

ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection

Division of Enforcement

(Amendment)

401 KAR 11:010. Board of Certification. [~~Boards of certification.~~]

RELATES TO: KRS 223.160-~~223.220~~, 224.10-024, 224.73-110[, ~~EO 2009-538~~]

STATUTORY AUTHORITY: KRS 223.160-~~223.200~~, 224.10-024, 224.10-100, 224.10-110, 224.73-110 [, ~~EO 2009-538~~]

NECESSITY, FUNCTION, AND CONFORMITY: KRS 223.200 requires the secretary of the Energy and Environment Cabinet, with the advice of the board of certification established under KRS 224.10-024, to adopt rules and regulations as are reasonably necessary to carry out the intent of KRS 223.160 to 223.220, 223.991, and 224.10-024. This administrative regulation establishes the duties of the Kentucky Board of Certification of Water and Wastewater System Operators. [~~KRS 224.10-110 authorizes the cabinet to promulgate administrative regulations concerning the board of certification of wastewater system operators and the certification of wastewater operators. KRS 223.160-220 authorizes the cabinet to promulgate administrative regulations concerning the board of certification for water treatment and distribution operators and the certification of water treatment and distribution system operators. EO 2009-538, effective June 12, 2009, establishes the new Energy and Environment Cabinet. This administrative regulation establishes the duties of the Kentucky Board of Certification of~~]

~~Wastewater System Operators and the Kentucky Board of Certification of Water Treatment and Distribution System Operators.]~~

Section 1. Duties of the Board. The board shall:

(1) Evaluate the qualifications of applicants and recommend qualified applicants to the cabinet for certification examination;

(2) Review and provide comments to the cabinet on proposed administrative regulations regarding operator certification;

(3) Review and make recommendations to the cabinet on core content for certification examinations and continuing education training for certification renewal;

(4) Review and make recommendations to the cabinet on training proposed to provide continuing education to certified operators. During the evaluation of training courses and seminars, the board shall consider:

(a) The consistency of training material with the core content;

(b) The ability of the training to provide information that supports effective water conveyance, treatment, and quality; and

(c) The ability of the instructor to properly present the training;

(5) Assist the cabinet in drafting examinations for the certification of operators;

(6) Review and provide comments to the cabinet on proposed fees for the training and certification of operators;

(7) Review applications for reciprocity and recommend to the cabinet the acceptance or denial of the application based on the criteria established in 401 KAR 11:050, Section 1(8);

~~and~~

(8) Review evidence and advise the cabinet regarding disciplinary actions for certified

operators who fail to comply with KRS Chapters 223 and 224 or 401 KAR Chapter 5, 8, or 11;
and[.]

(9) Review and make recommendations to the cabinet on proposed curricula intended to provide management, leadership, or technical education to water and wastewater utility personnel. During the evaluation of proposed curricula, the board shall consider:

(a) The consistency of the curriculum with nationally recognized standards and best practices for effective utility management and workforce development;

(b) The ability of the curriculum to enhance the knowledge and skills of utility managers, supervisors, and staff in areas such as financial sustainability, infrastructure management, personnel development, and regulatory compliance;

(c) The qualifications and experience of the organization or instructor proposing the curriculum; and

(d) The relevance and applicability of the curriculum to the effective management and operation of public water and wastewater systems.