or her certification; or

9. Has violated, attempted to violate, assisted or abetted in the violation of, or conspired to violate any provision of this chapter or chapter 445A of NRS.

(Added to NAC by Bd. of Health, eff. 9-16-92; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.647 Denial, suspension or revocation of certificate: Written notice. (NRS 445A.860, 445A.880) The Division shall send written notice of the denial of an application for or the suspension or revocation of a certificate pursuant to the requirements set forth in NAC 439.300 to 439.395, inclusive.

(Added to NAC by Bd. of Health, eff. 9-16-92; A 10-30-97; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.651 Fees of Division. (NRS 445A.860, 445A.880) The Division shall charge and collect the following fees:

For the issuance of a full certificate.....	\$84
For a certificate issued pursuant to paragraph (c) of subsection 2 of <u>NAC 445A.6345</u>	57
For the issuance of a certificate as an operator-in-training.....	57
For conversion of a certificate as an operator-in-training to a full certificate.....	30
For the issuance of a provisional certificate.....	30
For the renewal of a full certificate.....	30
For the renewal of a provisional certificate.....	30
For the renewal of a certificate as an operator-in-training.....	30
For the reinstatement and renewal of a full certificate.....	100

(Added to NAC by Bd. of Health, eff. 9-16-92; A by R194-03, 1-22-2004; A by Environmental Comm'n by R129-05, 10-31-2005)

NAC 445A.652 Review of actions taken by Division. (NRS 445A.860, 445A.880)

1. Any person who has reason to believe that an action taken by the Division pursuant to NAC 445A.617 to 445A.652, inclusive, has been incorrect or based on inadequate knowledge may, within 10 business days after receiving notice of the action, request an informal discussion with the employee responsible for the action and the immediate supervisor of the employee.

2. If the informal discussion does not resolve the problem, the aggrieved person may, within 10 business days after the date scheduled for the informal discussion, submit a written request to the Administrator of the Division or the Administrator's designee for an informal conference. The informal conference must be scheduled for a date, place and time mutually agreed upon by the aggrieved person and the Administrator or the Administrator's designee, except that the informal conference must be held no later than 60 days after the date on which the Administrator or the Administrator's designee receives the written request.

3. The determination of the Administrator of the Division or the Administrator's designee resulting from the informal conference cannot be appealed and is the final remedy available to the aggrieved person.

(Added to NAC by Bd. of Health, eff. 9-16-92; A 10-30-97; A by Environmental Comm'n by R129-05, 10-31-2005)



**Workshops to Solicit Comments on Proposed Amendments to
 NAC 445A: Water Controls**

LCB File R155-17

Summary

NDEP is proposing to update NAC 445A to provide changes to the wastewater treatment operator certification program. These changes will delineate ascending educational and experience steps for certifications levels (Grade I through Grade IV) and will specify a continuing educational standard on renewal of bi-annual certifications. Additionally, the proposed regulatory changes will include an ethics section identical to the NDEP Safe Drinking Water Operator Certification Program. In order to cover the certification program costs, the draft regulations also includes fee increases. Finally, a provision for restricted certification will be developed to allow for accelerated testing.

Proposed revisions include: (1) in addition to a high school diploma or GED, requiring wastewater specific education of 60 hours for Grade I, 120 hours for Grade II, 120 hours plus two post-secondary courses for Grade III, and 120 hours plus four post-secondary courses for Grade IV. (2) for biannual certification renewals, a Grade I will need 5 contact hours, a Grade II, 10 contact hours, a Grade III, 15 contact hours, and a Grade IV, 20 contact hours. (3) The fees for initial application for certification will be raised to \$140, for biannual renewal the fee will be raised to \$ 110, and for reciprocity, the fee will raised to \$150.

Also, the Division is proposing to modify NAC 445A.867 (6) in the underground injection control program (UIC) to require all wells within an area of review for a UIC permit to have proper corrective actions completed, not just injection wells.

Three public workshops were held to provide the public with an overview of the changes and an opportunity to ask questions or provide comments on, the proposed amendments to NAC 445A (LCB file R155-17).

The workshops were held at the following locations:

Las Vegas

Wednesday, January 31, 2018
 1:00 PM – 3:00 PM
 Grant Sawyer Bldg., RM 1100
 555 E. Washington Avenue
 Las Vegas, NV 89122

Carson City

Monday February 5, 2018
 9:00 AM– 11:00 AM
 Bryan Building
 Tahoe Hearing Room
 901 S. Stewart Street, Room 2001
 Carson City, NV 89701

Elko

Thursday, February 8, 2018
 10:00 AM– 12:00 PM
 Elko City Hall
 Council Chamber Room
 1751 College Avenue
 Elko, NV 89801

Las Vegas Workshop Summary

The workshop was called to order at 1:05pm.

Joe Maez introduced himself, Katrina Pascual, and Bruce Holmgren as the workshop panelists. Mr. Maez then gave an overview of the purpose of the workshop.

The public was given an opportunity to provide general comments and questions. There were none provided.

Ms. Pascual then gave an overview of the proposed regulations.

After her presentation, the public was given an opportunity to ask questions regarding the proposed regulations.

The following questions and/or comments were given:

Public Comment: What is the timeframe for the implementation for all these changes?

NDEP Response: There will be no gradual adoption (minus a two year allowance for CEUs). Once changes are adopted, operators will be notified and they will be implemented.

Public Comment: With the education requirements, has there been research done or mechanism put in place to ensure coursework or academies are available to provide. Current class availability is hit-or-miss and there are worries that the education will not be available for advancement.

NDEP Response: The Nevada Water Environment Association (NWEA) lists available classes and will be expanding this list. As the continuing education becomes required, there will be a larger appetites for training (professionals) to come to the State.

Public Comment: What is a definition of a contact hour?

NDEP Response: One hour of wastewater related instruction.

Public Comment: Are the resources available for operators to satisfy continuing education standards?

NDEP Response: NWEA already lists classes and will be expanding the list as the program gets up and running and classes are approved.

Public Comment: Other states have education standards, but also have substitution for experience. Can Nevada adopt or include a provision where experience can substitute some of the class requirements?

NDEP Response: The proposed standards are reasonable and attainable. Because the proposed education standard is set reasonably low, it was not necessary to create an equivalent experience substitute to offset the education standard.

Public Comment: Getting higher certified people has not been an easy task. What is the new regulation going to do to facilities that are in need and going through this perpetual retirement phase of senior operators and not seeing people to replace those operators?

NDEP Response: The requirement is still a high school diploma, not an associate degree. It is still a great career opportunity for young people. Standards are very reasonable and attainable. The problem with obtaining people with high certification has to do with people who cannot pass the exam because they are testing before they are prepared.

Public Comment: Section 11, who makes the assessment that someone is negligent?

NDEP Response: NDEP in consult with its designee, the Wastewater Operator Certification Board.

Public Comment: Will the operator get credit for the grade they already have (e.i education and experience) and only have to obtain the difference for the higher grade?

NDEP Response: There will be no grandfathering system on advancement. Operators going for higher grades must meet all new requirements (education and experience) to advance to a higher grade. Reciprocity must also meet new (requirements also for Nevada's Grade Levels.

Public Comment: Going forward will the requirements increase to be more comparable to other states. Giving Nevada more credibility.

NDEP Response: That is currently not being considered, as these changes should bring Nevada on par with most states. Post-secondary courses can be anything related to wastewater

Public Comment: Why the increase in fees for all certifications. Where does all that money go?

NDEP Response: 100% of the money collected goes to fund the operator certification program, but currently only funds 40% of the money collected goes to the program.

With the proposed regulation, the program will need more funding to be run and the increased fees are projected to cover an estimated 70-80% of projected costs.

Public Comment: Section 12 – Is Industrial facility defined somewhere?

NDEP Response: A facility receiving 100% industrial waste would be considered an industrial facility and would not require a certified operator.

Public Comments: The new regulations are allowing Nevada operators to be on a more level playing field. As it stands, there are not many states that will not recognize a Nevada operator's certification because our requirements are so low. The new standards will give our state program more credibility.

The public was given another opportunity to provide general comments and questions. There were none.

The workshop was adjourned at approximately 2:40 pm.

The workshop attendance sheet is attached.

Cason City Workshop Summary

The workshop was called to order at 9:05 am.

Joe Maez introduced himself, Katrina Pascual, and Bruce Holmgren as the workshop panelists. Mr. Maez then gave an overview of the purpose of the workshop.

The public was given an opportunity to provide general comments and questions. There were none.

Ms. Pascual gave an overview of the proposed regulations.

The public was given an opportunity to ask questions regarding the proposed regulations. The following questions were asked:

Public Comment: Would safety training count towards continuing education?

NDEP Response: Yes, it would have to be submitted for approval and has to do with wastewater operation. Only a portion of the total required continuing education can be safety, a majority must be wastewater operation.

Public Comment: Section 6 – After 6 months an operator is decertified and cannot renew. What does that mean?

NDEP Response: You have start back at Grade I and work your way back up because you hold no certification. You still have all your experience; you would just need to retest in sequential order to return to your grade.

Public Comment: Was there any consideration of industrial treatment plants have certified operators if they had a State permit?

NDEP Response: The regulations are focused on municipal systems. Industrial certified operators were not in consideration.

Public Comment: Currently, it is difficult to find contact hours within this part of the State. Is the Bureau planning to create consistent training because the requirement of CEUs. There needs to be more training in the area.

NDEP Response: CEU's are currently not required so there is not an appetite from trainers to come to the State. We are also working with the Board to expand the availability of online courses.

Public Comment: We need to get the CEU program in place. Rural communities have trouble finding people who are qualified and have the biggest problem with groundwater pollution because they don't know how to run their facilities. So we got to have the training that pertinent to the operations of these plants.

Public Comment: Classification of Plants – Class IV. Recommend taking the activated sludge back down to Class III. Utilize Class IV as advancing future technologies, reuse, direct and indirect potable ruse. Prepare people for studying for these things.

Public Comment: Will a list of the post secondary classes and school be provided?

NDEP Response: Yes, these will be available on the Board website

Public Comment: If I am a Grade III operator and if I wanted to get a Grade IV, I am not going to be able to get that one year experience unless I went to a Class IV plant. Are you set on that 1 year experience because there is a motivation to get a Grade IV and there is not the opportunity to get that experience.

NDEP Response: Restricted Certificate was created to bridge the gap. NDEP wanted to make a minimum requirement that if a plant is a Class IV, that there is an experienced Grade IV operator in direct responsible charge for the plant, the one who is responsible for the meeting all the permit requirements. Education is important, but experience is equally important and the proposed regulations require both to hold full certification.

Public Comment: The Postsecondary Education. What happens if an operator goes from a Grade III operator in the current system to a Grade IV in these proposed regulations?

NDEP Response: Operators will have to meet all the new requirements for the Grade IV moving forward. A grandfathered system will not be created to move forward, but you will not need to meet new requirements to continue holding your grade certification.

Public Comment: In the proposed regulation, the restricted certificate is effective for 4 years and not renewable. Maybe have a tiered approach for the higher grades. There is concern that we may limit the number for Grade III and IV operators. Given the difficult testing, a tiered approach for the higher grades to have a longer time holding the restricted certificate.

NDEP Response: This will be evaluated.

The public was given another opportunity to provide general comments and questions. There were none.

The workshop was adjourned at approximately 11:20 am.

The workshop attendance sheet is attached.

Elko Workshop Summary

The workshop was called to order at 10:05 am.

Joe Maez introduced himself, Katrina Pascual, and Bruce Holmgren as the workshop panelists. Mr. Maez then gave an overview of the purpose of the workshop.

The public was given an opportunity to provide general comments and questions. There were none.

Ms. Pascual gave an overview of the proposed regulations.

The public was given an opportunity to ask questions regarding the proposed regulations.

Public Comment: With the CEUs required for renewal, will NDEP be providing more training in the area for these wastewater classes? At the moment, operators have to go to Reno or Vegas to get these classes.

NDEP Response: The NWEA website will be updated to list more online training. One of the biggest issues of getting trainers to Nevada is that continuing education is not required so a lot of trainers do not have enough participation to come to Nevada. The goal is to get the Board to get more classes available to the rural areas and more relevant training.

Public Comment: Grade IV certification is used by the City of Elko as an increase in pay. The restricted is only good for 5 years then the City will give us the pay scale and then cut us back after 5 years because they are not renewable.

NDEP Response: The restricted certificated cannot be renewed but can be reobtained through retesting.

Public Comment: Section 9 – Continuing Education Renewals. Is there a certain percentage that can be used for safety?

NDEP Response: This will be worked out in policy with the Board.

Public Comment: Section 14 – Reclassification of plant classification. Currently Elko Plant is classified as a Class III. The City allows them to be a Grade IV operator. The new regulations say that you need one year at a Class IV to be a Grade IV operator. This stops our operators from achieving goals for themselves. Is there still an opportunity to take a Grade IV certification where you don't work at a Class IV plant?

NDEP Response: You can take the test for the Grade IV and get the restricted certificate. It shows that you have passed the test, but you still do not have that experience in the Class IV plant for a full certification. From an NDEP standpoint, we want to make sure that operators of a certain level plant have experience at a plant of that level and not to have just passed the test.

Public Comment: Section 13 - Reason for such a large fee increase instead of a step over time?

NDEP Response: The Bureau of Water Pollution Control has been subsidizing the program for many years with permit fees. Fees have not been increased since 1992. The program will have more cost associated because of education and continuing education reviews, these fees will be raised to fund 70 to 80% of the future program costs and will still be subsidized by permit fees.

Public Comment Section 3 – Initial Application. New employee needs 60 contact hours for his Grade I plus 5 continuing education hours. Do those 5 continuing education hours count towards the 60 contact hours for education?

NDEP Response: Continuing education is not required until they are a full operator. Also, classes can be used for either the 60 contact hours or the 5 continuing education hours for renewal, but they cannot be used for both.

Public Comment The operator is currently a Grade I and getting his Grade II. Do the education contact hours expire when I go for the Grade III?

NDEP Response: No, they are cumulative and do not expire. They are not the same as the contact hours you use for continuing education. So for recent classes you will think about if you want to claim the hours for education or for renewal.

Public Comment Section 5 – Restricted Certification. No more OIT program. Is that fully gone? We have an OIT program in the City.

NDEP Response: We have no say in the City OIT system.

Public Comment The operator is currently an OIT. Would he have to pay for the restricted certificate, then have to pay for the conversion?

NDEP Response: Yes, to convert to the full certification, an operator must meet the experience and education and then pay the conversion fee.

Public Comment: Section 3 clarification, contact hours and post-secondary education is just for operator advancing grade.

NDEP Response: Yes, it is for advancing grade and not maintaining certification. Your certification will not be revoked if you have been granted the grade but do not meet current requirements.

Public Comment: Online, will there be lists of classes and courses that qualify for contact hours.

NDEP Response: Yes.

The public was given another opportunity to provide general comments and questions. There were none.

The workshop was adjourned at approximately 11:20 am.

The workshop attendance sheet is attached.

Summary of Written Comments

Written comments were accepted until February 9, 2018 at 5:00 pm, both by mail and email. Below is a summary of those written comments.

- Comment: Additional time requirements will negatively impact potential income increases for current operators. Additional time will cause operators to be excluded (non-

eligible) for promotions and salary increases with their current employer and potential employers if applicant is required to have a certain level of certification “at time of application” or within one (1) year of hire date or promotion.

A one year minimum requirement is not unreasonable to provide baseline assurance that an operator has practical working knowledge on the plant classification they are going to be in responsible charge of.

- Comment: Increasing contact hours will cause operators to spend less time at their job to attend classes and increase the work burden on fellow employees. Some operators are also required to maintain contact hours for other certifications held related to water and wastewater.

The tiered CEU program along with a two year plus roll-out period will not be an unattainable burden or impact work time.

- Comment: An operator can currently test for and obtain a certificate for one grade higher than their current plant classification. Plants have pay scales that reward higher certifications and this may affect their livelihood.

The restricted certificate was developed as an opportunity for operators to test above their plant classification. A minimum one year of experience at plant of that class is still required to receive the full certification for that level.

- Comment: Previously, there was an Operator in Training (OIT) program for only Grade I operators. Restricted Certificates will be changed to allow for certification grades I through IV. The 5 years expiration date punishes the operator if they are not able to gain the required experience and they will either lose their restricted or need to retest. An operator had gained the knowledge to pass the exam and should not expire.

NDEP has noted this comment.

- Comment: This change would lower some plant classifications. This would not be an issue if operators were not held back from testing for higher grades.

NDEP has noted this comment

- Comment: Raising the exam and renewal fees are drastic. Fees need to be updated, but this is too steep an increase. A gradual step should be implemented to lessen the burden on systems and operators.

NDEP has noted this comment.

UIC Related questions:

- Please provide clarification as to the word “well” in subpart f, and that the word “well” is the same as NAC 534.220 “Well” defined.

For the UIC regulations, well is defined NAC 445A.838.

- I would suggest the proposed language be amended to include NAC 534.015 “...but is not correctly completed, plugged, *or abandoned.*”

NAC 534 is not part of the UIC regulation and furthermore, the term abandoned is not defined, so doing so would lead to confusion.

- Please provide clarification regarding the “area of review” as remaining the 1-mile radius around the injection well.

For UIC regulations, area of review defined and discussed under NAC 445A.897, 445A.898 and 445A.899. Yes, still one mile unless alternated area of review distance as determined by the Director.

In response to written comments and public input received during the workshops, NDEP has revised the proposed regulations. The revisions are not substantive, and add clarity to the intent of the regulations. The following revisions were made:

- Section 3, Part 4, which defined “postsecondary course of instruction”, has been clarified to specify wastewater related instruction.
- Section 5, Part 1 has been clarified that an operator with a restricted certificate cannot operate in *direct responsible charge* at that grade level
- Section 5, Part 4 has been changed from 4 years to 5 years.
- Section 8 has removed the language “ *by a recognized health care or mental health care provider and must state the nature of the disability and the special testing arrangements that are requested.*”
- Section 12, Part 3, which would have excluded industrial operators from certification, has been removed from the proposed regulation.
- Section 13, the table has been revised to 5 years to reflect the changes in section 5 part 4.
- Section 14, “RBC” has been removed from both that table and definitions of the proposed regulations.

REVISED PROPOSED REGULATION OF
THE STATE ENVIRONMENTAL
COMMISSION LCB File No. R101-16

December 6, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets
~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-15, 17-32, 37 and 38, NRS 445A.425; §16, NRS 445A.425 and 445A.430;
§33, NRS 445A.425 and 445A.465; §34, NRS 445A.425, 445A.430 and
445A.465; §§35 and 36, NRS 445A.425, 445A.465 and 445A.495.

A REGULATION relating to water pollution controls; revising and adding certain definitions; revising the educational requirements and work experience requirements for certification as a wastewater treatment plant operator, requiring postsecondary education standards for initial applications for Grade III and IV wastewater treatment plant operators certification; adopting and increasing fees for applying for initial certifications, reciprocity from other states, certification renewals, and delinquent wastewater operator certification fees; requiring minimum time experience in operating to qualify for advance certifications in wastewater treatment operations; revising the standard requirements for wastewater operators applying for reciprocity for a license from another state; authorizing the implementation of a restricted certificate program for wastewater operators; revising the standard requirements for renewal of certification for wastewater treatment operators to require continuing education credits; requiring the division to approve continuing education courses; authorizing the suspension and or revocation of certification for certain disciplinary grounds; revising the wastewater treatment plant classifications to base them upon treatment technology; clarifying an existing application requirement for reuse and providing other matters properly relating thereto.

AUTHORITY: §1, NRS 445A.425

Section 1, Chapter 445A of NAC is hereby amended by adding thereto the provisions set forth as Section 2 through 18, inclusive, of this regulation.

Sec. 2. *Definitions. (NRS 445A.425) As used in NAC 445A.287 to NAC 445A.292, inclusive, unless the context otherwise requires, the words and terms defined in NAC 445A.287 to NAC 445A.292, inclusive, have the meanings ascribed to them in those sections.*

Sec. 3. *“Wastewater Treatment Plant” defined (NRS 445A.425). “Wastewater Treatment Plant” means a treatment works for the intended purpose of treating, storage, or reuse of municipal or domestic wastewater.*

Sec. 4. *“Experience in operating” defined (NR S445A.425). “Experience in operating” means having been actively engaged in the operation and maintenance activities of a wastewater treatment plant.*

Sec. 5. *“Tertiary treatment” defined (NRS 445A.425) “Tertiary treatment” means the process of treating wastewater beyond secondary treatment units for nutrient removal or other advanced removal methods (Membrane Filtration, etc.).*

Sec. 6. *“Wastewater” defined (NRS 445A.425) “Wastewater” means the liquid waste and or sewage waste collected and treated at Wastewater Treatment Plants.*

Sec. 7. *“Assistant supervisor” means the person in direct responsible charge of the operations of a wastewater treatment plant in the absence of the supervisor.*

Sec. 8. *“Person in direct responsible charge” means a person who is responsible for all activities associated with the operations of a wastewater treatment plant and compliance with all applicable provisions of NRS 445A and NAC 445A relating to the operations of such a plant.*

Sec. 9. *“Supervisor” means the person in direct responsible charge of the operations of a wastewater treatment plant.*

Sec. 10. *“Postsecondary course of instruction” defined. Postsecondary course of instruction means a successfully completed college level course which is at least 36 hours and which is related to wastewater.*

Sec. 11. *Certification by reciprocity.*

1. *A certification may be issued by the Division, without examination, on a case-by-case basis to a person in a comparable classification who has passed an equivalent written examination and who holds a full certification in another state, territory or possession of the United States or another country if the requirements for the certification of operators are consistent with and not of a lower standard than the provisions of this chapter.*
2. *Reciprocity will not be granted for reciprocal certifications.*
3. *An incomplete application or an application that includes an expired certificate will not be considered.*
4. *The Division shall review an application for completeness and applicability and shall respond to the applicant not more than 60 days after the receipt of the request with a written decision.*

Sec. 12. Restricted Certificates

1. *Restricted certificates shall not carry responsibility to operate a wastewater treatment plant at the restricted grade level and shall be subject to the following eligibility requirements:*

Restricted Grade I A high school diploma, GED, or equivalent, general educational development certificate or equivalent.

Restricted Grade II Hold an active unrestricted Grade I certification for a minimum of one year, and meet the Grade II educational requirements.

Restricted Grade III Hold an active unrestricted Grade II certification for a minimum of one year, and meet the Grade III educational requirements.

Restricted Grade IV Hold an active unrestricted Grade III certification for a minimum of one year, and meet the Grade IV educational requirements.

2. *Upon meeting educational eligibility requirements, a person must pass the certification examination for the restricted grade level being sought.*

3. *A restricted certificate may be converted to an unrestricted full certification upon meeting the experience requirement for the equivalent unrestricted certification and still holding an active unrestricted full certification of the grade below.*
4. *Restricted certificates shall be issued for a period of four years and may not be renewed. Once the restricted certificate has expired, the operator must retest to be issued a new restricted certificate.*

Sec. 13. *Renewal and Decertification of Operator Certification.*

1. *The Operator Certification may be renewed if:*
 - (a) *The fee for renewal has been submitted pursuant to NAC 445A.287;*
 - (b) *A complete application for renewal was made on the forms supplied by the Division and submitted prior to expiration;*
 - (c) *A complete application submitted after the expiration date must pay reinstatement fee;*
 - (d) *The applicant submits evidence of compliance with the requirements of continuing education set forth in Section 16.*
2. *An Operator Certification may be renewed once after each 2-year certification cycle. Multiple renewals will not be issued in advance.*
3. *An operator who holds a full certificate and a restricted certificate at a higher classification than the full certificate must comply with the requirements of continuing education for the full certificate to qualify for renewal.*
4. *If the holder of an Operator Certification does not renew the certification by their current expiration date, their certification will be suspended. The suspended operator must submit a complete renewal application and pay the renewal and reinstatement fee.*
5. *If the suspended operator does not renew the certification within 6 months after the expiration date, the suspended operator shall be deemed decertified.*

Commented [KP1]: Added this

6. *Except as otherwise provided in subsections 7 and 8, the holder of a certification who is decertified may not renew the certification*
7. *If the holder of an expired full certificate provides documentation of health problems that made the holder was unable to meet the requirements of continuing education for renewal of his or her full certificate in the time provided pursuant to Section 17, the holder of the expired full certificate may request, within 2 years after its date of expiration, that the full certificate be reinstated and renewed by payment of the reinstatement fee set forth in Section 20 and verification that all requirements of continuing education have been satisfied.*
8. *If the holder of a full certificate provides documentation of military duty that made the holder unable to meet the requirements of continuing education for renewal of his or her full certificate in the time provided pursuant to Section 17, the holder of the expired full certificate may request, within 4 years after its date of expiration, that the full certificate be reinstated and renewed by payment of the reinstatement fee set forth in Section 20 and verification that all requirements of continuing education have been satisfied.*

Sec. 14. Examination for certification: Application evaluation; exam issuance.

1. *The Division shall offer separate certification examinations for the four certification grades for applicants that meet the requirements.*
2. *Examination for certification shall be offered at least three times per year.*
3. *The Division or its approved designee shall review the qualifications for each applicant for certification.*

Sec. 15. Applicant with disability: Request for special arrangements for taking examination.

If an applicant has a disability that restricts the ability of the applicant to take an examination under standard conditions, the applicant may request special arrangements for taking the examination at the time of application. Such a request must be submitted in writing by a recognized health care or mental health care provider and must state the nature of the disability, and the special testing arrangements that are requested.

Sec. 16. Continuing education: General requirements.

- 1. Every 2 years, the holder of a Grade I certificate must earn at least 5 contact hours of participation in a course of training approved by the Division or its approved designee pursuant to Section 17.*
- 2. Every 2 years, the holder of a Grade II certificate must earn at least 10 contact hours of participation in a course of training approved by the Division or its approved designee pursuant to Section 17.*
- 3. Every 2 years, the holder of a Grade III certificate must earn at least 15 contact hours of participation in a course of training approved by the Division or its approved designee pursuant to Section 17.*
- 4. Every 2 years, the holder of a Grade IV or V certificate must earn at least 20 contact hours of participation in a course of training approved by the Division or its approved designee pursuant to Section 17.*
- 5. Contact hours must be obtained within the 2-year effective period of the certification.*

Sec. 17. Continuing education: Conditions for obtaining credit.

The Division or its approved designee shall not grant any credit of continuing education to the holder of a certificate for participation in training unless:

- 1. The course of training is approved by the Division or its approved designee.*
- 2. The course of training is relevant to the subject matter of the particular certification held.*
- 3. A public utility may request the written approval of the Division or its approved designee for the utility to provide a course of training for its employees that is intended to comply with any part of the requirement of continuing education.*
- 4. The Division or its approved designee shall not approve a course of training pursuant to subsection 1 unless the request meets the following criteria:*

- (a) An outline of the course of training must be submitted with the request for written approval and must state the subjects to be included in the instruction and the time to be allotted for each subject of instruction.*
- (b) A list of the objectives of the instructor must be submitted with the request for written approval and must specify the essential points of the instruction and the methods of instruction to be used to illustrate these points.*

Sec. 18. The Division may deny an application for a certificate or suspend or revoke an operator's full certificate, provisional certificate or restricted certificate if he or she:

- 1. In applying for or obtaining a certificate, has submitted to the Division any application, document, record, report or affidavit, or any information in support thereof, which is false or fraudulent;*
- 2. Is grossly negligent, incompetent or has committed misconduct in the performance of his or her duties as an operator of a wastewater treatment system;*
- 3. Has demonstrated disregard for the health and safety of the public and environment;*
- 4. Has acted outside the rights and privileges of his or her classification for which he or she holds a certificate;*
- 5. Has been convicted of a violation of any federal law or law of any state relating to wastewater treatment, including, but not limited to, the Clean Water Act;*
- 6. Has been convicted of a felony or other crime involving moral turpitude, dishonesty or corruption;*
- 7. Has willfully made to regulatory authority any false statement which is material to the administration or enforcement of any provision of this chapter or chapter 445A of NRS;*
- 8. Has failed to renew his or her certification; or*
- 9. Has violated, attempted to violate, assisted or abetted in the violation of, or*

conspired to violate any provision of this chapter or chapter 445A of NRS.

Sect. 19. NAC 445A.286 is hereby amended to read as follows:

NAC 445A.286 *Wastewater Treatment Plant* [~~Plants for sewage treatment~~]: Applicability of provisions. (NRS 445A.425) Unless otherwise determined by the Division, the provisions of NAC 445A.286 to 445A.292, inclusive, including Sections 1 through Section 18, inclusive, do not apply to:

1. A package plant for *wastewater* [~~sewage~~] treatment with a capacity of 5,000 gallons or less per day; or
2. Any other plant for *wastewater* [~~sewage~~] treatment, including, without limitation, a septic system, with a capacity of 10,000 gallons or less per day.

Sec. 20. NAC 445A.287 is hereby amended to read as follows:

NAC 445A.287 *Wastewater treatment plant* [~~Plant for sewage treatment~~]: Persons required to be certified as operators; application, and fees *and educational requirements* for certification [~~renewal of certificate~~];. (NRS 445A.425)

1. A person responsible for the operation and maintenance of a *wastewater treatment plant* [~~plant for sewage treatment~~] must be certified as an operator of a *wastewater treatment plant* [~~plant for sewage treatment~~].
2. To apply for certification as an operator of a *wastewater treatment plant* [~~plant for sewage treatment~~], a person must *be able to demonstrate the required operating experience delineated in Subsection 4*, [~~submit an application to the Division or its approved designee that is accompanied by the appropriate fee.~~] *be at least 18 years of age, and meet the following minimum education requirements:*
 - (a) *For Grade I, a high school diploma, general educational development certificate or equivalent and 60 contact hours of wastewater related education;*
 - (b) *For Grade II, requirements for Grade I and an additional 60 contact hours of wastewater related education;*

(c) For Grade III, requirements for Grade II and two postsecondary courses of instruction;

(d) For Grade IV, requirements for Grade III and two additional postsecondary courses of instruction.

3. The following fees must be paid to the Division:

	Fee	Period
Initial.....	\$ 60 140	2 years
Reciprocity[Reiprocal].....	\$ 75 150	2 years
Renewal.....	\$110	2 years
Restricted certificate.....	\$90	5 years
Restricted conversion to full	\$70	One time
Reinstatement	\$80	One time

4. An applicant must pass the examinations for certification in ascending order beginning with the Grade I certification test. The following experience in operating a wastewater treatment plant is required in order to apply for unrestricted certification:

Certification Grade	Requirements
Grade I	One year of experience in operating at a Classification I Facility or higher
Grade II	Grade I Certification and two total years of experience in operating, with at least one year at a Classification II Facility or higher
Grade III	Grade II Certification and three years total experience in operating, with at least one year at a Classification III Facility or higher
Grade IV	Grade III Certification and at least four years total experience in operating, with at least one year at a Classification IV Facility

5. If the person applying for certification has past or pending certification disciplinary actions in other states, the disciplinary actions must be disclosed in writing.

~~—[4.]—~~6. The holder of a certificate must pay to the Division a fee of \$20 for each duplicate certificate he or she requests. A fee of \$25 will be charged to any person whose check is returned to the Division because of a lack of funds.

~~—[5.]—~~ A holder of any certificate issued pursuant to the provisions of ~~NAC 445A.286 to 445A.292, inclusive,~~ may renew the certificate by submitting a fee of \$30 to the Division not later than the expiration date of the certificate. ~~Except as otherwise provided in subsection 6, the holder of a certificate may renew the certificate after the expiration date of the certificate if he or she pays, in addition to the renewal fee, a late fee of \$20. If the holder of a certificate does not renew the certificate within 1 year after the expiration date of the certificate, the holder of the certificate shall be deemed decertified.~~

~~—6.—~~ The holder of a certificate who is decertified may not renew the certificate.

~~—7.—~~ The renewal of a certificate is effective for 2 years.]

Sec. 21. NAC 445A.288 is hereby amended to read as follows:

NAC 445A.288 *Wastewater Treatment Plant* [Plants for sewage treatment]: Agreement to operate program for certification of operators. (NRS 445A.425)

1. If the Division chooses not to operate the program for the certification of operators of *wastewater treatment plants* [plant for sewage treatment], the Division shall enter into an agreement with an approved designee pursuant to which the designee agrees to operate the program.

2. Any agreement entered into pursuant to subsection 1 must provide that the designee will:

- (a) Distribute application forms;
- (b) Evaluate applications;
- (c) Conduct examinations;
- (d) Evaluate the training, education and experience of the applicants;

(e) Inform an applicant that the Division has denied his or her application for certification or recommend that the Division certify the applicant; and

(f) Perform any other duty specified in the agreement.

Sec. 22. NAC 445A.289 is hereby amended to read as follows:

NAC 445A.289 *Wastewater Treatment Plant* [~~Plants for sewage treatment~~]: Schedule for classification. (NRS 445A.425)

1. For the purpose of the certification program operated pursuant to the provisions of NAC 445A.284 and 445A.288 and Sections 1 through 18, inclusive, a *wastewater treatment plant* [~~plant for sewage treatment~~] must be classified in accordance with the following schedule:

PLANT CLASSIFICATION based on the type of treatment process [~~and plant capacity~~]:

	0-0.1	0.11-1.0	1.1-5.0	5.1-10.0	10.1-20.0	Greater than 20.0
	MGD	MGD	MGD	MGD	MGD	MGD
Stabilization Pond	I	I	I	I	II	III
Primary	I	I	II	III	III	IV
Biofiltration	II	II	III	III	IV	IV
Activated Sludge	III	III	III	IV	IV	IV
Tertiary and Reuse	III	III	IV	IV	IV	IV

<i>Treatment Technology</i>	<i>Plant Classification</i>
<i>Stabilization Ponds / Lagoons</i>	I
<i>Primary Treatment (Settling, Grit Removal, etc.)</i>	
<i>Fixed Film Treatment (e.g. , Trickling Filters, etc.) for BOD Removal</i>	II
<i>Activated Sludge (w/o Nitrogen Removal and < 20,000 gallons per day)</i>	
<i>Solids Treatment (Thickening / Dewatering)</i>	III
<i>Fixed Film Treatment (e.g. RBC, Trickling Filters) for Nutrient Removal</i>	

<i>Activated Sludge (w/ Nitrogen Removal or > 20,000 gallons per day)</i>	
<i>Tertiary Treatment</i>	<i>IV</i>
<i>Activated Sludge > 10 million gallons per day</i>	
<i>Indirect Potable Reuse</i>	

2. [As used in this section, "MGD" means millions of gallons per day.] *The Division may deviate from this table when it determines that mitigating or intensifying factors exist to raise or lower a plant classification. Factors may include, but are not limited to, receiving stream water quality, process complexity, waste stream pollutant strength/variations, and flow variability.*

Sec. 23. NAC 445A.290 is hereby amended to read as follows:

NAC 445A.290 *Wastewater Treatment Plant* [Plants for sewage treatment]: Minimum grades of certification for operators. (NRS 445A.425)

1. The minimum grades of certification for operators of *a wastewater treatment plant* [plant for sewage treatment] are as follows:

GRADES OF CERTIFICATION based on the classification of the plant:

	Plant Classification I	Plant Classification II	Plant Classification III	Plant Classification IV
Supervisor	I	II	III	IV
Assistant Supervisor	I	I	II	III

2. Any person, other than a supervisor or assistant supervisor, who is working as an operator of *a wastewater treatment plant* [plant for sewage treatment] must be certified as at least a Grade I operator of *a wastewater treatment plant* [plant for sewage treatment], or obtain such certification within 1 year after the date on which he or she begins employment at the *wastewater treatment plant* [plant for sewage treatment] as such an operator.

~~—[3. As used in this section:~~

~~—(a) “Assistant supervisor” means the person in direct responsible charge of the operations of a plant for sewage treatment in the absence of the supervisor.~~

~~—(b) “Person in direct responsible charge” means a person who is responsible for all activities associated with the operations of a plant for sewage treatment and compliance with all applicable provisions of NRS and NAC relating to the operations of such a plant.~~

~~—(c) “Supervisor” means the person in direct responsible charge of the operations of a plant for sewage treatment.]~~

Sec. 24. NAC 445A.292 is hereby amended to read as follows:

NAC 445A.292 *Wastewater Treatment Plant* [~~Plants for sewage treatment~~]; Provisional certification of operator. (NRS 445A.425)

1. The Division shall renew a provisional certificate as an operator of a *wastewater treatment plant* [~~plant for sewage treatment~~], without examination, only to a person who:

- (a) Held a provisional certificate on July 1, 1991;
- (b) Pays the appropriate fee; and
- (c) Submits the proper application for certification.

2. A provisional certificate is valid until:

- (a) The applicant’s employment by that plant ceases for any reason; or
- (b) The applicant assumes a position of employment at the plant that is different from the position he or she held on July 1, 1991.

Sec. 25 NAC 445A.867 is hereby amended to read as follows:

Application for permit. (NRS 445A.425, 445A.465) Except as otherwise provided in NAC 445A.8491 to 445A.8499, inclusive, an applicant for a permit to inject fluids must satisfy the Director that the underground injection will not endanger any source of drinking water. An

application for a permit must be filed within 180 days after July 22, 1987, for the operation of an injection well which is existing on that date and does not have a permit. Each application for a permit must be signed by the owner or, if the owner does not operate the well, the operator of the well and must contain the following information:

1. The name of the facility.
2. The name and address of the owner.
3. The name and address of the operator, if different than the owner.
4. A description of the location of each injection well by the quarter-quarter section, section, township and range, and latitude and longitude.
5. A map of the location of the facility, preferably a topographic map prepared by the United States Geological Survey, extending at least 1 mile beyond the boundaries of the facility, locating each injection well for which a permit is sought and the area of review. The map must show, within the area of review, the number, location and type of all injection wells, producing wells, abandoned wells, surface bodies of water, surface and subsurface mines, quarries, public and private systems to supply water and other pertinent features on the surface.
6. A plan for corrective action, as required pursuant to NAC 445A.899, for each injection well within the area of review which penetrates the zone for injection, but is not correctly completed or plugged.
7. A narrative report, geologic cross section and isopach map in sufficient scale to detail the local geology and hydrology. The information should be sufficient to show the geologic formations, structural features and concentration of total dissolved solids for each formation, zone for injection and confining zone.
8. The plans and drawings for construction showing the details of the casing and cementing, including the size of the hole, type of casing and type and grade of cement.
9. The drilling log for each production or injection well owned or operated by the applicant which is located within the area of review.
10. The proposed operating data, including:
 - (a) The average and maximum daily rates of injection and the volume of the fluid injected;
 - (b) The average and maximum pressures of the injection; and
 - (c) The source of the fluid injected and an analysis of its physical, chemical and biological characteristics.

11. A chemical analysis, if available, of the fluid in the receiving formation to ensure compatibility with the injectate, and an analysis of the hydraulic conductivity of the receiving formation.

12. The proposed procedures for injection, including additives to or storage and pretreatment, if any, of the fluid injected, the use of the well, the planned standard practices for stimulation of the well and the planned schedule for workover.

13. A certificate that the applicant has ensured, through a performance bond or other appropriate means, the resources necessary to plug and abandon the well.

14. A plan for plugging and abandoning the well as described in NAC 445A.923.

15. Any other information required by the Director to ensure that the proposed operation will not degrade an underground source of drinking water. That information may include a plan for monitoring the elevation or quality of groundwater surrounding the zone for injection.

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NEVADA DIVISION OF

**ENVIRONMENTAL
PROTECTION**

Bureau of Water Pollution Control

Bruce Holmgren, P.E.

Joe Maez, P.E.

Katrina Pascual, P.E.

Nevada Administrative Code
(NAC) 445A.286 thru 292 Revisions:
**Wastewater Operator
Certification Program**

th

00058
NAC 445A.287 - NAC 445A.292

NAC 445A.287 Plants for sewage treatment: Persons required to be certified as operators; application and fees for certification; renewal of certificate. (NRS 445A.425)

1. A person responsible for the operation and maintenance of a plant for sewage treatment must be certified as an operator of a plant for sewage treatment.
2. To apply for certification as an operator of a plant for sewage treatment, a person must submit an application to the Division or its approved designee that is accompanied by the appropriate fee.
3. The following fees must be paid to the Division:

Certification	Fee	Period
Initial.....	\$60	2 years
Reciprocal.....	75	2 years

4. The holder of a certificate must pay to the Division a fee of \$20 for each duplicate certificate he or she requests. A fee of \$25 will be charged to any person whose check is returned to the Division because of a lack of funds.
5. A holder of any certificate issued pursuant to the provisions of NAC 445A.287 to 445A.292, inclusive, may renew the certificate by submitting a fee of \$30 to the Division not later than the expiration date of the certificate. Except as otherwise provided in subsection 6, the holder of a certificate may renew the certificate after the expiration date of the certificate if he or she pays, in addition to the renewal fee, a late fee of \$20. If the holder of a certificate does not renew the certificate within 1 year after the expiration date of the certificate, the holder of the certificate shall be deemed decertified.
6. The holder of a certificate who is decertified may not renew the certificate.
7. The renewal of a certificate is effective for 2 years.
 (Added to NAC by Environmental Comm'n, eff. 5-27-92; A 3-1-94; R037-02, 10-18-2002)

NAC 445A.288 Plants for sewage treatment: Agreement to operate program for certification of operators. (NRS 445A.425)

1. If the Division chooses not to operate the program for the certification of operators of plants for sewage treatment, the Division shall enter into an agreement with an approved designee pursuant to which the designee agrees to operate the program.
 2. Any agreement entered into pursuant to subsection 1 must provide that the designee will:
 - (a) Distribute application forms;
 - (b) Evaluate applications;
 - (c) Conduct examinations;
 - (d) Evaluate the training, education and experience of the applicants;
 - (e) Inform an applicant that the Division has denied his or her application for certification or recommend that the Division certify the applicant; and
 - (f) Perform any other duty specified in the agreement.
- (Added to NAC by Environmental Comm'n, eff. 5-27-92; A by R037-02, 10-18-2002)

NAC 445A.289 Plants for sewage treatment: Schedule for classification. (NRS 445A.425)

1. For the purpose of the certification program operated pursuant to the provisions of NAC 445A.284 and 445A.288, a plant for sewage treatment must be classified in accordance with the following schedule:

PLANT CLASSIFICATION based on the type of treatment process and plant capacity:

	0-0.1 MGD	0.11-1.0 MGD	1.1-5.0 MGD	5.1-10.0 MGD	10.1-20.0 MGD	Greater than 20.0 MGD
Stabilization Pond	I	I	I	I	II	III
Primary	I	I	II	III	III	IV
Biofiltration	II	II	III	III	IV	IV
Activated Sludge	III	III	III	IV	IV	IV
Tertiary and Reuse	III	III	IV	IV	IV	IV

2. As used in this section, "MGD" means millions of gallons per day.
 (Added to NAC by Environmental Comm'n, eff. 5-27-92; A by R037-02, 10-18-2002)

NAC 445A.290 Plants for sewage treatment: Minimum grades of certification for operators. (NRS 445A.425)

1. The minimum grades of certification for operators of plants for sewage treatment are as follows:

GRADES OF CERTIFICATION based on the classification of the plant:

	Plant Classification I	Plant Classification II	Plant Classification III	Plant Classification IV
Supervisor	I	II	III	IV
Assistant Supervisor	I	I	II	III

2. Any person, other than a supervisor or assistant supervisor, who is working as an operator of a plant for sewage treatment must be certified as at least a Grade I operator of a plant for sewage treatment, or obtain such certification within 1 year after the date on which he or she begins employment at the plant for sewage treatment as such an operator.

3. As used in this section:

- (a) "Assistant supervisor" means the person in direct responsible charge of the operations of a plant for sewage treatment in the absence of the supervisor.
- (b) "Person in direct responsible charge" means a person who is responsible for all activities associated with the operations of a plant for sewage treatment and compliance with all applicable provisions of NRS and NAC relating to the operations of such a plant.
- (c) "Supervisor" means the person in direct responsible charge of the operations of a plant for sewage treatment.
 (Added to NAC by Environmental Comm'n, eff. 5-27-92; A by R037-02, 10-18-2002)

NAC 445A.292 Plants for sewage treatment: Provisional certification of operator. (NRS 445A.425)

1. The Division shall renew a provisional certificate as an operator of a plant for sewage treatment, without examination, only to a person who:
 - (a) Held a provisional certificate on July 1, 1991;
 - (b) Pays the appropriate fee; and
 - (c) Submits the proper application for certification.
2. A provisional certificate is valid until:
 - (a) The applicant's employment by that plant ceases for any reason; or
 - (b) The applicant assumes a position of employment at the plant that is different from the position he or she held on July 1, 1991.
 (Added to NAC by Environmental Comm'n, eff. 5-27-92; A by R037-02, 10-18-2002)

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Background

NWEA is NDEP's contractor to run the Nevada Board of Certification for Wastewater Treatment Operators (Board)

- ▶ 1992 - NAC for Wastewater Operation Certification regulations became effective
- ▶ 2002 - Latest revisions to wastewater certification NAC
- ▶ April 2015 - Survey - done by the Board
- ▶ May 2015 - Association of Boards of Certification (ABC) Model Standards Conformity Assessment

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Recommendations

▶ 3 Critical Recommendations

1. Continuing Education for Recertification
2. Ascending Education Requirements for Initial Certification
3. Sequential Exam Requirement

▶ Other Recommendations

- ▶ Competency and Ethics
- ▶ Fee Increase

Proposed NAC Revisions (LCB Draft R155-17)

- ▶ Section 3 - Minimum requirements for initial application
- ▶ Sec. 4 - Requirements for reciprocity
- ▶ Sec. 5 - Restricted certificates
- ▶ Sec. 6 - Certification renewals
- ▶ Sec. 7 - Division offered examinations
- ▶ Sec. 8 - Disabled applicant accommodations
- ▶ Sec. 9 - Continuing education for renewals

Proposed NAC Revisions Cont'd

- ▶ Sec. 10 - Continuing education course approvals
- ▶ Sec. 11 - Grounds for denial, suspension or revocation
- ▶ Sec. 12 - Industrial facilities do not require certification
- ▶ Sec. 13 - Increased fees for certification
- ▶ Sec. 14 - Revision of plant classifications
- ▶ Sec. 15 - UIC area of review clarification

Section 3 - Requirements for Initial Application Summary

- ▶ The Applicant must:
 - ▶ be at least 18 years of age
 - ▶ Possess a high school diploma or its equivalent
 - ▶ Pay Fees
 - ▶ Meet educational requirements
 - ▶ Meet experience requirements
- ▶ Exams must be taken in ascending order
- ▶ Disclosure of disciplinary action from another state that an operator was certified in

Sec. 3 - Education Requirements

- ▶ Grade I - 60 contact hours;
- ▶ Grade II - 120 contact hours;
- ▶ Grade III - 120 contact hours plus TWO postsecondary;
- ▶ Grade IV - 120 contact hours plus FOUR postsecondary

- ▶ *Postsecondary course of instruction means a successfully completed college level course which is at least 36 hours of wastewater related instruction.*

Sec. 3 - Experience Requirements

Certification Grade	Experience
Grade I	<u>1 year</u> experience in operating a Class I facility or higher
Grade II	Grade I Certification 2 years experience in operating, with <u>1 year</u> experience at a Class II facility or higher
Grade III	Grade II Certification <u>3 years</u> experience in operating, with <u>1 year</u> experience at a Class III facility or higher
Grade IV	Grade III Certification <u>4 years</u> experience in operating, with <u>1 year</u> experience at a Class IV facility

Sec. 4 - Reciprocity

- ▶ A certification may be issued by the Division, without examination, on a case-by-case basis provided that the operator:
 - Holds a full certificate in another State,
 - Passed an equivalent examination,
 - Meets similar education and experience standards as required in Nevada.

- ▶ Reciprocity will not be granted for reciprocal certifications.

- ▶ An incomplete application or an application that includes an expired certificate will not be considered.

Sec. 5 - Restricted Certificate

- ▶ No More OIT program
- ▶ Restricted Certificates for Grade I, II, III, and IV Operators
- ▶ Effective for 5 years
- ▶ NOT renewable
- ▶ Must pass exam for the restricted grade level being sought and
- ▶ meet all education requirements of the grade level being sought.
- ▶ Upon attainment of necessary experience, the full certification can be applied for.

Sec. 6 - Certification Renewal

- ▶ TWO year renewal cycle
- ▶ Apply before certification expiration. Include:
 - Complete Application
 - Continuing Education documentation
 - Fee
- ▶ Failure to complete recertification by expiration date will lead to the certification being suspended
- ▶ Late Application - Submissions or resubmissions of renewal application after expiration date must include an additional reinstatement fee

Sec. 6 - Certification Renewal Cont'd

- ▶ If certification is suspended for 6 MONTHS, the operator is DECERTIFIED and cannot renew certification
- ▶ Operators with HEALTH ISSUES get 2 years after expiration to apply for renewal w/ payment of reinstatement fee
- ▶ Operators in the MILITARY get 4 year after expiration to apply for renewal w/ payment of reinstatement fee

Sec. 7 - Division Offered Examinations

1. The Division shall offer separate examinations for certification as an operator of a plant for sewage treatment in each of the four grades of certification for qualified applicants.
2. The examinations for certification must be offered by the Division at least 3 times per year.
3. The Division, or its designee, shall review the qualifications of each applicant for certification who applies to take an examination for certification.

Sec. 8 - Disabled Applicant Accommodations

- ▶ If an applicant has a disability that restricts the ability of the applicant to take an examination for certification under standard conditions, the applicant may request special accommodations for taking the examination at the time of application. Such a request must be submitted to the Division in writing.

Sec. 9 - Continuing Education for Renewals

- ▶ Continuing education must be obtain within the 2-YEAR effective period of the Certification
- ▶ Classes or training for contact hours must be approved
- ▶ Contact hour requirements:
 - ▶ Grade I - 5 contact hours
 - ▶ Grade II - 10 contact hours
 - ▶ Grade III - 15 contact hours
 - ▶ Grade IV - 20 contact hours
- ▶ No contact hours for restricted certificates

Sec. 10 - Continuing Education Course Approvals

- ▶ Contact hour training must be:
 - ▶ Approved by the Division or its designee
 - ▶ Relevant to the subject matter of the certificate

- ▶ To submit training approval request:
 - An outline of the course of training
 - A list of the objectives of the instructor

- ▶ The WWTP can request approval of in-house classes

Sec. 11 - Grounds for Denial, Suspension or Revocation

- ▶ Ethics portions in the NAC
- ▶ **Specific circumstances for denying, suspending and revoking a certification:**
 - ▶ Giving false information/documentation in application;
 - ▶ Being negligent, or incompetent or has committed misconduct in operator duties;
 - ▶ Disregard for the health and safety of the public and/or the environment;
 - ▶ Acted outside the rights and privileges of the grade for which he or she holds a certificate;

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Sec. 11 - Cont'd

- ▶ **Specific Circumstances for denying, suspending and revoking a certification:**
 - ▶ Convicted of a violation of any federal law or law of any state relating to wastewater;
 - ▶ Convicted of a felony or other crime involving moral turpitude, dishonesty or corruption;
 - ▶ Lying to a governmental agency about the provision of the NRS and NAC;
 - ▶ Has failed to renew his or her certification;
 - ▶ Has violated and or attempted, assisted, abated, or conspires to violate the NRS or NAC.

Sec. 13 - NAC 445A.287 - Increased Fees for Certification

1. The following fees must be paid to the Division:

Certification	Fee	Period
Initial certificate	[\$60] \$140	2 years
Reciprocal certificate	[75] 150	2 years
Renewal of a certificate	110	2 years
Restricted certificate	90	5 years
Conversion of restricted certificate to full certificate	70	
Reinstatement of a certificate	80	

Fees

Current Fees

- ▶ Initial - \$60
- ▶ Reciprocal - \$75
- ▶ Renewal - \$30

Proposed Fees

- ▶ Initial - \$140
- ▶ Reciprocal - \$150
- ▶ Renewal - \$110
- ▶ Restricted Certificate - \$90
- ▶ Conversion to Full - \$70
- ▶ Reinstatement - \$80

Current Program Budget (Annual)

<u>Year</u>	<u>Program Expenses</u>
2008	\$36,851
2009	\$39,145
2010	\$46,027
2011	\$29,140
2012	\$40,891
2013	\$48,258
2014	\$62,524
2015	\$58,051
2016	\$37,250
2017	\$36,550

<u>Year</u>	<u>Fee Revenue</u>
2013	\$18,900
2014	\$17,865
2015	\$16,635
2016	\$16,815
2017	\$17,910

Fee Facts

- ▶ The average cost to run the Certification Program in the past 10 years
 - \$44,000
- ▶ The average revenue from Fees
 - \$17,000
- ▶ Currently the program is funded 40% through fees
- ▶ NDEP subsidizes 60% of the budget
- ▶ 100 percent of fees collected go towards funding Operator Certification

Why the Fee Raise

- ▶ Fees have not been raised since 1992
- ▶ Program is not currently self sustaining
 - NDEP subsidizes a majority of Certification Program
- ▶ Operation fees are going up
 - Continuing education requirement
 - Ascending education
 - Review and approval of classes
- ▶ 100% of fees will still be going to Certification Program
- ▶ New fees will only cover an estimated 70-80%
 - NDEP will continue to subsidize the difference

Fee Increase - Small Business Impact

Small Business Impact Statement

- ▶ Small businesses are not directly impacted by these fee increases as they are not a requirement of the business, but instead a requirement of the individual operator who holds the certification.

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Sec. 14 - NAC 445A.289 - Plant Classification

Treatment Process	Plant Classification
Stabilization Ponds or Lagoons Primary Treatment (settling, grit removal, etc.)	I
Fixed Film Treatment (E.G., trickling filters, etc.) for BOD Removal Activated Sludge (without nitrogen removal and <20,000 gal per day) Solids Treatment (thickening/dewatering)	II
Fixed Film Treatment (e.g., trickling filters) for Nutrient Removal Activated Sludge (with nitrogen removal or >20,000 gallons per day)	III
Tertiary Treatment Activated Sludge (>10 million gallons per day) Indirect Potable Reuse	IV

Summary

- ▶ Requirements for initial application of Grade I to Grad IV
- ▶ Reciprocity
- ▶ Restricted Certificates
- ▶ Certification Renewals (contact hour requirements)
- ▶ Continuing Education for Renewals
- ▶ Ethics - Grounds for Denial, Suspension or Revocation
- ▶ Increased Fees for Certification
- ▶ Revision of Plant Classification
- ▶ UIC Clarification

Questions and Comments?

Contact Information:

Katrina A Pascual, P.E.

kpascual@ndep.nv.gov

775-687-9315

WASTEWATER TREATMENT PLANT OPERATOR CERTIFICATION

For certification rules and regulations please refer to NWEA's Policies & Procedures which can be accessed online at www.nwea.org.

I. Definitions

"Assistant Program Administrator" is a contracted position overseen by the Board to perform certification activities.

"Assistant Supervisor" means a person in direct responsible charge of operations in the absence of the supervisor.

"Board" means the Nevada Water Environment Association Certification Board.

"Certificate" means a certificate of competency issued by the State of Nevada stating that the Wastewater Treatment Operator has met the requirements of a specific operator classification. It specifies the name and grade of the person certified, as well as the date the certificate was issued.

"Certification Administrator" means the person appointed by the Board to administer the Wastewater Treatment Operators Certification Program for the State of Nevada.

"Continuing Education Unit (CEU)" = 10 contact hours.

"Full Time or Equivalent (FTE)" = qualifying experience.

"NAC" means the Nevada Administrative Code.

"NRS" means the Nevada Revised Statutes.

"Operator" means any person, other than a supervisor or assistant supervisor, who is working as an operator of a plant for sewage treatment.

"Operator in Training (OIT)" means a person who has passed the Grade I exam but has not yet met the education and/or experience requirements to be certified as a Grade I Operator.

"Responsible Charge" means a person responsible for all activities associated with treatment plant operations and compliance with all applicable provisions of NRS and NAC relating to operations of such plant.

"Rules and Regulations" means rules, regulations, and policy for certification of the treatment plant operators.

"Supervisor" means a person in direct responsible charge of the plant's treatment operation.

"Wastewater Treatment Plant" (Water Pollution Control Plant) means a group or assemblage of structures, equipment and processes which treat or condition wastewater, affecting its physical, chemical, or bacteriological quality.

II. Treatment Plant Classifications

Treatment Process	Plant Capacity (MGD)					
	0-0.1	0.11-1.0	1.1-5.0	5.1-10.0	10.1-20.0	>20.0
Stabilization Pond	I	I	I	I	II	III
Primary	I	I	II	III	III	IV
Biofiltration	II	II	III	III	IV	IV
Activated Sludge	III	III	III	IV	IV	IV
Tertiary and Reuse	III	III	IV	IV	IV	IV

III. Minimum Grades of Operator Certification

Operator Duties	Plant Classification			
	I	II	III	IV
Supervisor	Grade I	Grade II	Grade III	Grade IV
Assistant Supervisor	Grade I	Grade I	Grade II	Grade III
Operator	Grade I	Grade I	Grade I	Grade I

Any person, other than a supervisor or assistant supervisor, who is working as an operator of a plant for sewage treatment must be certified as at least a Grade I operator of a plant for sewage treatment, or obtain such certification within one (1) year after the date on which he begins his employment at the plant for sewage treatment as such an operator.

IV. Experience and Education Requirements

Grade	Education & Certification	Experience*
1	High School or equivalent & 6 CEUs (see Section XIV)	1 year full-time or equivalent (FTE)
2	Grade I Certification	2 years FTE
3	Grade II Certification	3 years FTE
4	Grade III Certification	4 years FTE

*Wastewater Treatment Plant Operator experience includes time spent performing wastewater treatment plant operational duties.

In addition to the above requirements, the applicant must pass a written examination at each grade level.

V. Operator in Training

An individual may take the Grade I exam without first meeting the required education and/or experience requirements. Upon passing the exam, the individual will be issued an Operator in Training (OIT) certificate. The OIT certificate may be renewed every two (2) years. When the OIT has met all of the requirements for the Grade I, the individual may submit

documentation of having met said requirements to the Board. Upon approval of the documentation, the OIT certificate will be converted to a Grade I certificate that expires on the date the OIT certificate previously died.

VI. How to Apply for Certification

To apply for certification, an applicant needs to submit a completed application form and a \$60 nonrefundable fee to the Nevada Division of Environmental Protection. Applications must be postmarked no later than 30 days prior to the posted examination date. Upon approval of the application, the applicant will be notified of the approval and the available examination dates and locations. The Board reserves the right to deny an application for certification if the Board determines that any requirement for such certification is not met. A fee of \$25 may be charged to any person whose check is returned because of a lack of funds.

VII. Certification Exam

The Board will hold examinations at times and places throughout the year as may be required and convenient to the applicants. Computerized exams are available anytime at locations in Nevada and nationwide for an additional fee of \$68. In the event an applicant fails to pass an examination, the applicant may apply for re-examination upon submission of a new application and filing fee. Applicants for certification will be required to pass a written examination to demonstrate their knowledge in the following areas:

GRADE I

Basic principles and methods of wastewater treatment and specific knowledge of the procedures involved in operating and maintaining stabilization ponds and primary treatment plants.

GRADE II

Record-keeping and interpretation; reporting and specific knowledge about functions of plant components; normal performance characteristics for commonly used primary and secondary treatment processes; chlorination; routine service and care of equipment; routine tests for evaluation of plant performance; and plant and personnel safety procedures.

GRADE III

Specific knowledge relating to design applications, operations, control, and calculations involved in treating waste by the primary treatment and biofiltration methods; various modifications of the activated sludge process; basic knowledge of the principles of tertiary treatment; and basic knowledge of solids handling, conditioning and disposal.

GRADE IV

Specific knowledge relating to design applications, operations, control, and calculations involved in treating wastes by the primary treatment and biofiltration methods; various modifications of the activated sludge process; a working knowledge of tertiary treatment and the various types utilized; solids handling, conditioning and disposal; and a working knowledge of the principles of industrial waste and pretreatment programs.

VIII. Reciprocity with Other States

Reciprocity will only be considered from applicants holding active certificates that were not obtained through reciprocity from certification programs listed on the Association of Boards of Certification (ABC) "ABC Certification Exam Equivalency Chart" and persons holding ABC certificates. Persons applying for reciprocity must also meet current education and experience requirements, and must have passed written exam(s) at each grade level up to and including the level for which they are applying. Certificates issued by reciprocity will be designated as such. The fee for reciprocity is \$75.

Applicants holding active certificates that were not obtained through reciprocity from certification programs not listed on the Association of Boards of Certification (ABC) "ABC Certification Exam Equivalency Chart" may be allowed to test at the same equivalent grade level they currently hold without having to take the exam(s) below that grade level, but not before meeting the education, experience and sequential examination requirements. Upon passing that exam, the individual will be issued a certificate at the Grade level for which he/she was approved to test.

IX. Certificate Renewals

Any certificate issued under the present rules and regulations shall be valid for a period of two (2) years from the date of issuance. Any certificate not renewed after two (2) years becomes automatically suspended. No examination shall be required for renewal, provided that the previous certificate shall not have been invalid for a period of more than one (1) year. The renewal application and renewal fee of \$30 should be sent to the Assistant Program Administrator for renewal of any Nevada certificate. Any renewal received after the expiration date will be charged a \$20 late fee.

X. Replacement / Duplicate Certificate

Certified operators desiring a replacement or duplicate certificate may obtain such certificate upon payment of a \$20 fee.

XI. Decertification

The State may revoke or refuse to renew the certificate of any operator. All revocation cases will be reviewed by a hearing before the Board of Certification, and a decision will be made by a unanimous vote of the quorum; quorum being five (5) out of seven (7).

A case for decertification may be considered by the Board for, but not limited to, the following:

- 1) The Operator is incompetent or unable to perform his/her duties properly; or
- 2) The Operator has willfully or negligently caused or allowed the technical provisions of the appropriate wastewater discharge requirement to be violated; or
- 3) The Nevada experience and education requirements for wastewater operator certification have not been satisfied; or
- 4) The Operator has practiced fraud or deception; or
- 5) The Operator has failed to renew his/her certificate in accordance with these provisions.

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XII. Appeals and Protests

Any appeal or protest made because of the determination of the Assistant Program Administrator shall be in writing to the Board Chair. This notification shall be sent within twenty (20) days of receipt of the Administrator's written determination. The Chair shall, within sixty (60) days, make an inquiry of the protest and give an answer in writing. Any appeal of the Board Chair's determination shall be to the Certification Board. Further appeal may be made to the Division of Environmental Protection, whose decision shall be final. Appellant must send the original facts again, and state in writing which part of the Committee's decision he/she deems improper, and why.

XIII. Suggested Study Materials

Suggested ABC Wastewater Treatment Exam References

The following are approved as reference sources for the ABC wastewater treatment examinations. Operators should use the latest edition of these reference sources to prepare for the exam.

California State University, Sacramento (CSUS) Foundation, Office of Water Programs

- Operation of Wastewater Treatment Plants, Volume I and II
- Advanced Waste Treatment
- Manage for Success

To order, contact: Office of Water Programs
California State University, Sacramento
6000 J Street
Sacramento, CA 95819-6025
Web site: www.owp.csus.edu
Phone: (916) 278-6142
Fax: (916) 278-5959
E-mail: wateroffice@owp.csus.edu

National Environmental Training Center for Small Communities (NETCSC)

- Protecting Your Community's Assets: A Guide for Small Wastewater Systems

A PDF version of this guide is available from: www.nesc.wvu.edu/training.cfm

You may also request a printed and bound hard copy of the guide by calling NETCSC at (800) 624 8301, and asking for product TRBKM03 (shipping and handling charges may apply).

Water Environment Federation

- Operation of Municipal Wastewater Treatment Plants - Manual of Practice No. 11
- Activated Sludge - Manual of Practice OM-9

To order, contact: Water Environment Federation
601 Wythe Street
Alexandria, VA 22314-1994
Web site: www.wef.org
Phone: (800) 666-0206
Fax: (703) 684-2492
E-mail: pubs@wef.org

XIV. Certification Training

Courses directly related to wastewater treatment will receive full value. Courses indirectly related to wastewater treatment will receive one-half value. Directly related short courses, including those given at the Water Quality Control Institute, are equivalent to one CEU per 8-hour day, with a maximum of three CEUs per week. If the course is considered to be indirectly related, one CEU will be given for each two days, with a maximum of two CEUs per week. College courses (including extension and correspondence courses taken for credit) earn 1.5 CEUs per semester credit. Indirectly related courses earn a half-credit. (Half-credit = 0.7 CEU per semester credit)

Directly Related Correspondence Courses

California State University, Sacramento

1. Operation of Wastewater Treatment Plants, Vol. I & II (9 CEUs each)
2. Advanced Waste Treatment (9 CEUs)
3. Small Wastewater System Operation and Maintenance, Vol. I & II (9 CEUs each)

Certification Training (continued)

4. Industrial Waste Treatment, Vol. I & II (9 CEUs each)
5. Treatment of Metal Wastestreams (4.5 CEUs)
6. Pretreatment Facility Inspection (9 CEUs)
7. Operation and Maintenance of Wastewater Collection Systems, Vol. I & II (9 CEUs each)

College Courses Earning Full Credit

(1.5 CEUs per semester credit):

1. College Chemistry - up to 12 CEUs.
2. Mathematics area: Algebra, Geometry, Trigonometry, Statistics - up to 12 CEUs. Does not include basic, introductory, or business math courses.
3. Biological Science area: Microbiology, Pathogenic Bacteriology, etc. - up to 9 CEUs.
4. General Physics - up to 9 CEUs.
5. Engineering courses: Fluid Mechanics, Hydraulics, and Engineering courses not directly related.

College Courses Earning Half Credit

(0.7 CEU per semester credit):

1. Technical Writing - up to 3 CEUs.
2. Public or Business Administration - up to 9 CEUs in the areas of Organization, Management, Finance, Supervision, Budgeting, etc.
3. Public Speaking - up to 3 CEUs.

Courses Accepted by WWET for CEUs

1. One-day training seminars, safety conferences, or NWEA, CWEA, or WEF-sponsored conventions will receive one CEU per day attended, up to 3 CEUs, provided that an education program is offered.
2. Other extension courses or training of any type which might relate to the operator's duties will be evaluated on a case-by-case basis. CEUs will be allowed based on the material covered, the depth of the coverage, and the time required to complete the course.

Other Wastewater Certification Programs available through NWEA:

- Wastewater Quality Analyst
- Industrial Waste Inspector
- Industrial Waste Operator
- Collection System Operator
- Plant Maintenance Technologist

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**Nevada
Wastewater
Certification
Programs**



**Wastewater
Treatment
Plant
Operator**



State of Nevada
Division of Environmental Protection
NAC 445A.287-292

Wastewater Operator Certification Program
Bureau of Water Pollution Control
Nevada Division of Environmental Protection
901 S. Stewart St., Suite 4001
Carson City, Nevada 89701

CERTIFICATION PROGRAM ADMINISTRATOR
Nevada Water Environment Association
775-465-2045
www.nvwea.org

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WASTEWATER TREATMENT PLANT OPERATOR CERTIFICATION

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IV. Experience and Education Requirements

Grade	Education & Certification	Experience*
1	High School or equivalent & 6 CEUs (see Section XIV)	1 year full-time or equivalent (FTE)
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VI. How to Apply for Certification

To apply for certification, an applicant needs to submit a completed application form and a \$60 nonrefundable fee to the Nevada Division of Environmental Protection. Applications must be postmarked no later than 30 days prior to the posted examination date. Upon approval of the application, the applicant will be notified of the approval and the available examination dates and locations. The Board reserves the right to deny an application for certification if the Board determines that any requirement for such certification is not met. A fee of \$25 may be charged to any person whose check is returned because of a lack of funds.

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GRADE III

Specific knowledge relating to design applications, operations, control, and calculations involved in treating waste by the primary treatment and biofiltration methods; various modifications of the activated sludge process; basic knowledge of the principles of tertiary treatment; and basic knowledge of solids handling, conditioning and disposal.

GRADE IV

Specific knowledge relating to design applications, operations, control, and calculations involved in treating wastes by the primary treatment and biofiltration methods; various modifications of the activated sludge process; a working knowledge of tertiary treatment and the various types utilized; solids handling, conditioning and disposal; and a working knowledge of the principles of industrial waste and pretreatment programs.

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Applicants holding active certificates that were not obtained through reciprocity from certification programs not listed on the Association of Boards of Certification (ABC) "ABC Certification Exam Equivalency Chart" may be allowed to test at the same equivalent grade level they currently hold without having to take the exam(s) below that grade level, but not before meeting the education, experience and sequential examination requirements. Upon passing that exam, the individual will be issued a certificate at the Grade level for which he/she was approved to test.

IX. Certificate Renewals

Any certificate issued under the present rules and regulations shall be valid for a period of two (2) years from the date of issuance. Any certificate not renewed after two (2) years becomes automatically suspended. No examination shall be required for renewal, provided that the previous certificate shall not have been invalid for a period of more than one (1) year. The renewal application and renewal fee of \$30 should be sent to the Assistant Program Administrator for renewal of any Nevada certificate. Any renewal received after the expiration date will be charged a \$20 late fee.

X. Replacement / Duplicate Certificate

Certified operators desiring a replacement or duplicate certificate may obtain such certificate upon payment of a \$20 fee.

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The State may revoke or refuse to renew the certificate of any operator. All revocation cases will be reviewed by a hearing before the Board of Certification, and a decision will be made by a unanimous vote of the quorum; quorum being five (5) out of seven (7).

A case for decertification may be considered by the Board for, but not limited to, the following:

- 1) The Operator is incompetent or unable to perform his/her duties properly; or
- 2) The Operator has willfully or negligently caused or allowed the technical provisions of the appropriate wastewater discharge requirement to be violated; or
- 3) The Nevada experience and education requirements for wastewater operator certification have not been satisfied; or
- 4) The Operator has practiced fraud or deception; or
- 5) The Operator has failed to renew his/her certificate in accordance with these provisions

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XII. Appeals and Protests

Any appeal or protest made because of the determination of the Assistant Program Administrator shall be in writing to the Board Chair. This notification shall be sent within twenty (20) days of receipt of the Administrator's written determination. The Chair shall, within sixty (60) days, make an inquiry of the protest and give an answer in writing. Any appeal of the Board Chair's determination shall be to the Certification Board. Further appeal may be made to the Division of Environmental Protection, whose decision shall be final. Appellant must send the original facts again, and state in writing which part of the Committee's decision he/she deems improper, and why.

XIII. Suggested Study Materials

Suggested ABC Wastewater Treatment Exam References

The following are approved as reference sources for the ABC wastewater treatment examinations. Operators should use the latest edition of these reference sources to prepare for the exam.

California State University, Sacramento (CSUS) Foundation, Office of Water Programs

- Operation of Wastewater Treatment Plants, Volume I and II
- Advanced Waste Treatment
- Manage for Success

To order, contact: Office of Water Programs
California State University, Sacramento
6000 J Street
Sacramento, CA 95819-6025
Web site: www.owp.csus.edu
Phone: (916) 278-6142
Fax: (916) 278-5959
E-mail: wateroffice@owp.csus.edu

National Environmental Training Center for Small Communities (NETCSC)

- Protecting Your Community's Assets: A Guide for Small Wastewater Systems

A PDF version of this guide is available from: www.nesc.wvu.edu/training.cfm

You may also request a printed and bound hard copy of the guide by calling NETCSC at (800) 624 8301, and asking for product TRBKMG03 (shipping and handling charges may apply).

Water Environment Federation

- Operation of Municipal Wastewater Treatment Plants - Manual of Practice No. 11
- Activated Sludge - Manual of Practice OM-9

To order, contact: Water Environment Federation
801 Wythe Street
Alexandria, VA 22314-1994
Web site: www.wef.org
Phone: (800) 666-0206
Fax: (703) 684-2492
E-mail: pubs@wef.org

Regulations

- Code of Federal Regulations, Title 40 (www.gpo.gov)
- State regulations (contact information for state certification programs is available on the Certification Contacts page of ABC's web site, www.abccert.org)
- American Public Health Association (APHA), American Water Works Association, and Water Environment Federation. Standard Methods for the Examination of Water and Wastewater (latest EPA-approved edition), Washington, DC: APHA. (www.apha.org)

XIV. Certification Training

Courses directly related to wastewater treatment will receive full value. Courses indirectly related to wastewater treatment will receive one-half value. Directly related short courses, including those given at the Water Quality Control Institute, are equivalent to one CEU per 8-hour day, with a maximum of three CEUs per week. If the course is considered to be indirectly related, one CEU will be given for each two days, with a maximum of two CEUs per week. College courses (including extension and correspondence courses taken for credit) earn 1.5 CEUs per semester credit. Indirectly related courses earn a half-credit, (Half-credit = 0.7 CEU per semester credit)

Directly Related Correspondence Courses

California State University, Sacramento

Certification Training (continued)

1. Operation of Wastewater Treatment Plants, Vol. I & II (9 CEUs each)
2. Advanced Waste Treatment (9 CEUs)
3. Small Wastewater System Operation and Maintenance, Vol. I & II (9 CEUs each)
4. Industrial Waste Treatment, Vol. I & II (9 CEUs each)
5. Treatment of Metal Wastestreams (4.5 CEUs)
6. Pretreatment Facility Inspection (9 CEUs)
7. Operation and Maintenance of Wastewater Collection Systems, Vol. I & II (9 CEUs each)

College Courses Earning Full Credit

(1.5 CEUs per semester credit):

1. College Chemistry - up to 12 CEUs.
2. Mathematics area: Algebra, Geometry, Trigonometry, Statistics - up to 12 CEUs. Does not include basic, introductory, or business math courses.
3. Biological Science area: Microbiology, Pathogenic Bacteriology, etc. - up to 9 CEUs.
4. General Physics - up to 9 CEUs.
5. Engineering courses: Fluid Mechanics, Hydraulics, and Engineering courses not directly related.

College Courses Earning Half Credit

(0.7 CEU per semester credit):

1. Technical Writing - up to 3 CEUs.
2. Public or Business Administration - up to 9 CEUs in the areas of Organization, Management, Finance, Supervision, Budgeting, etc.
3. Public Speaking - up to 3 CEUs.

Courses Accepted by WWET for CEUs

1. One-day training seminars, safety conferences, or NWEA, CWEA, or WEF-sponsored conventions will receive one CEU per day attended, up to 3 CEUs, provided that an education program is offered.
2. Other extension courses or training of any type which might relate to the operator's duties will be evaluated on a case-by-case basis. CEUs will be allowed based on the material covered, the depth of the coverage, and the time required to complete the course.

Other Wastewater Certification Programs available through NWEA:

- Wastewater Quality Analyst
- Industrial Waste Inspector
- Industrial Waste Operator
- Collection System Operator
- Plant Maintenance Technologist

Nevada Wastewater Certification Programs



Wastewater Treatment Plant Operator



State of Nevada
Division of Environmental Protection
NAC 445A.287-292

Wastewater Operator Certification Program
Bureau of Water Pollution Control
Nevada Division of Environmental Protection
901 S. Stewart St., Suite 4001
Carson City, Nevada 89701

CERTIFICATION PROGRAM ADMINISTRATOR
Nevada Water Environment Association
775-465-2045
www.nvwea.org

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NEVADA BOARD OF CERTIFICATION FOR WASTEWATER TREATMENT PLANT OPERATORS

William Shepherd, Chairman • Harvey Johnson, Program Administrator
• Dave Commons • Joe Crim, Jr. • Adrian J. Edwards • Kelvin Ikehara • John Solvie



April 27, 2011

Nathaniel S. Seltenreich
646 Emerald City Ave.
Las Vegas, NV 89183

SUBJECT: Certification Examination Approval

Dear Mr. Seltenreich:

You have been approved to take a Grade III Wastewater Treatment Plant Operator certification examination. Your certification will not be effective until 5/17/11, the date that you have 3 years of full time experience. Your exam application and \$60.00 exam fee have been processed.

You may schedule your exam after 04/29/11 by going online to www.goamp.com. Your identification number is: NV0000136. The instructions for scheduling an exam are enclosed.

Please bring this letter and two forms of identification, one with a current photograph (ex: driver's license). Both forms of identification must be current and include the candidate's current name and signature. The only additional item allowed into the exam is a non-programmable calculator. No cell phones or palm pilots will be allowed into the exam.

The Formula/Conversion Table that will be included in the exam can be studied beforehand. You can access the Table online at the following link: http://www.abccert.org/testing_services/formulas_conversion_tables.asp.

You will be eligible to take the exam until 07/29/11. If you do not take the examination by this date, you will forfeit your application fee. To be considered for subsequent examination dates, you will need to reapply and pay an additional application fee.

Good Luck!

Sincerely,

Jennifer McMartin
Vice Program Administrator

NWEA Certification Board
Computerized Certification Examination Information

The NWEA Certification Board offers computerized certification exams in addition to pencil and paper exams for all of its certifications with the exception of Industrial Waste Inspector. The computerized examinations are administered at 2 locations in Nevada (Las Vegas and Reno) and over 170 AMP Assessment Centers geographically located throughout the United States. The examinations are administered by appointment only, Monday through Saturday at 9:00 a.m. and 1:30 p.m. A current listing of AMP Assessment Centers, including addresses and driving directions, may be viewed at www.goAMP.com by selecting "Candidates."

Standard testing fees are required to be submitted with your exam application. Upon receiving approval of the application by the Certification Board, an additional fee of \$68 is assessed by AMP when you register to take the computerized exam.

After receiving approval from the Certification Board:

Scheduling Online: – go to www.goamp.com and select "Candidates" from AMP's home page.

1. Choose a category – select "Water/Wastewater" from the pull down menu.
2. Choose a program – select "NWEA Certification Board" from the pull down menu.
3. Choose an exam – select the exam listed on your approval letter from the twenty (5 exam types and 4 exam levels) "NWEA Certification exams/grades" listed on the pull down menu. This is the only exam you are approved to take and can register for.
4. Select the "Register for Exam" option. Read the statements concerning identification requirements, security of the examination and candidate handbook. If you agree, click on "Yes" and select the "Continue" button to continue the registration process.
5. First time users of AMP's online scheduling must select "I am a New User."
6. Enter the information requested to create an account. Your nine-character identification number can be found in your approval letter. It starts with NV, followed by seven digits (for example, NV0000001) – include all nine characters. When finished, select the "Continue" button to proceed.
7. A screen appears confirming the account has been successfully established. Select the "Continue" button to proceed. The personal information provided to AMP is displayed for the candidate to verify. Make any necessary changes and select the "Continue" button to proceed and schedule your appointment.
8. Select a location from the list displayed. The closest test center may be in a neighboring state. Select the date and time you want (all available dates are shown in green). Submit your request by clicking on the "Schedule" button.
9. An on-screen confirmation appears showing that the appointment has been scheduled. An email confirmation is also sent with directions to the Assessment Center.
10. The candidate can always go to "My Home Page" which provides information about scheduled examinations and allows candidates to reschedule an appointment (requires two business days notice).

Scheduling by phone:

You may call AMP at 800-345-6559. This toll-free number is answered from 5:00 a.m. to 7:00 p.m. Monday through Thursday, 5:00 a.m. to 3:00 p.m. on Friday and 6:30 a.m. to 3:00 p.m. on Saturday (all times listed are Pacific). You will need your identification number and type and grade exam from your approval letter. Please have your credit card available for payment of examination fees. If special accommodations are being requested please use the telephone option.

Paying by Money Order or Company Check:

To pay for your exam by money order or company check (no personal checks, vouchers or purchase orders are accepted), you need to complete a one-page application and include your \$68 payment to AMP. The application is available from NWEA at (775) 465-2045. Payment must be made payable to AMP. Mail to; AMP, 18000 West 105th Street, Olathe, KS 66061-7543.

If you call AMP by 1:00 p.m. Pacific Time on...	Depending on availability, your examination may be scheduled beginning...
Monday	Wednesday
Tuesday	Thursday
Wednesday	Friday/Saturday
Thursday	Monday
Friday	Tuesday

Exam Rescheduling:

A candidate may reschedule the examination once at no charge by calling AMP at 800-345-6559 at least two business days prior to a scheduled computer administration.

Missed Appointments/Cancellations:

A candidate will forfeit the examination registration and all fees paid under the following circumstances.

- The candidate wishes to reschedule an examination but fails to contact AMP at least two business days prior to the scheduled testing session.
- The candidate wishes to reschedule a second time.
- The candidate appears more than 15 minutes late for an examination, or
- The candidate fails to report for an examination appointment.
- The candidate does not register to take the exam during the approved 90-day window.

Inclement Weather/Power Failure/Other Emergency:

In the event of inclement weather or unforeseen emergencies on the day of an examination, AMP will determine whether circumstances warrant the cancellation, and subsequent rescheduling, of an examination. Candidates may contact AMP's Weather Hotline at 800-380-5416 (24 hours/day) prior to the examination to determine if AMP has been advised that any Assessment Centers are closed. Every attempt is made to administer the examination as scheduled; however, should an examination be canceled at an Assessment Center, all scheduled candidates will receive notification following the examination regarding rescheduling or reapplication procedures.

Taking the Examination:

Report to the Assessment Center no later than your scheduled appointment time. Look for the signs indicating AMP Assessment Center Check-in. A candidate who arrives more than 15 minutes after the scheduled testing time will not be admitted. Please bring a non-programmable calculator to the examination. Calculators built into cell phones or hand-held computers (PDAs) are not permitted in the Assessment Center.

Identification:

You must have proper identification to gain admission to the Assessment Center. Failure to provide appropriate identification at the time of the examination is considered a missed appointment. There will be no refund of your examination fee. You must have two forms of identification, one with a current photograph. Both forms of identification must be current and include the candidate's current name and signature. The candidate will be required to sign a roster for verification of identity.

Acceptable forms of photo identification include a current driver's license with photograph, a current state identification card with photograph, a current passport, or a current military identification card with photograph. Employment identification cards, student ID card and any type of temporary identification are NOT acceptable as the primary form of identification. The second form of identification must include your name and signature. Some examples of this identification are social security cards, credit cards and library cards.

Security:

- Examinations are proprietary.
- No guests, visitors or family members are allowed in the testing room or reception areas.
- No personal items, valuables, or weapons should be brought to the Assessment Center. Only keys and wallets may be taken into the testing room and AMP is not responsible for items left in the reception area.

Restrictions:

- No personal belongings will be allowed in the Assessment Center. Pencils will be provided during check-in.
- No cameras, notes, tape recorders, Personal Digital Assistants (PDAs), pagers or cellular phones are allowed in the testing room.
- You will be provided with a formula sheet and scratch paper to use during the examination. You must return both items to the supervisor at the completion of testing, or you will not receive a score report. No documents or notes of any kind may be removed from the examination room.
- No questions concerning the content of the examination may be asked during the examination.
- Eating, drinking or smoking will not be permitted in the Assessment Center.
- You may take a break whenever you wish, but you will not be allowed additional time to make up for time lost during breaks.

Misconduct:

Individuals who engage in any of the following conduct may be dismissed from the examination, their scores will not be reported and examination fees will not be refunded. Examples of misconduct are when a candidate:

- Creates a disturbance, is abusive, or otherwise uncooperative
- Displays and/or uses electronic communications equipment such as pagers, cellular phones, PDAs
- Gives or receives help or is suspected of doing so
- Attempts to record examination questions or make notes
- Attempts to take the examination for someone else
- Is observed with notes, books or other aids

Fees and Exam Frequency:

The candidate may take the examination as many times as they wish, but must wait 30 days between examination dates. An application and computerized testing application must be submitted for each exam. A fee of \$60 for the wastewater treatment plant operator and \$150 for the voluntary programs must be submitted with the application. Once you receive an exam approval letter you will register with AMP.

Adrian Edwards: Did you have a way of making a copy?

Ashley J. PA: Mm-hmm (affirmative). Yeah.

Adrian Edwards: Okay. We start?

Ashley J. PA: Yep. It's on.

Adrian Edwards: Okay. All right. I just have a brief introductory statement to read and we'll get started here. Today is December 12th, 2017. The time is 1:32 PM. We're here at the NDEP offices in Las Vegas on East Flamingo, and we have a video conference with the NDEP office in Carson City. I'll let everybody introduce themselves here in a second.

Adrian Edwards: I just want to thank everyone for coming. Before we start, I wanted to let everybody know that we're gonna be audio recording this meeting, if you can make sure you don't just nod or shake your head or make gestures. We can't get that down. Also, if we can not talk over each other, I'll try to moderate that to make sure that we don't do that. It'll make the transcription a lot easier to go down. Okay?

Adrian Edwards: We'll start off by introducing everyone who's here, and maybe their roles as we go around. I'm Adrian Edwards. I'm the certification board chairman for NWEA.

John Solvie: John Solvie, certification board member.

Joe Crimm: I'm Joe [Kram 00:01:29]. I'm on the certification board also.

Nikita L.: [inaudible 00:01:31].

Terri Svetich: I'm Terri Svetich. I'm the past president for NWEA. I'm representing NWEA here today.

Rick Warner: Likewise. Agent Rick Warner, past president of NWEA. Past president of [inaudible 00:01:50] today.

Joe Carter: Joe Carter. I'm the certification board.

Katrina Pasqual: I'm Katrina Pasqual from NDEP. I'm an observer.

Adrian Edwards: Okay. Nate?

Nate Seltenreich: Nate Seltenreich. Operator with Clark County.

Dan Grillett: Dan Grillett, representing Nate with Local 1107.

Adrian Edwards: Okay. We should probably address that right away. You're here, Dan, as a representation from the union?

Dan Grillett: Yes.

Adrian Edwards: Okay. You understand that this isn't really a union issue?

Dan Grillett: I totally understand, but Hawaiian Garden rights are clear. If the individual feels that any discipline could ensue from any meeting, they're entitled to needing representation.

Adrian Edwards: Okay. This doesn't ... We're not here ... Obviously, nobody here is from Clark County Water Reclamation District, and we don't have the authority to do anything with his employment. But yeah, you're welcome to have him sit in if you'd like.

Dan Grillett: Thank you.

Adrian Edwards: Okay. Okay. Any other questions before we get started? Okay. I'm going to lead the meeting. All right, so I'm glad you said your last name. Seltenreich?

Nate Seltenreich: Seltenreich, yes.

Adrian Edwards: Seltenreich. Okay. "Mr. Seltenreich"? Or can I call you "Nate"?

Nate Seltenreich: What you prefer. It doesn't matter to me.

Adrian Edwards: It's a little easier to say "Nate". I'm Adrian. You can call me on a first name basis. I think you've got an idea of why we're here today. We're here today to talk about some documents that were found in your work area at the Clark County Water Reclamation District. We wanted to talk about that, and just your certification experience and history in general. Tell us about how you started with your grade one and grade two certifications. Did you take those on a computer, in writing? How did those go?

Nate Seltenreich: To be honest, it was a long time ago. I believe I took most of them by computer. I don't recall if my one or two ... I believe my two was on the computer. The one, I don't remember. I don't remember if it was computer or written.

Adrian Edwards: Then, those were all here in Nevada?

Nate Seltenreich: That's correct. First-time pass.

Adrian Edwards: Then the grade three, you did a little bit different?

Nate Seltenreich: Correct.

Adrian Edwards: How was that? Tell us about that.

Nate Seltenreich: I took my test in Utah initially. I didn't pass in Utah. I didn't too bad, but not enough to pass. Came back to Nevada, took my test, and passed.

Adrian Edwards: What made you go to Utah?

Nate Seltenreich: I can test earlier than I could in Nevada.

Adrian Edwards: Okay. Do you remember how much experience you had when you tested for the three?

Nate Seltenreich: Well, the problem with Nevada, they don't count my military time. I only get a maximum of six months, so I don't remember what the total time was that I had to [inaudible 00:05:15]. I'm sure it exceeded the amount required, I know that. I signed off on that certified [inaudible 00:05:21].

Adrian Edwards: Okay, so they were gonna let you take certification for the full grade three?

Nate Seltenreich: Correct.

Adrian Edwards: Okay. But you weren't planning on working up in Utah?

Nate Seltenreich: No, because at the time, they had reciprocity. I was hoping to pass this the first time like I did with my one and two, but I was trying to get ahead of the game so that I wouldn't have to worry about it once it came time. I was just trying to get ahead.

Adrian Edwards: Utah offers the chance to review the test as well, after you take it?

Nate Seltenreich: That's correct.

Adrian Edwards: Did that have anything to do with you going up there, or was it just completely [crosstalk 00:06:13]?

Nate Seltenreich: I didn't even know about that prior to signing up for it.

Adrian Edwards: Okay. It was only after?

Nate Seltenreich: It was only after.

Adrian Edwards: Okay. Did you take advantage of that and review your test?

Nate Seltenreich: I did in Utah, yes.

Adrian Edwards: Okay. You said, I'm sorry, the grade three you took in Utah the first time, you didn't pass.

Nate Seltenreich: I didn't pass. I came down to pass it here.

Adrian Edwards: As far as the review, you did a review-

Nate Seltenreich: I did do a review. Yes.

Adrian Edwards: Tell us about that. Did you have to go up there? What was-

Nate Seltenreich: I had to drive up there. I don't remember the location of where it was. It was in a little room. You fit everybody that took the test that didn't pass, that wanted to take advantage of the review session, and all of us were crammed into that one little room. I don't recall how many people were there, but it was a significant amount.

Adrian Edwards: Like 10, 15?

Nate Seltenreich: To be honest, I could have been anywhere between 10 to 30. I don't remember.

Adrian Edwards: Okay. A bunch of people in the room. How did that work, because I've never done that before, that review, taken that test. Walk in, "Hey, I'm here to review my test." "Okay, go into that room there."

Nate Seltenreich: It's a long time ago. I don't remember the process of getting in there and doing anything. You're talking, what, eight years ago?

Adrian Edwards: Yeah.

Nate Seltenreich: Yeah, I don't remember how it all worked out. I just remember that I did go up there to review.

Adrian Edwards: Okay. They have somebody helping you? I talked to somebody from Utah, and they said, "Oh, the idea is, if you get a math question wrong, you can come down and see what the question was and see what you answered, and get a scratch paper and write down and do the math over again."

Nate Seltenreich: That wasn't the way it was explained, and that's not the way that went down. Individuals asked if they could take notes. Everybody there was taking notes. I took notes as well. That's it.

Adrian Edwards: Okay. Nobody there helping you?

Nate Seltenreich: We had Paul Krauth there, but he wasn't answering any questions. He was just sitting there, pass them out. I guess watching people. That's it.

Adrian Edwards: Okay. How long did they give you to do that?

Nate Seltenreich: I don't recall. I have no idea.

- John Solvie: Could you take your notes with you, or ... ?
- Nate Seltenreich: He didn't express one way or another, so I don't know.
- Adrian Edwards: Didn't know if you were allowed to, or ... ?
- Nate Seltenreich: Well, no, because I showed him my notes on the essay and said, "Thank you for the day," when it was time, we completed. Because I had a pad of paper. I said, "Thank you very much for letting me have the opportunity, and I left."
- Adrian Edwards: Showed him the notes, and then you left?
- Nate Seltenreich: Absolutely.
- Adrian Edwards: With the notes?
- Nate Seltenreich: I did.
- Adrian Edwards: Okay. Was Paul the only one there for Utah?
- Nate Seltenreich: As a representative, yes. One of the reviews, his mom was actually there as well. I don't recall which one.
- Dan Grillett: His mom?
- Nate Seltenreich: His mom. She's an elderly lady. She happened to be there as well. That's all I could remember. That's why I remember her so vividly. She liked to ramble.
- Adrian Edwards: That would be unusual for sure to have somebody's mom. She must have just been in town or something.
- Nate Seltenreich: Very easily [inaudible 00:10:19].
- Adrian Edwards: What did they give you when you go in? You mentioned you had a booklet to write down some notes.
- Nate Seltenreich: I had a notepad, and the only thing they gave me was, I believe, my test book and answer sheet. That was it.
- Adrian Edwards: Okay. Then at the end of that, you mentioned that you showed him the notes, and you left those but you gave him back the-
- Nate Seltenreich: Initially, I left the book, the test book itself, on the table. Didn't know what to do with it, and to leave, you had to turn in the test, so I gave it back to the table, which was just walking basically 14 feet, and turning to grab it.

Adrian Edwards: Okay. Paul have like a checklist or anything? He like check you off, or he just kind of ... "Nobody leaves until they give this stuff back?"

Nate Seltenreich: I don't remember. I just know that I was told that I needed to turn in my booklet so I had to go back to the table where I left it, and it directly to him the exact sequence of events [inaudible 00:12:09].

Adrian Edwards: Okay. The booklet and the score sheet?

Nate Seltenreich: Correct.

Adrian Edwards: Okay. You've taken some of the former AMP, now PSI is the computerized testing?

John Solvie: Yeah. It's all the same company. PSI, AMP.

Adrian Edwards: Right. You've taken the computerized test here in Nevada?

Nate Seltenreich: Yes. My three [crosstalk 00:12:41].

Adrian Edwards: [inaudible 00:12:43] officer.

John Solvie: H&R Block.

Nate Seltenreich: H&R Block. Correct.

Adrian Edwards: Okay, and when you go in there, they make you put your phone and everything in a bag.

Nate Seltenreich: They strip you down, basically, and even pat you down to make sure you don't have any material. No watches, no phones, no ... Unless they're reading glasses. Not even sunglasses. [inaudible 00:13:03].

Adrian Edwards: Going back to that grade three review, did Paul have any similar type of thing, or it's just, "Come on in."

Nate Seltenreich: It's just, "Come on in. Everybody's welcome."

Adrian Edwards: All right. Did you have a phone back then that you'd take around with you?

Nate Seltenreich: Probably but-

Nate Seltenreich: Eight years ago, probably had a cell phone.

Nate Seltenreich: Probably a flip-up phone or something. I've upgraded since, but I don't remember which one I had, or what material I even had on me when I went in there.

Adrian Edwards: Okay.

Nate Seltenreich: Other than my book and a pen to take notes.

Adrian Edwards: Okay. Did you go up with other people from the County, or did you guys carpool, or ... ?

Nate Seltenreich: I think I went up by myself for that one. I believe so. I'm not positive, so I don't remember. Again, it's eight years ago.

Adrian Edwards: Sure. Do you remember if you took that test at the same time as other people?

Nate Seltenreich: I did, I believe. I took the test with two others, I believe, from the County.

Adrian Edwards: Okay. Let's move on and talk about the grade four certification test. You did that the same way, right? Went up to Utah to take it the first time?

Nate Seltenreich: Correct.

Adrian Edwards: How was that? Did you go up to St. George?

Nate Seltenreich: I don't remember if it was the same place, but it was in St. George, I believe. Yeah. I took the test up there again. I don't remember if I was with anybody else on that one, either.

Adrian Edwards: Okay.

Nate Seltenreich: But I did go up there.

Adrian Edwards: Same reason? Just because they-

Nate Seltenreich: Early. I could take it almost ... I think it was nine months earlier or six months earlier than I could take it here in Nevada.

Adrian Edwards: Okay. That was the same way? You didn't pass that one, so you ...

Nate Seltenreich: I had a study session with him, and it was the same old scenario.

Adrian Edwards: Okay. I've heard different things about that review session. It might have happened in Vegas, and not up in St. George.

Nate Seltenreich: That, I don't remember. I couldn't even tell you where it was at, but I do remember having a study session.

Adrian Edwards: Okay. What do you remember about that? Like a room full of people?

Nate Seltenreich: I do remember a lot of people being around. I don't remember much about who was around me because I don't think I had a study ... I don't think I went up there to study with anybody as well from Clark County, so ...

Adrian Edwards: I'll just throw it out there. Does TGI Friday's sound familiar? What I've heard was that-

Nate Seltenreich: I don't remember.

Adrian Edwards: ... that Paul happened to be in town and said, "Hey, I'm coming down to Vegas anyway. I'll let you guys review your tests."

Nate Seltenreich: I won't rule it out. But again, I can't give a definitive answer one way or another because I truly do not recall that study session at all.

John Solvie: Do you have no recollection whatsoever of reviewing the grade four?

Nate Seltenreich: Sorry, man. It was, again, like seven years ago?

John Solvie: But you do remember doing the grade three?

Nate Seltenreich: I do. Maybe it's because of the drive. I don't know. I left from there to go on a vacation to my cabin up in Utah. I think that's why I remember it most. It was the first trip there.

Joe Carter: What review did he have his mom at Because you said you've done two reviews, and you review the one with the mother. Which one was that?

Nate Seltenreich: That was the grade three.

Adrian Edwards: Okay, so you don't remember being in that same room for two different reviews?

Nate Seltenreich: No, I know it was a different location. One of them was by.... I don't know which one it was, but one of them was by like a farm or something like that, or a firehouse. I don't remember which one it was.

Adrian Edwards: All right. We'll go back to the grade three here for a second. These are the documents that Clark County Water Rec gave to us. They said they were found in a desk that was your primary work station?

Nate Seltenreich: I work in the area. It's a common area, but yes. That's what they told me as well. I told them I don't know. There was other material with this when they talked to me. I told them that the other material I had accumulated through multiple tests, getting people to explain an answer, to have an answer after the test, and then just compiling everything. It was just to help everybody study, and it was a group. These pictures, I don't know how these came out of that drawer.

Adrian Edwards: Okay. But you use that area as well as other people?

Nate Seltenreich: Yes, it's a common area.

Adrian Edwards: Okay. Not secure or anything like that?

Nate Seltenreich: No. Just an AG key, which pretty much everybody has access to, anybody that works in the plant.

Adrian Edwards: A what? I'm sorry?

Adrian Edwards: An AG key. It's a general key. It's a-

Dan Grillett: It's an all-purpose key that every operator and mechanic has into that space.

Adrian Edwards: Oh for like the building?

Dan Grillett: The building, correct.

Adrian Edwards: Okay. Yeah, there were other documents found with this. I've got some of the other ones, but just to concentrate on these for a second. These, and the other documents, were found in that drawer, from what I understand, face-down with a bunch of other stuff that was ... Some of it was printed out emails. Some of it was like from something like a CSN math quiz. I've got the list of them, but ...

Nate Seltenreich: I don't know if it was face-down or up or ... It was in a drawer.

Adrian Edwards: Okay.

Nate Seltenreich: With the exception of that, I admitted that the questions that I had there, I accumulated through time in my study sessions to compile everything.

Adrian Edwards: That's these guys, probably, I gather.

Nate Seltenreich: [inaudible 00:22:00 Nate reviewing the paperwork form CCWRD]. I didn't memorize them all so I don't know, but it could be, yes.

John Solvie: Just so I understand, what you're saying is, what Utah has identified as your Scantron and your test book, you're saying you don't know how that got into your drawer at work?

Nate Seltenreich: I told my HR as well that I have no idea how that got in there. I have my study sheets, yes. But that, I don't know how that got in there, and I don't know where it was [inaudible 00:22:42] to there. If it was on top or bottom or in the middle somewhere, I have no idea. I have no recollection or idea how that got into my stack that I had in that drawer.

Adrian Edwards: By your study sheets, you're talking about these typed sheets, or other stuff?

Nate Seltenreich: Yeah, sure. I had a lot of questions that were just for studying [inaudible 00:23:07] developed over the years. From others and myself, and just compiled a bunch of data together.

Adrian Edwards: That included, these are a part of their study materials?

Nate Seltenreich: Like I said, I don't remember everything that was in that book. I didn't memorize the whole thing. I didn't memorize anything. It was just like a reference, so I don't know for sure if that was a part of it. It could be, yes, but to recollect everything that was in there this long ago, I have no idea.

Adrian Edwards: Okay. Well, this was just brought to our attention a month and a half ago, or two months ago, something like that. The end of October.

Nate Seltenreich: Okay.

Adrian Edwards: The County's represented. These were two of the things that were found in that drawer.

Nate Seltenreich: Okay.

Adrian Edwards: They talked to you about. What John was talking about was these pictures of a couple of distinguishing marks on them. There's a hand-written "60%", and then obviously there's the markings of the correct ones, and then some slashes where things were wrong.

Nate Seltenreich: Right.

Adrian Edwards: We asked Utah about that and where that could have come from because obviously, they were concerned because it's a Utah Waste Water Treatment class three exam on the top.

Nate Seltenreich: Okay.

Adrian Edwards: They looked at, they pulled their files. They keep these Scantrons for a long time. They pulled their files from all grade threes that had 60%, and they said that the markings, the answers ... Like number 21 was marked "D", 22, "A", et cetera.

Nate Seltenreich: Mm-hmm (affirmative).

Adrian Edwards: That all those marks, lined up with the test that you took, the grade three that you took and didn't pass, and you got a 60% on it.

Nate Seltenreich: Okay.

Adrian Edwards: That obviously is a big question for us because the picture appears to be Scantron sitting on top of a booklet, so that you can see a question and then the answer sheets that would go along with it.

Nate Seltenreich: Okay.

Adrian Edwards: The obvious question is, you don't recognize that as being yours?

Nate Seltenreich: No. I don't believe I even had a phone capable of taking pictures of it. Don't know for sure. I don't know any other resource I would have to be able to take these pictures. We had the proctor in there, watching the whole time. Why would I do that when I'm taking notes?

Adrian Edwards: In that review of the three, did you sit with your people from Clark County Water Rec that were sitting with you?

Nate Seltenreich: I don't remember if I went [inaudible 00:26:34] with anybody from Clark County.

Adrian Edwards: Do you think they-

Nate Seltenreich: I believe I said I didn't go up there. I believe I said I went up by myself.

Adrian Edwards: Oh, sorry. I have two other who took the test, too. I mis-read my notes. You don't think that reasonably there's a way that anybody else from Clark County could have taken a picture of your Scantron and test booklet?

Nate Seltenreich: I have no idea. I'm not gonna try to speculate somebody else's actions. I have no idea. I just know it wasn't my actions.

Adrian Edwards: There were some things in that drawer from a CNS math class, too. Did you take a math class, too?

Nate Seltenreich: I've never taken the CSN math class.

Adrian Edwards: Okay.

Nate Seltenreich: I've never taken any form of class in any atmosphere for [inaudible 00:27:48].

Adrian Edwards: Are you good at math in general?

Nate Seltenreich: Typically.

Terri Svetich: Excuse me, Adrian?

Adrian Edwards: Yes?

Terri Svetich: I think it kind of cut out for a moment. Was the question to Nate whether he had taken a math class, and he had not taken a math class for certification?

Adrian Edwards: Correct. You heard correctly.

Terri Svetich: Okay. Thank you. All right. Thank you.

Adrian Edwards: What about like chlorine and chlorinators? Have you ever worked with those before?

Nate Seltenreich: I've never taken a class. I work with chlorine for my client.

Adrian Edwards: You have?

Nate Seltenreich: Yes, but I think we have [inaudible 00:28:46] water, which is water that we chlorinate.

Adrian Edwards: I'm not talking hypochlorite. I'm talking about the chlorine gas, the chlorinators and evaporators and all that

Nate Seltenreich: Just from whatever [inaudible 00:28:59].

Adrian Edwards: Okay.

Nate Seltenreich: That's the only knowledge I have of this.

Adrian Edwards: Okay.

Adrian Edwards: But talk about your other experience, too.

Nate Seltenreich: Well, my military experience, I didn't work with chlorinators because membranes are hard. One of the drinking waters, I typically ... It would turn non-potable water to potable water, no matter what the standard was prior.

Adrian Edwards: You don't work with digestors there either?

Nate Seltenreich: No. I know the city had digestors, but ...

Adrian Edwards: Okay, so let's talk about the typed questions that Clark County gave to us, and said that they were in that same drawer with all the rest of the stuff. Those, you're saying, were ... Explain that again how you accumulated those?

Nate Seltenreich: Most of those questions that were on there, were stuff that I accumulated from either my study sessions, or from individuals coming back with questions that they remembered on their tests that they took.

Nate Seltenreich: Some questions were written down also from [inaudible 00:30:56] Roy CEU.

John Solvie: From where?

Nate Seltenreich: Roy CEU.

Adrian Edwards: Okay.

Nate Seltenreich: It's not even a course. They just have practice questions that you can take, and the ones that were pertinent.

John Solvie: You're saying some of these questions are from Roy's CEU?

Nate Seltenreich: I don't know if those ones specifically are, but some of the questions that I have in there are from Roy's CEU.

John Solvie: Okay.

Adrian Edwards: There were other people from Clark County who contributed to that?

Nate Seltenreich: I don't know who, but anybody that took a test, I would try to get questions from them that they remembered throughout the time, as other people did prior to me. We just did everything together and put it together.

Adrian Edwards: Strictly Clark County people?

Nate Seltenreich: I don't recall. I know other people from other plants, too, so it's a possibility, but I'm not gonna say, "Yes, [inaudible 00:32:01]."

Adrian Edwards: Okay. Probably mostly Clark County because those are the guys you work with?

Nate Seltenreich: I'd assume.

Adrian Edwards: Over what period of time would you say? How long has it taken you to accumulate this, like give or take 90 questions?

Nate Seltenreich: I don't know what all was there, and what all I did myself. I don't know, and I don't know the duration that it took. We're talking a long time ago, and I haven't looked at anything in years, so I really don't know.

Adrian Edwards: Some of these may have been there before you started?

Nate Seltenreich: It could have. It's a common area, so it might have just got shuffled in with the paperwork. It looked like it was get everything, all the papers together, and put them all in one pot. I don't know what all ... I don't have a photographic memory. I can't remember everything I've seen. I can remember some, but I don't know what all was there. What I contributed to, what other people did.

Joe Carter: Did you use this material to study for the last test you took?

- Nate Seltenreich: The last test I took being what?
- Joe Carter: Last year? Didn't you take a test last year?
- Nate Seltenreich: I did take a grade four last year. No. Like I said, I haven't seen this material in years.
- John Solvie: How many of those questions would you say were yours, you wrote down?
- Nate Seltenreich: I would be speculating, and I prefer not to do that in this environment.
- Dan Grillett: I know we're focusing on Utah here. Why is Nevada so concerned about Utah's stuff? You guys provide your own test, and you recently changed your format as well, haven't you?
- Adrian Edwards: We share ABC as a common test provider.
- Nate Seltenreich: Now, taking my test, I'm not allowed any material going in to take my test. Why are we worried about anything else that might have been in this whatever packet? Again, I said I don't have a photographic memory. There's no more I can memorize.
- John Solvie: I think we'll be getting more into that as we traverse into the code of conduct. We haven't gotten to that portion yet.
- John Solvie: Yeah. That may be more applicable. I'm just asking the questions.
- Nate Seltenreich: [crosstalk 00:35:19] half-hour.
- Adrian Edwards: It doesn't say on this [crosstalk 00:35:26].
- Adrian Edwards: I don't think it's a half-hour.
- John Solvie: I just want to make sure we are understanding well, because it's in everyone's best interest, including yours. But you said you don't have a photographic memory. Yet we're looking at 90 questions that are on the same test booklet that you took off of grade four, each question numbered according to the number in the test booklet, and each question transcribed word for word, including every single distractor word for word for 90 questions. You're saying you and others have walked out of the test and transcribed 90% of the test, by question, word for word including the distractors?
- Nate Seltenreich: One test? Is it possible?
- John Solvie: That's what we're looking at right here, and that's why we're talking.
- Nate Seltenreich: Okay.

- John Solvie: That's what we're asking, and you're saying you don't have a photographic memory. You can't write all that down-
- Nate Seltenreich: I think your memory's short-term, not long-term. [inaudible 00:36:40].
- Nate Seltenreich: I also did say that I had the opportunity to take notes as well.
- Adrian Edwards: Did you write down specific questions?
- Nate Seltenreich: Well, I don't know what I did, what I wrote down. I just know that I wrote down enough material that I can study with.
- Adrian Edwards: You obviously didn't, probably didn't write down ... I didn't count them but that's 15, 20 sheets worth of ... That's typewritten, so handwriting could be smaller or bigger, but that's a lot of writing to do.
- Nate Seltenreich: How long? I don't remember how long we had per study session. I know I was there for a while.
- Adrian Edwards: You're talking the review that you remember was for the grade three?
- Nate Seltenreich: I know I was there for a while for both of them. I just don't remember the location before that time.
- Adrian Edwards: Okay. In the course of reviewing the four, you might have written down specific questions?
- Nate Seltenreich: There's a possibility. Again, I don't remember what I wrote down but there's a possibility it was.
- Adrian Edwards: On question 53 here, there's some math being worked out. Is that your writing on that?
- Nate Seltenreich: If you had handwriting words and stuff I could tell you, but numbers, I don't know.
- Adrian Edwards: Yeah. I know sometimes you can tell if you make a funny seven or a funny four or something like that. Can't tell?
- Nate Seltenreich: I don't know.
- Adrian Edwards: Okay. In your contributions to this work product, did you type up some of this stuff, or was it like a Word file that you guys had on a common computer, and everybody kind of typed in?
- Nate Seltenreich: I don't remember. I just know that there was things loose here and there, and I just compiled everything [inaudible 00:39:25].

John Solvie: You're not aware of any Word document or anything that this was picked up on and saved somewhere?

Nate Seltenreich: Not that I'm aware of, no.

Adrian Edwards: How many people would you say, rough estimate, would have access to that desk?

Dan Grillett: I could answer that. I just counted heads. There's approximately 33 in operations staff. Maintenance staff is at least 15 to 20.

Nate Seltenreich: Electricians.

Dan Grillett: Electricians is another probably five. Instrumentation is four.

Nate Seltenreich: [crosstalk 00:40:16].

Dan Grillett: Facilities would be at least four more. It's a good number of people, not to mention anybody from management or security or anything. The AG key gets you into that room, and it's the most common key, and if you can recall from your stint there, it is AWT lab. Does that ring a bell? We used to do phosphorous testing, ammonia testing in a little lab, it's in the filter building. It's one of the rooms in the filter building. That's the room in question, the AWT filter building.

Adrian Edwards: Okay. On the north side of the building.

Dan Grillett: Yeah. Okay. I don't think it's north. I think it's west, but it's always confusion, but I know what you're thinking.

Adrian Edwards: Same building as the ... There's the number one and number two pumps in that same building?

Dan Grillett: Yeah, but they're not there now. But in your day, yes.

Adrian Edwards: I got the building. Okay. My memory's not completely [crosstalk 00:41:13].

Dan Grillett: Fine.

Adrian Edwards: Okay. Is that part of the plant still active, or is that shut down?

Dan Grillett: Water just passes through to get to the filters. It comes straight from the head works, straight past all the [inaudible 00:41:27] basins and goes straight to filtration, and some of it gets cut off to go to membrane ozone, and then put back in for disinfection and discharge. That helps.

Adrian Edwards: Okay.

- Dan Grillett: ARM is all down. Flock is all down. Even the clarifiers, they're used occasionally, but not on a regular basis.
- Adrian Edwards: How are you guys scheduled? Are there people just scheduled to that area, and people that stay down in the central plant?
- Nate Seltenreich: I know swing shift rotates around, and we rotate all of our staff through. Operate [inaudible 00:42:01]. I don't recall, like every three months or so we rotate through.
- Dan Grillett: Right. Every quarter, the techs get rotated to different areas. Swing shift rotates every week or two weeks.
- Adrian Edwards: Sorry, I think John may have already asked this question, but you passed the grade four here in Nevada.
- Nate Seltenreich: That's correct.
- Adrian Edwards: You got a 91, which was a super high score.
- Nate Seltenreich: I'm sure there's other people who have scores [inaudible 00:42:52] that are higher than that.
- Adrian Edwards: Well, the difference in this one is Paul Krauth came to the certification board shortly after you got that 91 in early 2012. He came to the board, and told us at the time that he had learned that somebody had left the grade four review with some notes, and therefore might have used those notes in taking our test.
- Dan Grillett: I understand that the ABC questions, State of Nevada chooses their questions from a bank of ABC questions, State of Utah chooses their questions, and out-of-state chooses their questions. Could there be overlapping?
- John Solvie: Two corrections. Standardized exams.
- Adrian Edwards: At the time, there were state-specific exams, but those state-specific exams, they only allowed up to, I think 10%?
- John Solvie: Correct. Yes.
- Adrian Edwards: Up to 10% of the questions to be different. 90% of them were the same.
- Dan Grillett: Really? Okay. Because I understood from somebody from Nevada who went and represented Nevada, to help choose questions for the testing, he explained to me that-

John Solvie: It may have worked towards the standardized exam. There are states that do have prescriptive exams, and they develop their own. But Nevada has used standardized since late '90s, something like that. Mid-90s.

Dan Grillett: I thought this was just like after 2000, that each state went to the bank and chose their own. That's what I was made to understand.

John Solvie: No. No. There's a whole psychometric process behind that.

Dan Grillett: Right. Okay.

Adrian Edwards: There are a couple people in the valley, at least one at Clark County that's on the panel that helps create those questions.

Dan Grillett: Right.

Adrian Edwards: But those questions go in the bank, and they get used for every [crosstalk 00:45:03].

Dan Grillett: I guess I either misunderstood or was misled that Nevada chose from a bajillion questions, chose what Nevada tests would have, where Utah would choose their own, and et cetera, et cetera. That's what I understood.

John Solvie: That's the way things were done back in the old days, but choosing questions, there has to be a whole process behind that, and that's done nationally now. That's what we do here in Nevada.

Dan Grillett: I understand there was a committee, and that's just what I was told. I wasn't part of it.

John Solvie: A lot of misinformation.

Dan Grillett: Yeah, that's fine.

Adrian Edwards: Okay, so going back to that grade four test in Nevada here that you got a 91 on, after Paul came to the board and said that somebody had left a review with notes, the board at that time ... What was the term [inaudible 00:46:04] used? "Invalidated" your 91. That was the term that he used.

Nate Seltenreich: Yeah. I'm the 91. [inaudible 00:46:16].

Adrian Edwards: Well, that was gonna be my next question. What did you feel about that was your experience on that?

Nate Seltenreich: Everything I knew had a bunch of little pictures, and I don't [inaudible 00:46:33] for sure. But that booklet that I had is all I had, so I don't know if those were in there or not, but that's all I used.

Adrian Edwards: The booklet meaning the handwritten notes that you left to review with?

Nate Seltenreich: Yes.

Adrian Edwards: Okay, and that's what you used between the-

Nate Seltenreich: All the other stuff accumulated [inaudible 00:46:59].

Adrian Edwards: Okay. Between the Utah test and the Nevada test?

Nate Seltenreich: That's correct.

John Solvie: Just to help me understand, and you mentioned this before and I probably should have asked then and I apologize. You had mentioned that you've never taken any math courses?

Nate Seltenreich: My wife's a math teacher, so usually if I need any math, I can go to her for most anything. Everything's an equation, so just plug and play for the most part. I mean, it's not that difficult.

John Solvie: What math courses have you taken? Have you taken math courses beyond high school math?

Nate Seltenreich: In High School I took College Calculus II.

Joe Carter: With the past test, the 91 that you said you should have fought harder, was there any admission of guilt with that board, or you just took the [inaudible 00:48:49] of that and that was it? Or was there a hearing or anything?

Nate Seltenreich: There was nothing. I just took the punishment and just went with it. At the time, my priorities had changed, and I didn't care to even have the four anymore.

Adrian Edwards: Okay. I forgot what year it was, but certification board implemented a code of conduct for operators a number of years back that every time we signed ... We sign up to either take a test, or sign to renew our certifications. Right above your signature box, it says you agree to abide by the code of conduct. It's in the NWA bylaws on the website and stuff like that. Does that look familiar at all?

Nate Seltenreich: No, but I don't think I've ever read this before. I can't [inaudible 00:50:18] that I haven't, interestingly.

Dan Grillett: I'm not familiar with it either.

Adrian Edwards: There's a little part at the second bullet from the bottom. It says, " ... not conduct myself in a manner that subverts or attempts to subvert the minimum certification requirements, application process, or examination processes."

Nate Seltenreich: Second from the bottom?

Adrian Edwards: Yeah, second bullet from the bottom.

Nate Seltenreich: Define "subvert".

Adrian Edwards: Go around.

Dan Grillett: It's clear it's in the State of Nevada, in the top paragraph.

Adrian Edwards: Correct. Do you think that anything you've done has tried to go around, over, above the examination process and pass it when you didn't deserve to pass it?

Nate Seltenreich: No. If Paul Kroft were to say, "No, you can't take notes," I would have said, "Okay, fine. Thank you, and I'll just leave my stuff." I was allowed to leave the material that I had, so I don't think I was trying to circumvent anything or go around anything, or whatever the word is you use here.

Adrian Edwards: Subvert.

Nate Seltenreich: Subvert. No, I wasn't trying to do anything like that.

John Solvie: Do you recall how many questions you transcribed in the exam book?

Nate Seltenreich: No, I don't. There was just no way I could remember that seven years ago, [inaudible 00:52:30].

Adrian Edwards: Circumvent's another good word.

Nate Seltenreich: That's what I'm trying to figure out, the definition of the word.

Adrian Edwards: Yeah, there you go.

John Solvie: I just looked it up. "Undermine the power and authority of an established system or institution."

Adrian Edwards: I knew somebody would [inaudible 00:52:46].

Dan Grillett: Thanks to Google.

Terri Svetich: Adrian?

Adrian Edwards: Yes?

Terri Svetich: I was just wondering, can I just ask Nate to, in his words, tell us about the situation with the grade four. The timeline, and what happened with his grade four, just to hear it from him? Would you mind if we go through that?

Nate Seltenreich: I thought we just did. Adrian just explained the whole process of what happened.

Terri Svetich: I just wanted to hear it from your perspective.

Nate Seltenreich: My opinion is simply I should have fought that instead of just rolling over, and I didn't. That's on me. That's the only difference to what he said.

Terri Svetich: Actually, I was asking more about before that, leading up to that, and the timeline.

Adrian Edwards: You just froze.

Terri Svetich: [inaudible 00:53:59] that you did when you decided you wanted to take a grade four exam.

Adrian Edwards: I didn't get the question. You froze up.

Terri Svetich: Oh, okay. I was just asking you to describe when you decided you wanted to take a grade four. What did you do? What steps did you do, and the timeline, and what happened? What actions occurred? Just a summary.

Adrian Edwards: All right, so you want a timeline from ... I don't know how many years ago, but several years ago. I don't know how accurate of a timeline you're asking. I took the test in Utah. Didn't make it. But I had the opportunity to study in Utah. Took that opportunity. Took my grade four here in Nevada, and passed my grade four here in Nevada. I don't know how long, how many time went in between any of that, and I don't know how much time went in between me taking the four, and my certification being invalidated.

Terri Svetich: Okay. I just wanted to hear it in your own words, what had taken place.

John Solvie: Yet, you went from a 91, which we'd have to check our records, which is up there as to one of the highest scores we've seen on a grade four exam, to a 64 when you took it again.

Adrian Edwards: How many years later? And without studying?

John Solvie: I'd have to look at the time here. Three years.

Nate Seltenreich: It's several. I believe it's more than three years later.

Nate Seltenreich: I didn't study at all prior to that test.

Adrian Edwards: Okay. I think I've gone over all the topics that we agreed on. If anybody has any other questions about anything ... ?

- Nate Seltenreich: I have questions. What are the possible outcomes that we're trying to pursue here? That you guys are trying to pursue, besides doing a fact-finding?
- Adrian Edwards: Well, you hit the nail on the head. We're doing a fact-finding, trying to gather all of the information on what exactly happened, if there were any transgressions that happened, and if there were, what the certification board does is make a recommendation to the NDEPs. "We believe these things were violated, and we believe the punishment for that should be this." Then the NDEP will look at all the facts that we assemble, and decide one way or another which way to go. They can take the certification for a recommendation as it sits or they can, they can decide to do higher, lower, nothing.
- Nate Seltenreich: Is there an appeal process if it comes down to that?
- John Solvie: That would be through the State of Nevada, and that would follow along whatever the AG does on most things. We don't have any knowledge of that.
- Nikita L.: [crosstalk 00:57:48].
- Nate Seltenreich: You guys can issue a punishment without-
- John Solvie: A remedy.
- Nate Seltenreich: Without a remedy, or having anybody oversee it as far as an appeal process.
- Nikita L.: Oh, there's an appeal process for the State of Nevada. Craig [Katz 00:58:04] [inaudible 00:58:05].
- Katrina Pasqual: We would get that information to you what the appeal process would be. At the moment, I'm not exactly positive what the timelines are.
- Terri Svetich: But we do have it built on this.
- Katrina Pasqual: That I am aware of, yes, but I don't know if this falls under that, the specific rules that I know.
- Adrian Edwards: Yeah, that kind of went along with what I was going tie as closing remarks, too. The next time you hear from us, it probably won't be from the certification board. It would be from NDEP, and then you can communicate with them as far as whether an appeal is available, or how that works, who that goes to, all that kind of stuff.
- Nate Seltenreich: If it's needed?
- Adrian Edwards: If it's needed. Yeah.
- Nate Seltenreich: The timeline?

Adrian Edwards: I don't know exactly. The person from NDEP that-

Nate Seltenreich: Are we looking after Christmas?

Adrian Edwards: I know we don't want to sit on this and make you hang around and suffer for, wondering what's going to happen, and keep you in suspense, but-

Nate Seltenreich: I have kids and family trips set, so I don't want to be gone when something comes certified. I happen to be this time, but luckily I have somebody at the house. I would have missed this meeting to prefer having somebody at the house.

Adrian Edwards: Okay. If you have another address or multiple addresses or whatever contact information you want to leave with us, we can make sure that you know as soon as we can. I hesitate to make any promises because the certification board is scattered throughout Nevada-

Nate Seltenreich: I understand.

Adrian Edwards: We definitely don't want to make any quick decisions.

Katrina Pasqual: With the certified letter, we would track that so if you didn't receive it, you wouldn't be dinged for that. We would know that obviously that ... We have some sort of stipulation that you contact us to ensure that you've received it.

Nate Seltenreich: All right. Fair enough.

Nate Seltenreich: That's all I had.

Adrian Edwards: Okay. Nothing else?

Nate Seltenreich: As far as I know [inaudible 01:00:34].

Adrian Edwards: Okay. Anybody have anything from up north? Okay. Anybody in the room here? Are there any other questions?

Dan Grillett: I have a quick question.

Adrian Edwards: Sure.

Dan Grillett: During some interviews with human resources at the district, it was mentioned that Paul lost a booklet because a couple of different individuals were asked, "Do they know where this book is? Do they have this book? Did they take this book?" I haven't heard any mention of it, and I'm just gonna say it. If somebody lost a book from another State, shame on them. It's just my opinion, but if they're dragging stuff from Utah down here or whatever for a meeting, and they lose something and they want to pin it on somebody, that's just wrong. It's their

fault. Just saying. I didn't know anything about it until our HR brought it up. "Where is this book? Do you have this book? Did you see somebody take this book?" Because I sat in a lot of interviews over this witch hunt, if you will, with a lot of different employees, and now it seems that HR didn't get the resolve that they were looking for. Now, it gets dumped on the certification board. It's just my opinion. It's just what I've observed over the last quite a few months.

- Adrian Edwards: I want to make sure that you know that if you look at the members of the certification board, [Leanna Risso 01:02:12] is on that, is on our certification board. She's not here today because we asked her to not be here. She's not involved in this process at all, just so there wasn't any pretense of anything going on.
- Nate Seltenreich: She didn't bring it up here from the County or help the County to bring it to this?
- Adrian Edwards: All I know is I got from the County, a letter with these attachments on it, saying that [crosstalk 01:02:46]-
- Dan Grillett: I'm just giving you a little background from the district that they went through their witch hunt. It's abundantly clear that they didn't get the resolve they were looking for, so it got dumped on the board. I'm just saying how I feel.
- Adrian Edwards: We don't look at it as getting dumped on.
- Dan Grillett: Well, and I understand. I'm not trying to say this isn't important. That's not my issue. My issue is the last quite a few months, going with employees ... I pay close attention. I've been doing this representation thing for a long time, and I've been working at the district for a long time and I know how they operate, and I know what's going on.
- Dan Grillett: But I'm just saying, when they talk about missing booklets from Utah, "Where are they? Who has them? Did you take them?" But you guys here at the board didn't mention it at all. That tells me they're not telling you everything. That's just my opinion. That's what I meant by "dumping" on you guys. They're dumping on you something that is highly sensitive. I get that, and it's important. They just want to give you enough to get you excited. That's how I see it.
- Adrian Edwards: Well, like I mentioned, we're looking into it and trying to get facts and just facts-
- Dan Grillett: I do appreciate that.
- Adrian Edwards: That's why we're here today.
- Dan Grillett: Just make sure we're getting all the facts.
- Adrian Edwards: To see if there's anything else that you wanted to contribute.

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Adrian Edwards: Thank you guys for your time, all of you. Thank you.

Adrian Edwards: Okay. Thank you very much. It's 2:36 is what the clock says down here. We'll stop this meeting. If the northern people want to hang on the line for just a minute, we can have a little discussion after.

John Solvie: Okay, thank you.

John Solvie: Now, how would you like-

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NEVADA BOARD OF CERTIFICATION FOR WASTEWATER TREATMENT PLANT OPERATORS



POLICIES & PROCEDURES MANUAL

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Except as otherwise noted, the policies & procedures contained herein apply to all certification disciplines administered by the Nevada Water Environment Association.

Job Definition and Duties

Definition for “Wastewater Treatment Plant Operator”

A wastewater treatment plant operator is a trained professional whose primary responsibility is to monitor and control the treatment processes and equipment at their facility to ensure that the water quality requirements in the facility’s permit are continuously met in order to protect human health and the environment.

Included below are examples of job duties that may be performed on a daily basis by an operator. No one task will be deemed full time operations experience because an operator performs a variety of the duties listed below on a daily basis.

Examples of operator job duties:

An operator performs a variety of the duties listed:

- Operates pumps, valves, and other equipment via computer, hand or mechanical means to regulate the flow of wastewater through various treatment processes.
- Inspects plant equipment and reports any failures or operating difficulties.
- Initiates work orders and requests repairs to equipment.
- Performs repairs on equipment when necessary.
- Stops and starts equipment as required for operation and repairs.
- Takes samples of wastewater, scum, grit, sludge and other materials and properly fills out the chain of custody for samples and delivers the samples to the laboratory for analysis.
- May perform lab analyses to determine the efficiencies of treatment processes and online instrumentation.
- Operates solid processing equipment to de-water wastewater solids before disposal.
- Operates, adjusts and performs basic maintenance on chemical mixing and feed equipment to ensure compliance with established guidelines.
- Reads meters, gauges, charts and instruments documenting all required information.

- Receives and unloads bulk chemicals, some of which may be hazardous, for plant operations and stores when and where appropriate.
- Reads and follows safety information on material safety data sheets (MSDS) for all chemicals used on site.
- May drive heavy equipment on plant grounds such as, but not limited to, front-end loader, backhoe, forklift, street sweepers, tractor-trailers, dump-trucks and various other types of vehicles as needed.
- Cleans, lubricates and performs routine preventive maintenance of plant equipment and facilities.
- Performs record keeping functions by logging information on the plant operation, test results from process lab, maintenance work performed and unusual operating conditions in the logbook.
- Cleans equipment by using high-pressure water sprayers and associated cleaners, cleans weirs on clarifiers when necessary.
- Uses proper hand and power tools to complete assigned tasks.
- Performs basic facility and grounds maintenance.
- Must use a computer in the course of the work to monitor plant equipment.
- Must be trained on confined spaces and may be required to assist in confined space entries, or may be part of a confined space entry team.
- Drives company vehicles to work sites, transports materials and assists other staff as required. May supervise or be in responsible charge of operations staff in performing the duties listed above.

Testing Eligibility

An individual may be approved to take a Grade One certification examination without first meeting the education and/or experience requirements. Upon passing the examination, the individual will be issued an in-training certificate. The in-training certificate may be renewed every two (2) years. Upon meeting the education and experience requirements for the Grade One, an individual holding an in-training certificate may apply to be upgraded to a Grade One by submitting an upgrade form and all required documentation to the Board. Upon approval of the documentation, the in-training certificate will be converted to a Grade One certificate that expires on the date the in-training certificate previously did.

An individual may be approved to take a Grade Two, Grade Three or Grade Four certification examination up to 90 days prior to meeting the experience requirement, but not before meeting the education and sequential examination requirements. Upon passing the examination, the individual will be issued a certificate on the date he/she meets the experience requirement at the Grade level for which he/she was approved to test. The effective date of the certification will be the date that he/she has met the experience requirement.

An individual may be approved to take a Grade One, Grade Two, Grade Three or Grade Four certification examination upon meeting the education, experience and sequential examination requirements. Upon passing the examination, the individual will be issued a certificate at the Grade level for which he/she was approved to test.

Computerized Testing

Exam candidates applying to take a certification exam may be offered the option to take a computerized certification exam through the Association of Boards of Certification. Available computerized testing centers will be as currently approved by the Association of Boards of Certification. This option shall not be available for Nevada Water Environment Association certifications for Industrial Waste Inspectors.

Exam candidates approved to take a computerized certification exam shall be responsible for registering to take the computerized exam upon receiving approval notification from the Association of Boards of Certification. Exam candidates shall also be responsible for paying a separate computerized exam fee when they register to take the exam, which is in addition to the normal testing fee submitted for pencil and paper exams.

Exam candidates will be provided with a date specific 90-day window to register and take the exam. If an exam candidate does not register and take the exam during the approved 90-day window, he/she forfeits all testing fees that were submitted and will need to reapply and submit new testing fees to retake the exam.

Exam candidates who fail a computerized exam may retake the exam no sooner than 30 days after failing the exam. Retesting within 30 days is contingent upon timely receipt of a new application and exam fees and also contingent upon testing slot availability at each computerized testing center.

The Nevada Water Environment Association is not responsible for lost or misdirected mail.

Related Experience

Related experience cannot account for more than six months of the total experience required for any given level of certification. The remainder of the experience requirement must be from direct experience in the type of certification being sought. The board has sole discretion in determining what constitutes acceptable related experience and what constitutes acceptable direct experience for each type of certification. The breakdown for each grade of certification shall be as follows:

In-Training

No experience required.

Grade One

One year of total experience required, at least six months of which must be from direct experience. Related experience cannot account for more than six months of the total experience required.

Grade Two

Two years of total experience required, at least one and one-half years of which must be from direct experience. Related experience cannot account for more than six months of the total experience required.

Grade Three

Three years of total experience required, at least two and one-half years of which must be from direct experience. Related experience cannot account for more than six months of the total experience required.

Grade Four

Four years of total experience required, at least three and one-half years of which must be from direct experience. Related experience cannot account for more than six months of the total experience required.

Multiple Certification Experience

Individuals seeking certification in more than one certification discipline are subject to the following experience policy, which shall be in addition to other existing policies. Please refer to the Related Experience Policy for the definition of direct experience.

No more than fifty percent of the direct experience that has been credited by the Board towards an existing certification may be applied towards the experience requirement for an additional certification. If an individual is seeking more than one additional certification, direct experience applied towards one additional certification may not be applied again towards another additional certification. The total direct experience from an existing certification being applied towards one or more additional certifications may never exceed fifty percent.

Duties related to the experience from an existing certification being applied towards another certification shall be documented by the applicant and verified by the applicant's supervisor. Acceptable duties that may be applied from one certification towards another certification shall be determined by the Board.

EXAMPLES

(For individuals seeking dual certification)

If an individual whose primary job duty is plant operations seeks certification as a Wastewater Treatment Plant Operator, the individual may take a Grade 1 Wastewater Treatment Plant Operator certification exam when the requirements set forth in the Testing Eligibility Policy have been met. If the same individual's secondary job duty is laboratory analysis and the individual also seeks Wastewater Quality Analyst certification, the individual may apply up to 50% of their total experience towards Wastewater Quality Analyst certification, as documented by actual duties being performed. Thus, if an individual claiming 50% of their total time is spent on laboratory analysis, it would take the individual two years to qualify for the Grade 1 Wastewater Quality Analyst certification.

(For individuals seeking more than two certifications)

If an individual whose primary job duty is plant operations seeks certification as a Wastewater Treatment Plant Operator, the individual may take a Grade 1 Wastewater Treatment Plant Operator certification exam when the requirements set forth in the Testing Eligibility Policy have been met. If the same individual's secondary job duties include laboratory analysis and plant maintenance and the individual also seeks certification in both additional job disciplines, the individual may apply up to 50% of their total experience towards those corresponding certifications. Thus, if an individual claiming 25% of their total time is spent on laboratory analysis and 25% on plant maintenance, it would take the individual four years to qualify for Grade 1 certifications in both of those disciplines.

Reciprocity

Reciprocity will only be considered from applicants holding active certificates that were not obtained through reciprocity from certification programs listed on the Association of Boards of Certification (ABC) "ABC Certification Exam Equivalency Chart" and persons holding ABC certificates. Persons applying for reciprocity must also meet current education and experience requirements, and must have passed written exam(s) at each grade level up to and including the level for which they are applying. Certificates issued by reciprocity will be designated as such.

Applicants holding active certificates that were not obtained through reciprocity from certification programs not listed on the Association of Boards of Certification (ABC) "ABC Certification Exam Equivalency Chart" may be allowed to test at the same equivalent grade level they currently hold without having to take the exam(s) below that grade level, but not before meeting the education, experience and sequential examination requirements. Upon passing that exam, the individual will be issued a certificate at the Grade level for which he/she was approved to test.

Renewal

Certificates shall be renewed for a period not to exceed two (2) years beyond the current term of an active certificate. To renew a certificate, a renewal application, renewal fee and any required documentation must be submitted to the Certification Administrator and be postmarked no later than the certification expiration date.

Renewals postmarked after the certificate expiration date become automatically suspended. A person shall not be deemed certified upon suspension of their certificate. A suspended certificate may be reinstated upon request up to one year following the certification expiration date. To reinstate a suspended certificate, a renewal application, renewal fee, any required documentation and a late fee must be submitted to the Certification Administrator and be postmarked no later than one year past the certification expiration date. Upon reinstatement, the certificate shall be valid for two (2) years from the original certification expiration date. Reinstating a certificate does not retroactively certify a person during the period when their certificate was suspended.

A person holding a suspended Wastewater Treatment Plant Operator certificate may be deemed decertified by the Nevada Division of Environmental Protection one year past the certification expiration date. A person holding a suspended Nevada Water Environment Association Voluntary certificate shall be automatically decertified one year past the certification expiration date. A person who is decertified shall be required to retest and meet all current education, experience and testing requirements for recertification at that level.

Renewal Notification

NDEP MANDATORY CERTIFICATION (Wastewater Treatment Plant Operators)

At Least 30 Days Prior to Expiration

A renewal application will be mailed that includes the holder's expiration date. The application will also state the following information:

1. The fee required for renewal.
2. The late fee that will be required if the renewal application is not postmarked by the certification expiration date.
3. Notification that the holder of the certificate may be deemed decertified by the Nevada Division of Environmental Protection if the certificate is not renewed within one year after the expiration date.

Three Months Past Expiration

A second and final renewal application will be mailed via Certified Mail (Return Receipt Requested) that includes the holder's expiration date. A final notice form letter will also be included stating that the holder may be deemed decertified by the Nevada Division of Environmental Protection if the certificate is not renewed within one year after the expiration date and also stating the late fee required for renewal.

Four Months Past Expiration

A telephone call will be placed to the holder of the expired certificate to the last known telephone number on record. The telephone call will be documented.

Six Months Past Expiration

Notification, including mailed letters and telephone call(s) placed to the certified Wastewater Treatment Plant Operator, will be made to the Nevada Division of Environmental Protection for action as they deem appropriate.

One Year Past Expiration

Individuals deemed decertified by the Nevada Division of Environmental Protection shall not be allowed to renew their certification. Retesting at the grade level the individual held at the time of decertification will be required for the individual to become certified again. It is permissible for the individual to retest at a lower grade level to obtain a lower grade certification instead.

NWEA VOLUNTARY CERTIFICATIONS

At Least 30 Days Prior to Expiration

A renewal application will be mailed that includes the holder's expiration date. The application will also state the following information:

1. The fee required for renewal.
2. The late fee that will be required if the renewal application is not postmarked by the certification expiration date.
3. Notification that the holder of the certificate shall be automatically decertified if the certificate is not renewed within one year after the expiration date.

Three Months Past Expiration

A second and final renewal application will be mailed via Certified Mail (Return Receipt Requested) that includes the holder's expiration date. A final notice form letter will also be included stating the holder shall be automatically decertified if the certificate is not renewed within one year after the expiration date and the late fee required for renewal.

Four Months Past Expiration

A telephone call will be placed to the holder of the expired certificate and documented.

One Year Past Expiration

The individual shall be automatically decertified. The letter mailed three months past expiration shall serve as notification of the decertification.

Voluntary Continuing Education

Certified individuals may voluntarily pursue continuing education as part of their certification renewal. Individuals meeting the continuing education criteria set forth in this policy will be recognized by the Certification Board with a Continuing Education Endorsement in conjunction with their certification renewal(s). The minimum voluntary continuing education requirements for each 2-year renewal period are listed below. For reference, ten contact hours are equivalent to one continuing education unit (CEU):

Grades I (1) & II (2):	5 contact hours
Grades III (3) & IV (4):	10 contact hours
Grade V	10 contact hours

In order for the certified individual to be recognized with a Continuing Education Endorsement an individual must check the continuing education box on their renewal form and submit acceptable documentation of the training. Examples of documentation are: copies of the course material with the number of hours listed and a sign in sheet with the individuals name listed, or copies of certificates that have the individual's name, the name of the class, and the number of training hours. Training that occurs outside of the 2-year renewal period window will not be accepted.

Individuals meeting the continuing education requirements will receive a Continuing Education Endorsement sticker to place on their certificate. The sticker will denote that the individual met the minimum number of continuing education hours for the renewal period.

If an individual does not submit the required continuing education documentation for their certification they will not receive a Continuing Education Endorsement until such time that the documentation is submitted.

If an individual holds multiple certifications they must submit documentation for each type of certification they hold. At least 50% of the training must be directly related to the type of

certification that is being submitted. Up to 50% of the training may be indirectly related to the type of certification that is being submitted. Only 20% of the total training hours may come from safety classes. The Certification Board has sole discretion in determining what constitutes directly related training and what constitutes indirectly related training for each type of certification. For example a Grade I Wastewater Treatment Plant Operator submits documentation of 2 classes he attended. The first class is a wastewater math class that was 3 hours long. The second class is for a water treatment class that was 2 hours long. Since at least 50% of the training submitted is directly related, the wastewater operator will meet the continuing education requirement for this renewal period. Training credited towards one certification may also be credited towards another certification if the Certification Board deems the training relevant to both certifications.

Courses do not have to be preapproved; however, trainers can have their courses approved by the Certification Board. The trainer must provide the following information:

- Name of the course
- An outline, syllabus or agenda of the training course
- Location of training (in person or on-line)
- Length of course, in hours
- Sample of “Certificate of Completion” that will be issued to participants

After course approval the Certification Board will assign a tracking number to the course. A listing of pre-approved courses will be available on the NWEA website. In-house training may be approved by the Certification Board on a case by case basis.

Continuing Education Review

An individual taking a grade one exam must submit documentation of 6 continuing education units (CEUs) or 60 contact hours in addition to meeting the experience requirement.

The CEUs are reviewed by the Program Administrator. If necessary the information may be passed to the Certification Board officers or subject matter experts for review.

Courses directly related to the type of certification the applicant is applying for will receive full value. Courses indirectly related to the type of certification will receive one half value. One CEU is equal to 10 contact hours. College courses (including extension and correspondence courses taken for credit) earn 1.5 CEUs per semester credit. Indirectly related courses earn a half-credit. (Half-credit = 0.7 CEU per semester credit)

Preapproved courses are as follows:

Directly Related Correspondence Courses

California State University, Sacramento

1. Operation of Wastewater Treatment Plants, Vol. I & II (9 CEUs each)
2. Advanced Waste Treatment (9 CEUs)
3. Small Wastewater System Operation and Maintenance, Vol. I & II (9 CEUs each)
4. Industrial Waste Treatment, Vol. I & II (9 CEUs each)
5. Treatment of Metal Wastestreams (4.5 CEUs)
6. Pretreatment Facility Inspection (9 CEUs)
7. Operation and Maintenance of Wastewater Collection Systems, Vol. I & II (9 CEUs each)

College Courses Earning Full Credit (1.5 CEUs per semester credit):

1. College Chemistry - up to 12 CEUs.
2. Mathematics area: Algebra, Geometry, Trigonometry, Statistics - up to 12 CEUs. Does not include basic, introductory, or business math courses.
3. Biological Science area: Microbiology, Pathogenic Bacteriology, etc. - up to 9 CEUs.
4. General Physics - up to 9 CEUs.
5. Engineering courses: Fluid Mechanics, Hydraulics, and Engineering courses not directly related.

College Courses Earning Half Credit

(0.7 CEU per semester credit):

1. Technical Writing - up to 3 CEUs.
2. Public or Business Administration - up to 9 CEUs in the areas of Organization, Management, Finance, Supervision, Budgeting, etc.
3. Public Speaking - up to 3 CEUs.

Courses Accepted by WWET for CEUs

1. One-day training seminars, safety conferences, or NWEA, CWEA, or WEF-sponsored conventions will receive one contact hour for each hour attended.
2. Other extension courses or training of any type which might relate to the operator's duties will be evaluated on a case-by-case basis. CEUs will be allowed based on the material covered, the depth of the coverage, and the time required to complete the course.

Disciplinary

NDEP Mandatory Certification (Wastewater Treatment Plant Operators)

The Certification Board serves an advisory role in the disciplinary process. Disciplinary review can be initiated by both the Certification Board and the Nevada Division of Environmental Protection (NDEP). Suspension or revocation of a Wastewater Treatment Plant Operator certification is the responsibility of NDEP.

Certain administrative actions, per Board policy, are the responsibility of the Certification Board unless otherwise specified by NDEP on a case-by-case basis. Administrative actions include assessing late fees for failing to renew a certificate, suspending a certificate that has become expired and decertifying an expired certificate after one year.

When NDEP determines that a wastewater treatment facility has violated its discharge permit and has also determined that the violation is due to operator negligence, NDEP may submit documentation for Certification Board review. The Certification Board will review the facts in the case and recommend possible disciplinary action to NDEP. NDEP will review the Certification Board's recommendation(s) and make the final disciplinary determination. NDEP will carry out disciplinary action that it deems to be appropriate with the support and assistance of the Certification Board.

When the Certification Board learns of egregious negligence by an operator, it will immediately notify NDEP of the alleged negligence, review the facts in the case and recommend possible disciplinary action to NDEP. NDEP will review the Certification Board's recommendation(s) and make the final disciplinary determination. NDEP will carry out disciplinary action that it deems to be appropriate with the support and assistance of the Certification Board.

NWEA Voluntary Certifications

The Nevada Water Environment Association's Certification Board may revoke or refuse to renew the certificate of any voluntary certification. All revocation cases will be reviewed by a hearing before the Certification Board, and a decision will be made by a unanimous vote of the quorum; quorum being five (5) out of seven (7).

1. A case for decertification may be considered by the Certification Board for, but not limited to, the following:
2. The certified individual is incompetent or unable to perform his/her duties properly, or
3. The Certification Board's experience and education requirements for the certification have not been satisfied; or
4. The certified individual has practiced fraud or deception; or
5. The certified individual failed to renew his/her certificate in accordance with Certification Board policy.

Invoice Approval

All Certification Board invoices shall be processed through the Program Administrator for accurate tracking within the Certification Board's budget. The Program Administrator shall confirm invoice amounts and code each invoice before submitting them for approval and payment.

Upon confirming invoice amounts and coding each invoice, the Program Administrator shall submit invoices to the Vice Chairman, Chairman and NWEA President for approvals.

Invoices for contracted Program Administrator services shall include a breakdown of total hours being invoiced and documentation of reimbursable operating expenses.

The NWEA Treasurer shall process payment for Certification Board invoices after they have been approved by the Vice Chairman, Chairman and the NWEA President.

NWEA contract invoices for administering the mandatory certification program for the Nevada Division of Environmental Protection shall be prepared by the Program Administrator. Upon approval by the Vice Chairman and Chairman, the Program Administrator shall submit each contract invoice to the NWEA President for approval, signing and submission to the Nevada Division of Environmental Protection.

The NWEA Treasurer shall provide a monthly summary of Certification Board revenue and expenditures to the Program Administrator. The summary shall include a breakdown of expenditures that includes the payee name and the amount and date of each check.

Examination Proctoring Policy

All certification exams administered by the Nevada Board of Certification shall be taken under the supervision of an impartial and well trained proctor. The proctor ensures the credibility of the certification process by administering and monitoring the testing of individuals.

The Certification Board Chairman and Certification Board Vice Chairman shall be responsible for selecting local proctors to administer certification exams and for selecting appropriate testing locations. In the absence of the Certification Board Chairman or Certification Board Vice Chairman, another board member may act in their proxy.

Proctoring selection shall be made in accordance with the following guidelines:

- Proctors shall have no vested interest in a testing candidate's exam performance. Sources of a conflict of interest include the following relationships with the testing candidate: coworker, employer, trainer, instructor, relative and/or any relationship that has reasonable potential to create an appearance of preferential or differential treatment.

Proctors shall disclose all affiliations that may constitute a potential conflict of interest prior to administering the exam. If a potential conflict of interest is disclosed by the proctor or is determined by the Certification Board, the Certification Board Chairman and Certification Board Vice Chairman will select an alternative proctor to proctor said exam(s). In the absence of the Certification Board Chairman or Certification Board Vice Chairman, another board member may act in their proxy.

To serve as an exam proctor, an individual shall agree to execute the following duties:

- Comply with *ABC Test Administration Instructions*.
- Agree to avoid disclosing, using or exploiting confidential exam information and exam content.
- Carefully monitor testing candidates and testing room conditions during the exam session.

- Ensure that testing candidates do not receive any assistance while taking the exam; all certification exams are closed book.
- Enforce all certification program and exam procedure rules.
- Adhere to high standards of ethical conduct.

Examinations shall be administered according to the terms provided in the *ABC Test Administration Instructions*. It is the responsibility of the proctor to aggressively ensure the security of the examination at all times and to immediately report any security breaches that occur before, during or after an examination to the Program Administrator. The proctor shall ensure the security of all testing material at all times, which shall include, but is not limited to, the following:

- Securely store examinations prior to and following administration.
- Require picture identification of all testing candidates and ensure that no one other than the actual testing candidate is permitted in the testing site.
- Ensure that examination material, including all scratch paper, is not removed from the test site at any time during the examination.
- Ensure that no cheating is permitted during an examination.
- Ensure that examination material is not stolen, reproduced, copied, photographed or recorded.
- Ensure that all exam material, including all scratch paper, is collected and accounted for prior to testing candidates leaving the test room.
- Maintain the security of all exam materials and ensure that all exam materials, including all scratch paper, are returned to the Program Administrator by secure traceable carrier no later than one day following the exam session.

Proctors are not permitted to view the content of exam books at any time other than when transcribing a challenged question onto the exam administrator report.

All proctors shall sign a form stating that they agree to comply with this policy and the *ABC Test Administration Instructions*. This form shall be kept on file by the Nevada Board of Certification.

A breach in examination security has significant repercussions for the Certification Program, including the costs of replacing questions and developing new exams. The Nevada Water Environment Association reserves the right to pursue damages from a security breach, including remuneration for the costs of replacing compromised questions and developing new exams arising from security breaches while the examination material was in the proctor's possession.

All computerized testing centers and computerized exam proctors approved for use by the Association of Boards of Certification, both within and outside of Nevada, are approved for administering all computerized ABC standardized certification exams offered by the Nevada Water Environment Association.



NEVADA BOARD OF CERTIFICATION FOR WASTEWATER TREATMENT PLANT OPERATORS



Examination Proctoring Agreement

I have read and understood the Nevada Board of Certification's *Examination Proctoring Policy* and the *ABC Test Administration Instructions*. I agree to comply with all duties and requirements stated therein when proctoring certification exams.

My signature below signifies my agreement to the above conditions in all respects.

Signature _____ Date _____

Name (Print/Type) _____

Home Address _____

City/State _____ Zip Code _____

Home Phone _____ Home E-mail (optional) _____

Agency/Organization where employed _____

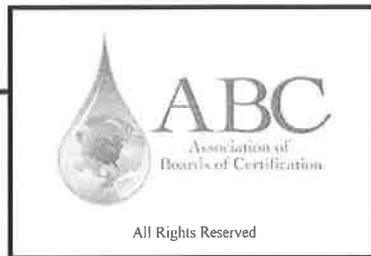
Address _____

City/State _____ Zip Code _____

Work Phone _____ Work Fax _____

Work E-mail _____

ABC Test Administration Instructions



ABC Test Administration Instructions

Thank you for serving as proctor for this exam. All ABC certification exams must be taken under the supervision of a proctor. The proctor is responsible for supervising the entire exam administration process. As a proctor, you must:

- Ensure that only authorized items are allowed into the testing room
- Verify the identity of candidates scheduled to take the exam
- Monitor candidates during the exam session
- Maintain a quiet, secure and professional testing environment
- Ensure that no unauthorized materials leave the testing room

Below are the procedures a proctor must follow before, during and after the certification exam. The proctor must review the following instructions before administering any ABC certification exam. Familiarity with all examination materials is essential and will make exam administration easier.

PRELIMINARY PLANNING

Because examination results often affect the careers of candidates, adequately preparing for an exam session and selecting an environment conducive to concentration are essential. The following are several elements necessary for a successful exam session.

Staffing

One proctor is needed for every 25 examinees. For groups larger than 25, an assistant may be used for each additional 25 examinees being tested. Please remember that each assistant must review all examination instructions prior to the exam session.

Scheduling

The time limit for the ABC 100-question standardized exam is three hours. The chart below shows recommended time limits for longer exams. In addition, a minimum of one extra hour should be scheduled to allow sufficient time to admit examinees to the site, read exam

instructions to the examinees, distribute and administer exams, and collect exam materials. The proctor must ensure that exams are completed within the allowed time limit. Examinees must not be given additional time to complete the exam.

Exam Length	Recommended Time Limit
100 questions	3 hours
120 questions	3 hours
150 questions	4 hours
180 questions	4 hours

Closed Book Exams

All ABC standardized exams are closed book. No reference material is allowed in the examination site. No electronic devices for the storage, display, or transmission of data, such as cell phones, personal digital assistants (PDAs), programmable calculators, computers, or cameras are allowed in the examination site. Candidates should only bring photo identification, a non-programmable, non-graphical calculator that has no text storage capability, two sharpened soft-lead (#2 or HB) pencils and an eraser to the examination site. Any other material must be left outside the examination site. All notes must be written in the exam book or on scratch paper provided by the proctor. Candidates are not allowed to take any written material from the examination site. Candidates are absolutely prohibited from recording examination content in any format. Candidates who violate these rules may be asked to leave the site and may be disqualified from the exam as well as future exams.

Test Site

Make certain the area where the exam will be administered is quiet and free from distractions. ABC recommends that all exams be administered in a classroom or similar room where outside activities which may distract examinees are the least likely to occur. To prevent interruptions, post the "Do Not Disturb—Exam in Progress" sign provided by ABC on the door. The proctor must also ensure that the lighting and ventilation are adequate and the temperature is comfortable. If unsatisfactory conditions inside or outside the testing room arise, they should be remedied as soon as possible.

Examinees should have a flat surface that supplies sufficient working room, such as a table. The surface should be large enough to accommodate an open exam book and an answer sheet. If space is available, please seat examinees in a checkerboard or alternate row seating arrangement. Do not seat examinees close together or directly facing one another. It is also important to allow enough room between the rows or tables for the proctor to move easily about the room.

Examinees may leave the room during the exam session if they receive an emergency phone call or to use the restroom. Examinees will not receive additional time to complete the examination for time lost during a break. Also, only one examinee at a time will be allowed to leave the room during testing. While examinees may take as many restroom breaks as needed, each restroom break should not last longer than 10 minutes. Examinees should never freely roam the building; please inform examinees about any areas of the building that are “off-limits” to them. Monitor the length of time examinees spend on a restroom break and if an examinee exceeds the 10-minute limit, send another proctor (if available) to check on the examinee. Closely observe examinees after they have returned from the restroom –in particular, pay attention to determine if they have returned to the testing room with any prohibited personal item or display suspicious or unusual behavior.

Examination Security

Maintaining the security of ABC exam material is essential to uphold the integrity of the testing service. Security breaches can occur before, during, or after an examination. Conduct that may violate the security of an examination includes, but is not limited to:

- Theft of portions of, or entire, examination
- Removing examination material from a test site without authorization
- Reproducing examination material without authorization
- Using paid test takers for the purpose of reconstructing an examination
- Using improperly obtained test questions to prepare persons for examination
- Cheating during an examination
- Impersonating an examinee or having an impersonator take an examination
- Loss of a shipment of examination booklets

It is the responsibility of the proctors to aggressively ensure the security of the examination at all times and to immediately report any security breaches to ABC. A breach in examination security has significant repercussions for ABC, including the costs of replacing questions and developing new exams. ABC reserves the right to pursue damages from a certification program, including remuneration for the costs of replacing compromised questions and developing new exams, arising from security breaches while the examination material was in their possession.

EXAMINATION MATERIALS

Materials Provided By ABC Prior to the Exam Session

1. Printed test books. Only one certification level is included in each test book. *Examination Instructions* and the *ABC Formula/Conversion Table* are provided in each test book as references for the examinee.
2. Scannable answer sheets and *Answer Sheet Instructions* for each examinee.
3. "Do Not Disturb—Exam in Progress" sign.
4. Examinee Log(s): Provided to record the name, identification number, exam category, and test book number for each examinee. You can either use the form provided by ABC or provide your own form that includes all of the information on ABC's Examinee Log.
Note: Accurate completion of this form is important because it allows ABC to verify that examinees are scored for the correct exam category and certification level.
5. Exam Administrator Report(s): Provided for the proctor to report any problems that were identified during the exam session or to note any exam questions for ABC to review.
6. Question Comment Form: Provided for each examinee to record specific comments or concerns about exam questions.

Materials the Examinee Should Bring to the Exam

1. Admittance slip and photo ID for identification purposes
2. Two sharpened soft-lead (No. 2 or HB) pencils and an eraser
3. Social security number or other identification number assigned by the certification program
4. Non-programmable, non-graphical calculator that has no text storage capability (optional, but recommended)

EXAM ADMINISTRATION

Step 1—Process Admittance Slips

It is very important that candidates are properly identified. Only scheduled candidates are permitted into the examination room. Verifying the identity of each scheduled candidate is crucial to ensuring the security of the examination. Therefore, the exam proctor must check each person's identification carefully. Review the admittance slip and photo ID of each candidate to verify his/her identity before the candidate enters the examination room. Anyone who does not have *both* an admittance slip *and* a photo ID may *not* enter the examination room or take the certification exam. The candidate must be informed that proper identification is required and without such identification he or she cannot be admitted into the examination.

Collect the admittance slip and ask the examinee to print his/her name, social security number or identification number assigned by the certification program, and the exam being taken (e.g. Water Treatment Class I) on the Examinee Log. The proctor should complete the test book number column on the Examinee Log when the test books are passed out (see Step 3). The test book number is found in the upper right hand corner of the test book.

Step 2—Complete Identification Data on the Answer Sheet

Following are detailed instructions that contain notes to the proctor and text to be read to the examinees. All instructions that the proctor should read aloud to the examinees are italicized. Start the exam instructions by reading:

All ABC standardized exams are closed book. No reference material is allowed in the examination site. No electronic devices for the storage, display, or transmission of data, such as cell phones, personal digital assistants (PDAs), programmable calculators, computers, or cameras are allowed in the examination site. Please clear your work areas except for two sharpened soft-lead (No. 2 or HB) pencils, erasers, and a non-programmable calculator. First, I will give each of you an answer sheet and a copy of the Answer Sheet Instructions. Please do not write on the answer sheet until I tell you to do so.

Distribute one answer sheet and one copy of the Answer Sheet Instructions to each examinee.

Read the Answer Sheet Instructions along with me as I explain how to correctly complete your answer sheet.

Hold up a copy of the Answer Sheet Instructions for the examinees to see.

Use only a soft-lead (No. 2 or HB) pencil to fill out the answer sheet. Fill in each circle completely with your pencil, making a dark, heavy mark. Any erasing should be done carefully and should not leave smudge marks.

Under the section "Name," please print your name: Last name, first name, middle initial. Leave a blank space between your last name, first name, and middle initial. Do not use commas or periods. Fill in the circles below the boxes that correspond to the letters of your name.

At this point, the proctor should check to make sure that all examinees are printing their names in the correct place and filling in the circles correctly. Also, make sure examinees are using a pencil and are printing only one letter in each box. This information is critical to processing exam results. If this section is not filled in correctly, exam results may be delayed.

Under the section "Identification Number," print your social security number (or ID number assigned by the certification program) starting with box A. Do not put spaces, hyphens, or slashes between the numerical groups of this number. Any extra boxes should be left blank. Fill in the corresponding circles below the boxes.

Again, make sure examinees are printing their numbers in the correct boxes and filling in the circles as instructed.

Under the section "Special Codes," below the letter K, print the number that represents the category of the exam you are taking today. Please refer to Table 1 below to determine this code, and fill in the appropriate circle. If you have any questions, please raise your hand.

Table 1

<u>Number</u>	<u>Category</u>
0	Water Treatment
1	Distribution
2	Collection
3	Wastewater Treatment
4	Wastewater Laboratory
5	Industrial Waste
6	Cross-Connection Control
7	Very Small Water System
8	Water Laboratory
9	Other

Check to see that the examinees complete the appropriate circle under the letter K.

Next, below the letter L, print the number of the level of the exam you are taking today. Refer to Table 2 below to determine this code. Fill in the appropriate circle. Again, if you have any questions please raise your hand.

Table 2

<u>Number</u>	<u>Level</u>
1	Class I or D
2	Class II or C
3	Class III or B
4	Class IV or A
5	Class V
6	Class VI
7	Other

Step 3— Administer the Examination

The following steps detail procedures for administering the actual certification exam. Again, all instructions that the proctor must read aloud to the examinees are italicized. Please read instructions exactly as written. If you make a mistake in reading the instructions, say "No, that was wrong. Please listen again," and read through the instructions again. If necessary, you may explain directions in your own words, but proctors must not help on specific exam questions.

I am going to give you a test book and Question Comment Form. If you have any specific concerns about exam questions, write your comments on this form. Do not break the seal on your book until I tell you to do so.

Distribute all of the test books and Question Comment Forms. Record the test book numbers on the Examinee Log as test books are distributed. The test book number is found in the upper right hand corner of the test book.

Please check the title of your test book to make sure you have the correct test

Now below the letters M and N on the answer sheet, print the last two digits of your test book number. These digits are printed on the upper right hand corner of your test book. Fill in the corresponding circles. Again, please let me know if you have questions.

Next, break the seal of the test book and fold back the front cover to the Examination Instructions. Has everyone found this page?

Please read the examination instructions to yourself as I read them aloud.

- 1. Read each question carefully before choosing the best answer. There is only one correct answer for each question. If you mark more than one answer, the question will be counted wrong. Unanswered questions will also be counted wrong, so answer all questions.*
- 2. Use a soft-lead (No. 2 or HB) pencil to mark your answers on the answer sheet. Be sure that the number of the question in your test book matches the number on your answer sheet, then fill in the corresponding circle. If you must erase, do so carefully and thoroughly.*
- 3. The time limit for completing an exam is 3 hours for a 100 to 120 question exam and 4 hours for a 150 to 180 question exam. Work as quickly and as carefully as you can. Do not spend too much time on any one question—you can come back to that question later.*
- 4. A Formula/Conversion Table, which is to be used when making calculations, is included in the front of the test book.*

5. *When you are finished with the exam, turn in all exam materials to me. Only one examinee will be allowed to return his or her materials at a time. Please wait in the room while I check over your materials. After I finish reviewing your materials, please leave the room quietly.*
6. *If you must leave the room during the session, turn in all your exam materials to me. Authorized reasons for leaving the room include receiving an emergency phone call or using the restroom. You will not receive additional time to complete the examination for time lost during a break. Also, only one examinee at a time will be allowed to leave the room during testing.*
7. *Any attempts to cheat on any examination will result in the immediate termination of your examination. Furthermore, examinees are absolutely prohibited from recording examination content in any format. Examinees who violate the security of any examination will have their examinations terminated and may face additional consequences from the certification board or agency.*

Are there any questions?

After answering all questions, allow the examinees to begin the exam. The proctor should begin timing the exam.

Step 4— Monitor Examinees during Exam Session

Maintain a classroom atmosphere while administering the exam. During the examination session, the proctor is responsible for carefully monitoring the examinees as well as the testing room conditions. It is very important to ensure that both the lighting and temperature of the testing room continue to be acceptable during an examination session.

Check periodically to make sure that examinees are correctly marking their answers on the answer sheet and that they are using No. 2 pencils. The proctor must not help any examinee with specific exam questions.

Do not leave the examinees alone while taking the exam. The proctor is responsible for both the standardized administration and security of the examination. Be certain that the examinees do not

receive any outside assistance while taking the exam. This includes help from other persons, prepared notes, and reference material. When monitoring examinees, if the proctor observes any suspicious activity, which may indicate cheating or the recording of examination content, he/she should watch the examinees carefully to verify the suspicious behavior. The following actions may be evidence of examinee cheating:

- Examinees are whispering or talking during the examination.
- Examinees appear to be exchanging notes with one another.
- Examinees appear to be using notes – either in written or electronic format.
- Examinees switch seats during the examination.

Another form of cheating may involve the writing down or recording of examination content by one examinee to later be shared with another examinee. Because miniature recording devices are so widely available and affordable, it is possible for examinees to sneak such devices (such as voice recorders, cameras and video recorders) into the testing room and attempt to remove examination content by these means. Recording devices can be hidden in many everyday personal items, such as hats, pens, watches, eyeglasses, and even perhaps jewelry.

Step 5— Collect Examination Materials

The proctor must ensure that exams are completed within the allowed time limit. Examinees must not be given additional time to complete the exam. Only one examinee is allowed to turn in exam material at a time. All materials handed out must be turned in to the proctor. This includes exam books, answer sheets, Question Comment Forms and Answer Sheet Instructions. Please check each answer sheet to verify that all identification boxes have been marked correctly.

Note: Answer sheets must be grouped according to exam category *and* class level. If this is not done, scoring will be delayed and scoring errors may occur. The answer sheets should not be creased, folded, torn, or stapled.

Immediately following each examination session, the proctor must complete the Exam Administrator Report. Record pertinent information on this report, such as the exam date, the number of examinees tested, name(s) of assistant(s), and any deviations from regular procedures.

Also, record the name(s) of any examinee(s) involved in unusual circumstances and an account of those circumstances.

Step 6—Shipping Examination Materials

All answer sheets and examination materials must be returned to ABC. These include:

- Test Books
- Exam Administrator Report completed
- Examinee Log(s) completed
- Answer Sheets sorted by *certification category and level* – Please keep a photocopy of the answer sheets to protect against possible loss during shipping.
- Question Comment Form(s) – Please keep a photocopy of the completed forms so that the state/provincial certification program can review examinee comments. ABC also reviews comment forms as time permits.

A mailing label is provided for your convenience. Please take extra care when packing answer sheets because if any answer sheets are damaged, the processing of results will be delayed. For security reasons, all examination materials must be returned to ABC by a secure, traceable shipping method requiring signature upon delivery, such as United Parcel Service, FedEx, or US Postal Service Certified Mail, to the address listed below:

Testing Service
Association of Boards of Certification
2805 SW Snyder Blvd., Suite 535
Ankeny IA 50023

HOW TO CONTACT ABC

If you have any questions about administering an ABC exam please contact us, by phone: (515) 232-3623 or e-mail: testing@abccert.org.

Nevada Administrative Code 445A.287-292

NAC 445A.287 Plants for sewage treatment: Persons required to be certified as operators; application and fees for certification; renewal of certificate. (NRS 445A.425)

1. A person responsible for the operation and maintenance of a plant for sewage treatment must be certified as an operator of a plant for sewage treatment.
2. To apply for certification as an operator of a plant for sewage treatment, a person must submit an application to the Division or its approved designee that is accompanied by the appropriate fee.
3. The following fees must be paid to the Division:

Certification	Fee	Period
Initial.....	\$60	2 years
Reciprocal.....	75	2 years

4. The holder of a certificate must pay to the Division a fee of \$20 for each duplicate certificate he requests. A fee of \$25 will be charged to any person whose check is returned to the Division because of a lack of funds.
5. A holder of any certificate issued pursuant to the provisions of NAC 445A.286 to 445A.292, inclusive, may renew the certificate by submitting a fee of \$30 to the Division not later than the expiration date of the certificate. Except as otherwise provided in subsection 6, the holder of a certificate may renew his certificate after the expiration date of the certificate if he pays, in addition to the renewal fee, a late fee of \$20. If the holder of a certificate does not renew the certificate within 1 year after the expiration date of the certificate, the holder of the certificate shall be deemed decertified.
6. The holder of a certificate who is decertified may not renew his certificate.
7. The renewal of a certificate is effective for 2 years.

(Added to NAC by Environmental Comm'n, eff. 5-27-92; A 3-1-94; R037-02, 10-18-2002)

NAC 445A.288 Plants for sewage treatment: Agreement to operate program for certification of operators. (NRS 445A.425)

1. If the Division chooses not to operate the program for the certification of operators of plants for sewage treatment, the Division shall enter into an agreement with an approved designee pursuant to which the designee agrees to operate the program.
2. Any agreement entered into pursuant to subsection 1 must provide that the designee will:
 - (a) Distribute application forms;
 - (b) Evaluate applications;
 - (c) Conduct examinations;
 - (d) Evaluate the training, education and experience of the applicants;
 - (e) Inform an applicant that the Division has denied his application for certification or recommend that the Division certify the applicant; and
 - (f) Perform any other duty specified in the agreement.

(Added to NAC by Environmental Comm'n, eff. 5-27-92; A by R037-02, 10-18-2002)

NAC 445A.289 Plants for sewage treatment: Schedule for classification. (NRS 445A.425)

1. For the purpose of the certification program operated pursuant to the provisions of NAC 445A.284 and 445A.288, a plant for sewage treatment must be classified in accordance with the following schedule:

PLANT CLASSIFICATION based on the type of treatment process and plant capacity:

	0-0.1 MGD	0.11-1.0 MGD	1.1-5.0 MGD	5.1-10.0 MGD	10.1-20.0 MGD	Greater than 20.0 MGD
Stabilization Pond	I	I	I	I	II	III
Primary	I	I	II	III	III	IV
Biofiltration	II	II	III	III	IV	IV
Activated Sludge	III	III	III	IV	IV	IV
Tertiary and Reuse	III	III	IV	IV	IV	IV

2. As used in this section, "MGD" means millions of gallons per day.

(Added to NAC by Environmental Comm'n, eff. 5-27-92; A by R037-02, 10-18-2002)

NAC 445A.290 Plants for sewage treatment: Minimum grades of certification for operators. (NRS 445A.425)

1. The minimum grades of certification for operators of plants for sewage treatment are as follows:

GRADES OF CERTIFICATION based on the classification of the plant:

	Plant Classification I	Plant Classification II	Plant Classification III	Plant Classification IV
Supervisor	I	II	III	IV
Assistant Supervisor	I	I	II	III

2. Any person, other than a supervisor or assistant supervisor, who is working as an operator of a plant for sewage treatment must be certified as at least a Grade I operator of a plant for sewage treatment, or obtain such certification within 1 year after the date on which he begins his employment at the plant for sewage treatment as such an operator.
3. As used in this section:
 - (a) "Assistant supervisor" means the person in direct responsible charge of the operations of a plant for sewage treatment in the absence of the supervisor.
 - (b) "Person in direct responsible charge" means a person who is responsible for all activities associated with the operations of a plant for sewage treatment and compliance with all applicable provisions of NRS and NAC relating to the operations of such a plant.
 - (c) "Supervisor" means the person in direct responsible charge of the operations of a plant for sewage treatment.

(Added to NAC by Environmental Comm'n, eff. 5-27-92; A by R037-02, 10-18-2002)

NAC 445A.292 Plants for sewage treatment: Provisional certification of operator. (NRS 445A.425)

1. The Division shall renew a provisional certificate as an operator of a plant for sewage treatment, without examination, only to a person who:

- (a) Held a provisional certificate on July 1, 1991;
 - (b) Pays the appropriate fee; and
 - (c) Submits the proper application for certification.
2. A provisional certificate is valid until:
- (a) The applicant's employment by that plant ceases for any reason; or
 - (b) The applicant assumes a position of employment at the plant that is different from the position he held on July 1, 1991.

(Added to NAC by Environmental Comm'n, eff. 5-27-92; A by R037-02, 10-18-2002)