

Chapter 246-292 WAC WATERWORKS OPERATOR CERTIFICATION

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WAC

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|-------------|---|
| 246-292-001 | Purpose. |
| 246-292-010 | Definitions, abbreviations, and acronyms. |
| 246-292-020 | Public water system requirements. |
| 246-292-031 | Duties of a certified operator. |
| 246-292-032 | Duties of a certified operator in responsible charge. |
| 246-292-033 | Duties of a CCS. |
| 246-292-034 | Duties of a BAT. |
| 246-292-036 | Backflow preventer inspection and field test report content. |
| 246-292-040 | Classification of public water systems. |
| 246-292-050 | Public water system minimum operator certification requirements. |
| 246-292-055 | Minimum requirements for contract operators. |
| 246-292-060 | Minimum education and experience requirements to become a certified operator. |
| 246-292-070 | Application and examination. |
| 246-292-075 | Reciprocity. |
| 246-292-080 | Public water system temporary operator certification. |
| 246-292-085 | Legacy certification. |
| 246-292-086 | Certified BTO. |
| 246-292-090 | Renewal of certificates. |
| 246-292-095 | Professional growth. |
| 246-292-100 | Revocation and suspension. |
| 246-292-105 | Certification denial. |
| 246-292-110 | Enforcement. |
| 246-292-995 | Certified operator and public water system certification fees. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 246-292-030 | Certification board. [Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-030, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-030, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-040, filed 9/22/78.] Repealed by WSR 96-19-041, filed 9/12/96, effective 10/13/96. Statutory Authority: RCW 43.70.040. |
| 246-292-120 | Purpose. [Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-120, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 82-24-070 (Order 1917), § 248-55-210, filed 12/1/82.] Repealed by WSR 94-04-004, filed 1/20/94, effective 2/20/94. Statutory Authority: Chapter 70.119 RCW. |
| 246-292-130 | Notice of decision—Adjudicative proceeding. [Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-130, filed 12/27/90, effective 1/31/91. Statutory Authority: Chapter 34.05 RCW, RCW 34.05.220 (1)(a) and 70.119.050. WSR 90-06-019 (Order 039), § 248-55-220, filed 2/28/90, effective 3/1/90. Statutory Authority: RCW 70.119.050. WSR 82-24-070 (Order 1917), § 248-55-220, filed 12/1/82.] Repealed by WSR 94-04-004, filed 1/20/94, effective 2/20/94. Statutory Authority: Chapter 70.119 RCW. |
| 246-292-140 | Certificate denial—Adjudicative procedure. [Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-140, filed 12/27/90, effective 1/31/91. Statutory Authority: Chapter 34.05 RCW, RCW 34.05.220 (1)(a) and 70.119.050. WSR 90-06-019 (Order 039), § 248-55-235, filed 2/28/90, effective 3/1/90.] Repealed by WSR 94-04-004, filed 1/20/94, effective 2/20/94. Statutory Authority: Chapter 70.119 RCW. |
| 246-292-150 | Certificate suspension, modification, or revocation—Adjudicative procedure. [Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-150, filed 12/27/90, effective 1/31/91. Statutory Authority: Chapter 34.05 RCW, RCW 34.05.220 (1)(a) and 70.119.050. WSR 90-06-019 (Order 039), § 248-55-240, filed 2/28/90, effective 3/1/90. Statutory Authority: RCW 70.119.050. WSR 82-24-070 (Order 1917), § 248-55-240, filed 12/1/82.] Repealed by WSR 94-04-004, filed 1/20/94, effective 2/20/94. Statutory Authority: Chapter 70.119 RCW. |
| 246-292-160 | Water works certification fees. [Statutory Authority: RCW 43.70.250 and 70.119.160. WSR 05-23-152, § 246-292-160, filed 11/22/05, effective 12/23/05; WSR 04-12-123, § 246-292-160, filed 6/2/04, effective 7/3/04. Statutory Authority: RCW 43.70.250, 43.20B.020, and 70.119.160. WSR 03-13-028, § 246-292-160, filed 6/10/03, effective 7/11/03. Statutory Authority: RCW 43.70.250 and 70.119.160. WSR 02-01-065, § 246-292-160, filed 12/14/01, effective 1/14/02. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-160, filed 12/29/00, effective 1/29/01. Statutory Authority: RCW 43.70.250. WSR 00-02-015, § 246-292-160, filed 12/27/99, effective 1/27/00; WSR 99-12-022, § 246-292-160, filed 5/24/99, effective 6/24/99. Statutory Authority: RCW 43.20B.020. WSR 98-12-015, § 246-292-160, filed 5/22/98, effective 6/22/98. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-160, filed 1/20/94, effective 2/20/94.] Repealed by WSR 14-01-003, filed 12/4/13, effective 1/4/14. Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. |
| 246-292-170 | Severability. [Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-170, filed 1/20/94, effective 2/20/94.] Repealed by WSR 01-02-070, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. |
| 246-292-990 | Waterworks operator certification fees. [Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-990, filed 12/27/90, effective 1/31/91. Statutory Authority: 1982 c 201. WSR 82-13-011 (Order 1825), § 440-44-080, filed 6/4/82.] |

WAC 246-292-001 Purpose. The purpose of this chapter is to protect public health by setting minimum requirements and standards for:

- (1) Public water systems required to have a certified operator in responsible charge;
- (2) Certified operators of public water systems;
- (3) Certified operators that develop and implement cross-connection control programs; and
- (4) Certified operators that inspect, field test, maintain, and repair backflow assemblies, devices, and air gaps that protect public water systems.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-001, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-001, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-001, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-001, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-010, filed 9/22/78.]

WAC 246-292-010 Definitions, abbreviations, and acronyms. The definitions, abbreviations, and acronyms in this section apply throughout this chapter unless the context clearly indicates otherwise.

(1) **"Air gap"** means a physical separation measured vertically between the lowest point of a free-flowing discharge end of a potable water supply pipeline and the overflow rim of an open or nonpressurized receiving vessel.

(2) **"Approved air gap"** is defined in chapter 246-290 WAC.

(3) **"Approved AVB (approved atmospheric vacuum breaker)"** is defined in chapter 246-290 WAC.

(4) **"Approved backflow preventer"** is defined in chapter 246-290 WAC.

(5) **"Approved backflow prevention assembly"** is defined in chapter 246-290 WAC.

(6) **"Authority having jurisdiction"** means the local official, board, department, or agency authorized to administer and enforce the Uniform Plumbing Code adopted in chapter 19.27 RCW.

(7) **"AVB (atmospheric vacuum breaker)"** means a device that contains an air inlet, vent, air inlet valve, and check seat and is used to prevent backsiphonage backflow.

(8) **"BAT (backflow assembly tester)"** means an individual meeting the requirements of this chapter and certified under chapter 70A.120 RCW to inspect, field test, maintain, and repair backflow prevention assemblies, devices, and air gaps that protect the public water system.

(9) **"Backflow"** means the reversal of flow of water or other substances through a cross-connection into the public water system or consumer's water system.

(10) **"Backflow preventer"** means a backflow prevention assembly, air gap, or AVB.

(11) **"Backflow preventer inspection and field test"** means the set of procedures and measurements performed by a BAT to evaluate a backflow preventer's approval status, installation, and performance to determine compliance with the requirements in WAC 246-290-490.

(12) **"Backflow prevention assembly"** means a mechanical backflow preventer designed for in-line testing and repair including, but not limited to:

- (a) Reduced pressure backflow assembly;
- (b) Reduced pressure detector assembly;
- (c) Double check valve assembly;
- (d) Double check detector assembly;
- (e) Pressure vacuum breaker assembly; or
- (f) Spill-resistant vacuum breaker assembly.

(13) **"BTO (basic treatment operator)"** means an individual meeting the requirements of this chapter and certified under chapter 70A.120 RCW to perform routine on-site duties in a water treatment plant. BTO duties affect water treatment plant performance, public water system performance, water quality, water quantity, or public health protection.

(14) **"CCS (cross-connection control specialist)"** means an individual meeting the requirements of this chapter and certified under chapter 70A.120 RCW to develop and implement a cross-connection control program.

(15) **"Certificate"** means a document issued annually by the department stating that the operator has met the requirements for a specific certified operator classification in WAC 246-292-060.

(16) **"Certified operator"** means an individual meeting the requirements of this chapter, certified under chapter 70A.120 RCW, and who has a valid certificate for one or more of the following classifications:

- (a) BAT;
- (b) BTO;
- (c) CCS;
- (d) WDS;
- (e) WDM; or
- (f) WTPO.

(17) **"CEU (continuing education unit)"** means the nationally recognized measurement, similar to college credit, developed by IACET, in which one CEU is awarded for every 10 contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction.

(18) **"College credit"** means a measurement that documents completion of educational courses earned toward a college degree from an accredited college or university.

(19) **"Community water system"** means any Group A public water system providing service to 15 or more service connections used by year-round residents for 180 or more days within a calendar year, regardless of the number of people, or regularly serving at least 25 year-round (i.e., more than 180 days per year) residents.

(20) **"Consumer"** means any person receiving water from a public water system from either the meter or the point where the service line connects with the distribution system if no meter is present. For purposes of cross-connection control, "consumer" means the owner or operator of a water system connected to a public water system through a service connection.

(21) "**Consumer's premises**" means a consumer's real property, any easement held by a consumer for the purpose of delivering the water to the consumer's real property, and all buildings and fixtures on the consumer's real property.

(22) "**Consumer's water system**" means any potable or industrial water system that begins at the point of delivery from the public water system and is located on the consumer's premises. The consumer's water system includes all auxiliary sources of supply, storage, treatment, and distribution facilities, piping, plumbing, and fixtures under the control of the consumer.

(23) "**Contract operator**" means a certified operator who is approved by the department to operate three or more Group A public water systems.

(24) "**Cross-connection control program**" means the administrative and technical procedures the purveyor implements to protect the public water system from contamination via cross-connections as required in WAC 246-290-490.

(25) "**Department**" means the Washington state department of health.

(26) "**Distribution system**" means all piping components of a public water system that serve to convey water from transmission mains linked to source, storage and treatment facilities to the consumer excluding individual services.

(27) "**GED**" means the general educational development test of the American Council on Education.

(28) "**Gross negligence**" means an act or omission performed or not performed in reckless disregard of a legal duty, or without even slight care.

(29) "**GWI (groundwater under the direct influence of surface water)**" means any water beneath the surface of the ground that the department determines has the following characteristics:

(a) Significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens such as *Giardia lamblia* or *Cryptosporidium*; or

(b) Significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH closely correlating to climatological or surface water conditions where natural conditions cannot prevent the introduction of surface water pathogens into the source at the system's point of withdrawal.

(30) "**IACET**" means the International Association for Continuing Education and Training.

(31) "**Legacy certification**" means an operator certification granted before January 1, 2001, under which the department granted an exemption for the existing operator in responsible charge from meeting the initial education, experience, and examination requirements for the public water system's assigned certification classification.

(32) "**Major segment**" means a distinct portion of a public water system based on system size and complexity that a purveyor assigns to one or more certified operators in responsible charge.

(33) "**Nationally recognized association of certification authorities**" means an organization that:

(a) Serves as an information center for certification activities;

(b) Recommends minimum standards and guidelines for classification of potable water treatment plants, distribution systems, and certification of operators;

(c) Facilitates reciprocity between a state or provincial program; and

(d) Assists authorities in establishing new certification programs and updating existing programs.

(34) **"Noncommunity water system"** means a Group A public water system that is not a community water system. Noncommunity water systems are further defined as nontransient noncommunity and transient noncommunity.

(35) **"Nontransient noncommunity water system"** means a Group A public water system that provides service opportunities to 25 or more of the same nonresidential people for 180 or more days within a calendar year.

(36) **"OIT (operator in training)"** means an individual with less than the required amount of operating experience meeting the requirements of this chapter and certified under chapter 70A.120 RCW to perform routine on-site duties in a water treatment plant or distribution system.

(37) **"Operating experience"** means the routine performance or management of duties:

(a) In a water treatment plant or distribution system; and

(b) That affect water treatment plant performance, distribution system performance, water quality, water quantity, or public health protection.

(38) **"Operating shift"** means a designated period of time in which a certified operator makes decisions and takes actions that directly impact drinking water quality, water quantity, or public health protection.

(39) **"Person"** means any individual, corporation, company, association, society, firm, partnership, joint stock company, or any governmental agency, or the authorized agents of these entities.

(40) **"Premises isolation"** is defined in chapter 246-290 WAC.

(41) **"Professional growth reporting period"** means a designated period of time not less than three years, in which a certified operator completes the professional growth requirement in WAC 246-292-095.

(42) **"Public water system (Group A public water system)"** means:

(a) A system with 15 or more service connections, regardless of the number of people; or

(b) A system serving an average of 25 or more people per day for 60 or more days within a calendar year, regardless of the number of service connections; and

(c) In addition, a Group A public water system is further defined in WAC 246-290-020.

(43) **"Purveyor"** means an agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or other entity owning or operating a public water system. Purveyor also means the authorized agents of these entities.

(44) **"Relevant excess education"** means science, applied science, or technology CEUs or college credits that exceed the minimum education required for certification in a specific certified operator classification. Example fields of study include, but are not limited to:

(a) Biology;

(b) Chemistry;

(c) Engineering;

(d) Geology; and

(e) Physics.

(45) **"Relevant water system training"** means training that directly relates to information and procedures that influence water quality, water quantity, or public health protection, including:

- (a) The operation or maintenance activities of a public water system; or
- (b) Managing the operation or maintenance activities of a public water system.
- (46) **"Responsible charge"** means the authority a purveyor grants to a certified operator to make decisions:
- (a) That will directly impact water quality, water quantity, or public health protection of a public water system; and
- (b) Regarding the daily operational activities, process control, or system integrity of a water treatment plant or distribution system.
- (47) **"SMA (satellite system management agency)"** means a person that is approved by the department under chapter 246-295 WAC to own or operate more than one public water system on a regional or county-wide basis without the necessity for a physical connection between the systems.
- (48) **"Surface water"** means a body of water open to the atmosphere and subject to surface runoff.
- (49) **"Transient noncommunity water system"** means a Group A public water system that serves:
- (a) Twenty-five or more different people each day for 60 or more days within a calendar year; or
- (b) Twenty-five or more of the same people each day for 60 or more days, but less than 180 days within the calendar year.
- (50) **"USC"** means the University of Southern California.
- (51) **"Validated examination"** means an examination that is independently reviewed by subject matter experts, to verify that the examination is based on a job analysis and, where applicable, is related to the classification of a water treatment plant and distribution system.
- (52) **"Water-related experience"** means experience:
- (a) Operating a water treatment plant or distribution system;
- (b) Working in water quality, water resources, or water infrastructure in a federal, state, county, local, or other governmental agency;
- (c) Working in industrial water;
- (d) Working in wastewater treatment; or
- (e) Working as a consulting engineer or operations consultant in water quality, water resources, or water infrastructure.
- (53) **"Water treatment plant"** means that portion of a public water system that treats or improves the physical, chemical, or microbial quality of the system's water to comply with water quality requirements in chapter 246-290 WAC.
- (54) **"WDM (water distribution manager)"** means an individual meeting the requirements of this chapter and certified under chapter 70A.120 RCW to perform or manage routine on-site duties in the distribution system of a public water system that serves more than 250 people. WDM duties affect the public water system performance, water quality, water quantity, or public health protection.
- (55) **"WDS (water distribution specialist)"** means an individual meeting the requirements of this chapter and certified under chapter 70A.120 RCW to perform or manage on-site duties in a distribution system of a public water system that serves 250 people or less. WDS duties affect public water system performance, water quality, water quantity, or public health protection.
- (56) **"WFI (water facilities inventory)"** means the department form required in WAC 246-290-480(2) that summarizes a public water system's characteristics.

(57) **"WTPO (water treatment plant operator)"** means an individual meeting the requirements of this chapter and certified under chapter 70A.120 RCW to perform or manage on-site duties in a water treatment plant. WTPO duties affect plant performance, public water system performance, water quality, water quantity, or public health protection.

[Statutory Authority: RCW 70A.120.050. WSR 22-17-155, § 246-292-010, filed 8/24/22, effective 9/24/22. Statutory Authority: RCW 43.70.040 and 2020 c 20. WSR 22-07-025, § 246-292-010, filed 3/9/22, effective 4/9/22. Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-010, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW. WSR 05-06-122, § 246-292-010, filed 3/2/05, effective 4/2/05. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-010, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-010, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-010, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-020, filed 9/22/78.]

WAC 246-292-020 Public water system requirements. (1) A purveyor shall designate at least one certified operator in responsible charge to meet the requirements of WAC 246-292-032 and as required in WAC 246-292-050 (1), (2), and (4), as applicable.

(2) A purveyor may designate additional certified operators in responsible charge in accordance with WAC 246-292-050(3) when a purveyor has designated operating shifts and major segments.

(3) A purveyor shall designate and report mandatory certified operators in responsible charge positions to the department within thirty days of:

(a) Starting operations of a public water system; or

(b) When a mandatory certified operator in responsible charge position is vacated.

(4) The purveyor shall not require certified operators to perform an action or correction that is inconsistent with their experience, skills, abilities, or level of certification.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-020, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-020, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-020, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-020, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-030, filed 9/22/78.]

WAC 246-292-031 Duties of a certified operator. (1) A certified operator shall:

(a) Operate the public water system with due care and diligence to protect public health and comply with this chapter and applicable state and federal drinking water laws and regulations.

(b) Perform only the duties consistent with the operator's experience, skills, abilities, or level of certification.

(c) Inform the purveyor if a required action or correction is inconsistent with the operator's experience, skills, abilities, or level of certification.

(2) The certified operator duties in this chapter do not relieve a purveyor of the responsibility to comply with the requirements of chapter 246-290 WAC.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-031, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW. WSR 05-06-122, § 246-292-031, filed 3/2/05, effective 4/2/05.]

WAC 246-292-032 Duties of a certified operator in responsible charge.

(1) A certified operator designated by the purveyor to be in responsible charge as required in WAC 246-292-020 shall perform or manage the public water system's daily operational and maintenance activities in this chapter, chapter 246-290 WAC, and according to acceptable public health practices and water industry standards.

(2) A certified operator in responsible charge or designee must be available on-site or able to be contacted immediately by telephone or other electronic communication twenty-four hours per day, every day, and able to initiate appropriate action within two hours of contact. Appropriate action may include, but is not limited to:

(a) Making necessary repairs or resolving problems; or

(b) Directing staff or contractors to make necessary repairs or resolve problems.

(3) The duties of a certified operator in responsible charge or designee include, but are not limited to:

(a) Conducting water quality monitoring, maintaining adequate records and taking follow-up action, if necessary, to comply with state and federal drinking water regulations;

(b) Implementing preventive maintenance programs, inspecting treatment and other public water system components for malfunctions, maintaining adequate records, and making needed repairs;

(c) Analyzing, reviewing, and maintaining records of instrument readings and laboratory test results, determining the location and causes of any malfunctions, adjusting various treatment processes or other components;

(d) Implementing a cross-connection control program, if directed by the purveyor;

(e) Determining and implementing remedial actions in an emergency and, if applicable, following departmental directives;

(f) Cooperating during a special purpose investigation or sanitary survey as required in chapter 246-290 WAC;

(g) Providing required records and reports to the department or its representative upon request; and

(h) Providing written notification to the department within thirty days of:

(i) Starting operations of a public water system; or

(ii) Ending operations of a public water system.

(4) The duties of a certified operator in responsible charge required in this chapter do not relieve a purveyor of the responsibility to comply with the requirements of chapter 246-290 WAC.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-032, filed 12/4/13, effective 1/4/14.]

WAC 246-292-033 Duties of a CCS. (1) A CCS designated by a purveyor as required in WAC 246-292-050(4) shall develop, implement, and maintain a cross-connection control program that meets the requirements in WAC 246-290-490.

(2) A CCS shall perform the following duties:

(a) Assess the degree of hazard posed by the consumer's water system to the public water system, as required in WAC 246-290-490 (4) (a) (i);

(b) Determine the appropriate method of backflow protection to prevent contamination of the public water system by the consumer's water system, as required in WAC 246-290-490 (4) (a) (ii);

(c) Inspect backflow preventer installations to verify that the protection provided is appropriate for the assessed degree of hazard, as required in WAC 246-290-490 (7) (a) (i);

(d) Investigate and respond to backflow incidents known to have contaminated or suspected of contaminating the public water system, as required in WAC 246-290-490 (3) (h);

(e) Develop and maintain the purveyor's cross-connection control records, as required in WAC 246-290-490 (3), (4), and (8);

(f) Complete and sign the purveyor's cross-connection control related reports and make the reports available to the department upon request, as required in WAC 246-290-490(8) including:

(i) The cross-connection control annual summary reports; and

(ii) Backflow incident reports after an incident has occurred that contaminated the public water system;

(g) Take corrective action as required in WAC 246-290-490 (2) (h) when a consumer fails to comply with the purveyor's cross-connection control requirements regarding the installation, inspection, field testing, maintenance, or repair of a backflow preventer that protects the public water system; and

(h) Review inspection and field test reports for backflow preventers that protect the public water system and take follow-up action to resolve incomplete, erroneous, or fraudulent reports as required in WAC 246-290-490 (3) (g).

(3) If the purveyor grants exceptions to mandatory premises isolation as allowed under WAC 246-290-490 (4) (b), the CCS shall:

(a) Determine, on a case-by-case basis, if granting the consumer an exception to mandatory premises isolation is appropriate;

(b) Complete and sign an exception form provided by the department for each exception granted;

(c) Include the completed exception forms in the purveyor's cross-connection control annual summary report; and

(d) Submit the completed and signed exception forms to the department upon request.

(4) As allowed in WAC 246-290-490 (7) (a) (ii), a CCS's duties may include inspecting:

(a) Air gaps to determine if they are approved air gaps, and reporting the results of the inspections as required in WAC 246-292-036(8); and

(b) Backflow prevention assemblies to determine if they are installed correctly and approved by the department.

(5) The CCS duties in this chapter do not relieve a purveyor of the responsibility to comply with the requirements of chapter 246-290 WAC.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-033, filed 12/4/13, effective 1/4/14.]

WAC 246-292-034 Duties of a BAT. (1) A BAT shall inspect, field test, maintain, and repair backflow prevention assemblies, backflow prevention devices, and air gaps that protect the public water system and report the results as required in WAC 246-290-490(7).

(2) A BAT must be equipped with and capable of using a field test kit, all tools, and other equipment needed to inspect and field test backflow prevention assemblies, and to inspect air gaps and AVBs.

(3) When conducting inspections and field tests of backflow preventers, a BAT shall:

(a) Use procedures that:

(i) Meet the requirements in WAC 246-290-490 (7)(d); and

(ii) Are consistent with the field test procedures used on the BAT's most recently passed practical exam;

(b) Accurately perform inspections and field tests;

(c) Record inspection and field test results completely, accurately, and legibly on a backflow preventer inspection and field test report that meets the requirements in WAC 246-292-036;

(d) Accurately interpret inspection results and determine whether or not the backflow prevention assembly is properly installed;

(e) Accurately interpret the field test results and determine if a backflow prevention assembly passed or failed the field test;

(f) Accurately interpret air gap inspection results and determine if the air gap is an approved air gap at the time of inspection; and

(g) Accurately interpret inspection results and determine if an AVB is properly installed and operating properly.

(4) A BAT shall submit a completed backflow preventer inspection and field test report in an original, copy, facsimile, or electronic format to the owner of the backflow preventer and to the purveyor.

(5) When field testing a backflow prevention assembly, a BAT shall use a field test kit that meets the criteria in Appendix A, Section A.7 of the *Manual of Cross-Connection Control*, 10th Edition, published by the University of Southern California, October 2009 (*USC Manual*).

(6) A BAT shall have the field test kit and components:

(a) Evaluated for performance, pressure-tested, and checked for accuracy:

(i) At least once within the twelve month period before the inspection and field test date; and

(ii) By an independent laboratory that meets criteria and uses procedures specified in Appendix A, Section A.7 of the *USC Manual*.

(b) Recalibrated, repaired, or replaced, if the pressure test or accuracy check results fail to meet the criteria in Appendix A, Section A.7 of the *USC Manual*.

(7) A BAT shall submit to the purveyor as required in WAC 246-290-490 (3)(g):

(a) Laboratory-issued documentation that verifies the accuracy of the field test kit and provides the results of the pressure testing; and

(b) A copy of the department-issued BAT validation card that verifies the BAT's current certification status.

(8) When inspecting, testing, maintaining, or repairing a backflow prevention assembly or AVB, a BAT shall:

(a) Use only replacement parts from the original manufacturer so that the backflow prevention assembly or AVB meets the approval requirements of WAC 246-290-490(5);

(b) Retain, or restore if needed, the manufacturer's design, material, and operational characteristics of the backflow prevention assembly or AVB so that the backflow preventer meets the approval requirements of WAC 246-290-490(5); and

(c) Be a certified plumber as required in chapter 18.106 RCW, if applicable.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-034, filed 12/4/13, effective 1/4/14.]

WAC 246-292-036 Backflow preventer inspection and field test report content. (1) A BAT shall complete a backflow preventer inspection and field test report as required in WAC 246-292-034 (3)(c).

(2) The completed backflow preventer inspection and field test report must contain facility and hazard information including:

(a) Facility name;

(b) Service address;

(c) Name and contact information of the facility owner or owner's representative; and

(d) Description of downstream hazards or premises, such as the categories identified in WAC 246-290-490, Table 9, if known to the BAT.

(3) The completed backflow preventer inspection and field test report must contain backflow prevention assembly or AVB information including:

(a) Description of physical location;

(b) Assembly type;

(c) Manufacturer;

(d) Model;

(e) Serial number, if applicable;

(f) Size;

(g) Whether or not the assembly or AVB met the approval requirements in WAC 246-290-490(5) at the time of inspection;

(h) Whether or not the installation is new, existing, or a replacement; and

(i) For a replacement installation, the serial number of the previously installed assembly or AVB, if known to the BAT.

(4) The completed backflow preventer inspection and field test report must contain installation information including whether or not the backflow prevention assembly or AVB is properly installed:

(a) In an orientation that meets the approval requirements of WAC 246-290-490 (6)(a);

(b) According to industry standards, as required in WAC 246-290-490(6); and

(c) So that the air gap under the relief valve of a reduced pressure backflow assembly meets the approved air gap requirements in chapter 246-290 WAC.

(5) The completed backflow preventer inspection and field test report must contain results of backflow prevention assembly inspec-

tions and field tests conducted according to the field test procedures that meet the requirements of WAC 246-290-490 (7)(d), including:

- (a) Accurate field test kit readings for the initial field test;
- (b) Accurate field test kit readings for the field test conducted after maintenance or repair, if applicable; and
- (c) If the backflow prevention assembly passed or failed each field test.

(6) The completed backflow preventer inspection and field test report must contain backflow prevention assembly or AVB maintenance and repair information, if applicable and known to the BAT, including a:

- (a) Description of maintenance performed;
- (b) Description of repairs made; and
- (c) List of materials or replacement parts used.

(7) The completed backflow preventer inspection and field test report must contain field test kit information for each field test conducted, including:

- (a) Manufacturer;
- (b) Model;
- (c) Serial number; and
- (d) Date of the most recent laboratory accuracy verification or laboratory calibration that meets the requirements of WAC 246-292-034(6).

(8) The completed backflow preventer inspection and field test report must contain results of air gap inspections including:

- (a) Measurements of the supply pipe diameter;
- (b) Measurements of the air gap separation; and
- (c) Whether or not the air gap is an approved air gap at the time of inspection.

(9) The completed backflow preventer inspection and field test report must contain remarks, if applicable, including, but not limited to:

- (a) A statement that the backflow prevention assembly or AVB does not meet the approval requirements in WAC 246-290-490(5);
- (b) A list of all missing or defective backflow prevention assembly or AVB components, including shutoff valves and test cocks; and
- (c) A description of any conditions that could adversely affect the performance of the backflow preventer.

(10) The completed backflow preventer inspection and field test report must contain information about the BAT who inspected, field tested, maintained, or repaired the backflow preventer, including the BAT's:

- (a) Printed name;
- (b) Company name;
- (c) Phone number; and
- (d) BAT certification number issued by the department.

(11) The completed backflow preventer inspection and field test report must contain the date of each inspection, field test, maintenance or repair, if applicable, performed by the BAT.

(12) The completed backflow preventer inspection and field test report must contain a statement certifying that the BAT:

- (a) Personally inspected and field tested the backflow prevention assembly; or
- (b) Personally inspected the air gap or AVB; and
- (c) Used field test procedures that met the requirements of WAC 246-290-490 (7)(d); and

(d) Provided true, complete, and accurate information in the report.

(13) The completed backflow preventer inspection and field test report must contain the signature of the BAT who inspected, field tested, maintained, or repaired the backflow preventer. The signature must be in original, copy, facsimile, or electronic format.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-036, filed 12/4/13, effective 1/4/14.]

WAC 246-292-040 Classification of public water systems. The department shall classify water treatment plants and distribution systems.

(1) Water treatment plants.

(a) Water treatment plants are classified according to the point system in the ABC "*Purification Plant Criteria*" publication (October 2007) and are in Table 1.

**Table 1
Water Treatment Plant Classification**

| Total Points Assigned | Water Treatment Plant Classification |
|-----------------------|--------------------------------------|
| Less than 31 | Class 1 |
| 31 to 55 | Class 2 |
| 56 to 75 | Class 3 |
| More than 75 | Class 4 |

(b) The scope of water treatment plant processes include, but are not limited to:

- (i) Water filtration;
- (ii) Ion exchange;
- (iii) Electrodialysis;
- (iv) Reverse osmosis; or
- (v) Inorganic contaminant removal.

(c) The scope of a water treatment plant does not include unit processes installed for:

- (i) In-line fluoridation;
- (ii) In-line chlorination; or
- (iii) Chemical addition to inhibit corrosion.

(2) Distribution systems are classified according to the population served from a public water system's WFI form and are in Table 2.

**Table 2
Distribution Systems Classification**

| Population Served | Distribution System Classification |
|-------------------|------------------------------------|
| Less than 251 | Class S |
| 251 to 1,500 | Class 1 |
| 1,501 to 15,000 | Class 2 |
| 15,001 to 50,000 | Class 3 |
| More than 50,000 | Class 4 |

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-040, filed 12/4/13, effective 1/4/14. Statutory

Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-040, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-040, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-040, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-050, filed 9/22/78.]

WAC 246-292-050 Public water system minimum operator certification requirements. (1) A purveyor of a public water system shall designate at least one certified operator in responsible charge of a water treatment plant according to the minimum operator certification levels in Table 3.

**Table 3
Water Treatment Plant Classification for the Minimum Level of Certified Operators in Responsible Charge**

| Water Treatment Plant Classification | Minimum Operator Certification Level |
|--------------------------------------|--------------------------------------|
| Class 1 | WTPO 1 |
| Class 2 | WTPO 2 |
| Class 3 | WTPO 3 |
| Class 4 | WTPO 4 |

(2) A purveyor of a public water system shall designate at least one certified operator in responsible charge of a distribution system according to the minimum operator certification levels in Table 4 for:

- (a) A community or nontransient noncommunity water system;
- (b) A transient noncommunity water system, if the system has a groundwater source that requires 4-log treatment as required in WAC 246-290-451 or 246-290-453; or
- (c) A transient noncommunity water system that is violating or has violated requirements in chapter 246-290 WAC, and the violations may create, or have created an imminent or significant risk to human health. Violations include, but are not limited to:
 - (i) Repeated violations of monitoring or reporting requirements;
 - (ii) Failure to address an exceedance of permissible levels of regulated contaminants;
 - (iii) Failure to comply with treatment technique standards or requirements;
 - (iv) Failure to comply with waterworks operator certification requirements;
 - (v) Failure to submit to a sanitary survey; or
 - (vi) Failure to comply with Tier 1 public notification requirements.

**Table 4
Distribution System Classification for the Minimum Level of Certified Operators in Responsible Charge**

| Distribution System Classification | Minimum Operator Certification Level |
|------------------------------------|--------------------------------------|
| Class S | WDS |
| Class 1 | WDM 1 |
| Class 2 | WDM 2 |
| Class 3 | WDM 3 |

| Distribution System Classification | Minimum Operator Certification Level |
|------------------------------------|--------------------------------------|
| Class 4 | WDM 4 |

(3) A purveyor of a public water system with designated operating shifts and major segments may:

(a) Designate a certified operator in responsible charge at one level lower than the minimum certification requirements in subsections (1) and (2) of this section for each operating shift outside of regular operating hours, or each major segment of a water treatment plant or distribution system; and

(b) Assign a major segment to an operator that is certified at less than the minimum certification level requirement in (a) of this subsection if the purveyor has written procedures that include:

(i) Which operational decisions the assigned operator may make that are consistent with their experience, skills, or abilities;

(ii) Identification of the conditions that require the assigned operator to consult with the certified operator in responsible charge in (a) of this subsection, and contact information; and

(iii) The date and signatures of the certified operator in responsible charge in (a) of this subsection, and the assigned operator.

(4) A purveyor shall designate a CCS to be in responsible charge of a public water system's cross-connection control program.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-050, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-050, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-050, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-050, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-060, filed 9/22/78.]

WAC 246-292-055 Minimum requirements for contract operators.

(1) A contract operator must:

(a) Be certified, at a minimum, as a CCS and a WDM 1;

(b) Be certified at a level determined by the highest classification of the water treatment plant or distribution system operated as required in WAC 246-292-050 in Tables 3 and 4;

(c) For each public water system under contract with the operator:

(i) Be available on-site or able to be contacted immediately by telephone or other electronic communication twenty-four hours per day, every day; and

(ii) Be able to initiate appropriate action within two hours of contact, as required for certified operators in responsible charge under WAC 246-292-032(2), for every public water system that the contract operator is under contract;

(d) Submit one copy of each public water system operations contract to the department within thirty days of the effective date of the contract. An operations contract must include the following:

(i) Contract operator name and certification number;

(ii) List of the duties that must be performed;

(iii) Duration of the contract term;

- (iv) Signature of the public water system representative;
- (v) Signature of the contract operator; and
- (vi) Effective date of the contract.

(e) Notify the department within thirty days when starting operation of a public water system, or ending operation of a public water system.

(2) A contract operator who is an approved SMA shall comply with chapter 246-295 WAC.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-055, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-055, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-055, filed 1/20/94, effective 2/20/94.]

WAC 246-292-060 Minimum education and experience requirements to become a certified operator. (1) Minimum education and operating experience requirements for a water treatment plant operator are in Table 5.

**Table 5
WTPO Minimum Education and Experience Requirements**

| Certification Level | Minimum Education Requirement (see Table 7 for equivalents) | Minimum Experience Requirement |
|---------------------|---|---|
| WTPO 1 | 12 years | 12 months operating experience in a water treatment plant. |
| WTPO 2 | 12 years | <ul style="list-style-type: none"> • 18 months operating experience in a water treatment plant; and • 18 months additional water-related experience. • Relevant excess education may substitute for additional water-related experience requirement. |
| WTPO 3 | 14 years | <ul style="list-style-type: none"> • 24 months operating experience in a Class 2 or higher rated water treatment plant; and • 24 months additional water-related experience. • Relevant excess education may substitute for additional water-related experience requirement. |
| WTPO 4 | 16 years | <ul style="list-style-type: none"> • 24 months operating experience in a Class 3 or higher rated water treatment plant; and • 24 months additional water-related experience. • Relevant excess education may substitute for additional water-related experience requirement. |

(2) Minimum education and operating experience requirements for WDS and WDM certification levels are in Table 6.

**Table 6
WDS and WDM Minimum Education and Experience Requirements**

| Certification Level | Minimum Education Requirement (see Table 7 for equivalents) | Minimum Experience Requirement |
|---------------------|---|---|
| WDS | 12 years | 6 months operating experience in a water treatment plant or distribution system. |
| WDM 1 | 12 years | 12 months operating experience in a water treatment plant or distribution system. |

| Certification Level | Minimum Education Requirement (see Table 7 for equivalents) | Minimum Experience Requirement |
|---------------------|---|--|
| WDM 2 | 12 years | <ul style="list-style-type: none"> • 12 months operating experience in a water treatment plant or distribution system; and • 24 months additional water-related experience. • Relevant excess education may substitute for additional water-related experience requirement. |
| WDM 3 | 14 years | <ul style="list-style-type: none"> • 12 months operating experience in a water treatment plant or distribution system; and • 36 months additional water-related experience. • Relevant excess education may substitute for additional water-related experience requirement. |
| WDM 4 | 16 years | <ul style="list-style-type: none"> • 12 months operating experience in a water treatment plant or distribution system; and • 36 months additional water-related experience. • Relevant excess education may substitute for additional water-related experience requirement. |

(3) OIT requirements. Applicants for a WTPO or WDM OIT certification must meet the following requirements:

(a) Level 1 must meet the minimum education identified in Table 5 or 6 and either:

(i) Three months operating experience in a distribution system or in a water treatment plant;

(ii) Three months water-related experience; or

(iii) Three relevant college credits or thirty hours (three CEUs) of relevant training.

(b) Levels 2 through 4 must meet the minimum education and water-related experience requirements identified in Table 5 or 6 for the applicable certification level, excluding the operating experience requirements.

(4) The minimum education and operating experience requirements for a CCS are:

(a) Twelve years of education (refer to Table 7 for equivalent education requirements); and

(b) At least six months water-related experience.

(5) A BAT shall have at least twelve years of education (refer to Table 7 for equivalent education requirements).

**Table 7
Minimum Education Requirements and Equivalent Education and Substitutions**

| Minimum Education Requirement | Equivalent Education and Substitutions |
|-------------------------------|--|
| 12 years of education | <ul style="list-style-type: none"> • High school diploma or GED; • One year of water-related experience may substitute for each year of education through twelfth grade. |
| 14 years of education | <ul style="list-style-type: none"> • High school diploma or GED, and one of the following: <ul style="list-style-type: none"> • A two-year college degree; • 60 college semester credits; • 90 college quarter credits; or • 90 CEUs from relevant water system training. • One year of operating experience or water-related experience may substitute for each year of education through twelfth grade. • Two years of operating experience or water-related experience may substitute for each year of college education. |

| Minimum Education Requirement | Equivalent Education and Substitutions |
|-------------------------------|--|
| 16 years of education | <ul style="list-style-type: none"> • High school diploma or GED, and one of the following: <ul style="list-style-type: none"> • A four-year college degree; • 120 college semester credits; • 180 college quarter credits; or • 180 CEUs from relevant water system training. • One year of operating experience or water-related experience may substitute for each year of education through twelfth grade. • Two years of operating experience or water-related experience may substitute for each year of college education. |

(6) Water-related experience used to substitute for the minimum education requirements must exceed the minimum experience requirements for certification in Tables 5 and 6 before the experience is used as an equivalent education substitution in Table 7.

(7) The department may approve an applicant's relevant excess education or water-related experience that meets the requirements in Tables 5, 6, and 7.

[Statutory Authority: RCW 70.119.050. WSR 17-23-119, § 246-292-060, filed 11/17/17, effective 12/18/17. Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-060, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-060, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-060, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-060, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-070, filed 9/22/78.]

WAC 246-292-070 Application and examination. (1) To become certified as a CCS, WDS, WDM, or WTPO, an applicant shall:

(a) Submit to the department a completed application on a form provided by the department, and include:

- (i) An application fee, as specified in WAC 246-292-995;
- (ii) A completed "Waterworks Operator Information" form;
- (iii) Affidavits of employment that documents experience;
- (iv) Transcripts of education and training, if applicable; and
- (v) Other supporting documentation, as required in this chapter.

(b) Meet the minimum education and operating experience requirements in WAC 246-292-060; and

(c) Take and pass a validated examination, including payment of an examination fee made payable to the department's examination contractor as specified in the application packet.

(2) The effective date of the certificate for CCS, WDS, WDM, or WTPO classifications is the last day of the month in which the applicant took and passed the examination.

(3) To become certified as a BAT, an applicant shall:

(a) Submit to the department a completed application on a form provided by the department, and include:

(i) An application fee, as specified in WAC 246-292-995; and

(ii) An examination fee to the department's examination contractor as specified in the application packet; and

(b) Take and pass:

- (i) A validated computer-based examination; and
- (ii) A department practical examination.

(4) The effective date of the certificate for a BAT is the date the applicant passed the examination.

(5) The department shall consider for approval all complete applications.

(6) The department may deny an application for certification as specified in WAC 246-292-105.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-070, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-070, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-070, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-070, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-080, filed 9/22/78.]

WAC 246-292-075 Reciprocity. (1) The department may issue a certification for a WDS, WDM, or WTPO without examination to an applicant who has a valid, unrestricted certificate from another state or province if:

(a) The education, operating experience, and professional growth requirements from the other state or provincial certification program are substantially equivalent standards as the certification requirements in this chapter; and

(b) An applicant passed the ABC validated examination or an equivalent examination as determined by the department, with an equivalent Washington passing score of at least seventy percent.

(2) An applicant for a WDS, WDM, or WTPO certification by reciprocity shall comply with the requirements in WAC 246-292-070, except the examination and application fees and submit:

(a) Proof of a valid, unrestricted waterworks operator certification from the reciprocal state or province; and

(b) The reciprocity fee as specified in WAC 246-292-995, Table 8.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-075, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-075, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-075, filed 1/20/94, effective 2/20/94.]

WAC 246-292-080 Public water system temporary operator certification. (1) The department may issue a nonrenewable temporary certification to an individual to fill a vacated position for a certified operator in responsible charge, or for a position reclassified in WAC 246-292-086, for a public water system that is required to have a certified operator. The purveyor of the public water system and the operator may jointly submit to the department an application for a temporary certification without the operator taking an examination if:

(a) The operator meets, or will meet before the end of the temporary certification period, the minimum education and operating experience requirements of the water treatment plant or distribution system classification as required in WAC 246-292-050 for the temporary position; and

(b) The operator submits all of the following:

(i) A letter requesting temporary certification for the vacated certified operator in responsible charge position;

(ii) A temporary certification application on a form provided by the department signed by the operator and the purveyor for department review and approval;

(iii) Affidavits of employment and other supporting information to document experience and demonstrate that the applicant will meet the requirements to become certified for the position by the end of the temporary certification period; and

(iv) A temporary certification application fee as specified in WAC 246-292-995(4).

(2) The department may issue a temporary certification for up to twelve months except as specified in subsection (3) or (4) of this section.

(3) The department may issue a temporary certification for up to sixty days to an operator of a public water system that uses a surface water or a GWI source, if:

(a) The public water system has no more than two WTPO positions;

(b) All WTPO positions for the public water system are vacant at the same time;

(c) The operator meets the minimum education and operating experience requirements for the position in WAC 246-292-060 at the time the department receives the application; and

(d) The operator submits all information as required in subsection (1)(b) of this section.

(4) The department may issue a temporary certification for up to one hundred twenty days to an operator of a public water system if:

(a) The public water system meets the criteria in WAC 246-292-050 (2)(c);

(b) The operator meets the minimum education and operating experience requirements for the position in WAC 246-292-060 at the time the department receives the application; and

(c) The operator submits all information as required in subsection (1)(b) of this section.

(5) Only one temporary certification may be issued for each vacated position for a certified operator in responsible charge.

(6) A temporary certification issued by the department to an operator for a vacated certified operator in responsible charge position of a public water system is not transferable to:

(a) Another operator;

(b) Another position within the public water system; or

(c) Another public water system.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-080, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-080, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-080, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-080, filed 12/27/90, effective 1/31/91. Statutory Author-

ity: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-090, filed 9/22/78.]

WAC 246-292-085 Legacy certification. (1) A certified operator who received a legacy certification prior to January 1, 2001, remains subject to the following:

(a) A legacy operator certification is valid only for the designated public water system and is not transferable to another operator or public water system;

(b) An operator with a legacy certification shall meet all renewal requirements in WAC 246-292-090; and

(c) If an operator with a legacy certification fails to renew the certificate as required in WAC 246-292-090, the operator shall no longer be certified. If the certificate expires, the operator must apply for a new certification and meet all the requirements of a new applicant as required in WAC 246-292-060 and 246-292-070.

(2) If the classification of a water treatment plant or distribution system changes to a higher level, the legacy certification is no longer valid. The purveyor shall comply with the requirements for obtaining a certified operator, as required in WAC 246-292-040 and 246-292-050.

[Statutory Authority: RCW 70A.120.050. WSR 22-17-155, § 246-292-085, filed 8/24/22, effective 9/24/22. Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-085, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW. WSR 05-06-122, § 246-292-085, filed 3/2/05, effective 4/2/05. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-085, filed 12/29/00, effective 1/29/01.]

WAC 246-292-086 Certified BTO. (1) The department shall:

(a) Reclassify a certified BTO that has twelve months or more of operating experience in a water treatment plant to a WTPO 1. To document operating experience in a water treatment plant, a BTO shall submit the following to the department for review and approval:

(i) Completed "Waterworks Operator Information" form provided by the department; and

(ii) Affidavits of employment that document water treatment plant experience.

(b) Issue a temporary operator certification to a BTO designated as a certified operator in responsible charge in WAC 246-292-020 for up to twelve months as a WTPO 1 under the following criteria:

(i) The BTO is currently operating a water treatment plant;

(ii) The BTO does not have twelve months of operating experience in a water treatment plant; and

(iii) The water treatment plant is classified as Class 1 in WAC 246-292-040 Table 1.

(2) A BTO that does not have twelve months of operating experience in a water treatment plant, and that does not meet the criteria in subsection (1)(b) of this section, shall remain a certified BTO.

(3) Within twelve months of the effective date of this chapter, a BTO may request that the department reclassify the certificate from a BTO to a WTPO-OIT by submitting the following information for department review and approval:

- (a) Completed "Waterworks Operator Information" form; and
- (b) Affidavits of employment that document water treatment plant experience.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-086, filed 12/4/13, effective 1/4/14.]

WAC 246-292-090 Renewal of certificates. (1) Certificates are valid until December 31st each year, except that an initial certificate issued after October 1st will be valid through the following calendar year.

(2) To renew a certificate, a certified operator shall submit to the department:

- (a) The annual renewal fee as specified in WAC 246-292-995;
- (b) The original annual renewal notice, and if applicable;
- (c) Updated information on the renewal notice, including water system name and identification number for any change in the specific public water systems operated by the certified operator; and
- (d) Completed professional growth documentation as required in WAC 246-292-095(3).

(3) A certified operator that fails to renew a certificate by January 1st shall pay a late fee as specified in WAC 246-292-995, Table 8. The department shall notify the operator that the certificate is temporarily valid for two months, beginning January 1st. A temporarily valid certificate not renewed by the last day of February becomes invalid on March 1st. The department shall notify the operator in writing when a temporarily valid certificate is invalidated.

(4) A certified operator whose failure to renew results in an invalid certificate may reapply for certification and shall meet the requirements for a new certificate in WAC 246-292-060 and 246-292-070.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-090, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW. WSR 05-06-122, § 246-292-090, filed 3/2/05, effective 4/2/05. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-090, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-090, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-090, filed 12/27/90, effective 1/31/91. Statutory Authority: Chapter 201, Laws of 1982. WSR 82-13-009 (Order 1823), § 248-55-110, filed 6/4/82. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-110, filed 9/22/78.]

WAC 246-292-095 Professional growth. (1) A BTO, CCS, WDS, WDM, or WTPO shall demonstrate professional growth during each professional growth reporting period of at least three years, and complete the requirements by December 31st, as follows:

- (a) Accumulate a minimum of three CEU or college credits meeting the definition of relevant water system training in WAC 246-292-010;
- (b) Advance as a WDM or WTPO by examination to a higher level classification; or
- (c) Achieve certification by examination in a different classification as follows:

- (i) A BTO obtains a CCS, WDM, or WTPO certification;
- (ii) A CCS obtains a WDS, WDM, or WTPO certification;
- (iii) A WDM obtains a CCS or WTPO certification;
- (iv) A WDS obtains a CCS, WDM, or WTPO certification; or
- (v) A WTPO obtains a CCS or WDM certification.

(2) A certified BAT shall demonstrate professional growth by passing the department's BAT professional growth examination during each professional growth reporting period.

(3) All certified operators shall submit professional growth documentation to the department or its designee by February 15th following the end of the professional growth period.

(4) The department shall determine if training meets the relevant water system training requirements of WAC 246-292-060. If the department determines that training does not meet the definition, the certified operator may request a relevancy review.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-095, filed 12/4/13, effective 1/4/14.]

WAC 246-292-100 Revocation and suspension. (1) The department may suspend an operator's certificate for up to one year or revoke an operator's certificate for up to five years if the operator:

- (a) Obtains a certificate by fraud or deceit;
- (b) Performs an act of fraud, deceit, or gross negligence when:
 - (i) Operating or maintaining a public water system;
 - (ii) Inspecting, testing, maintaining, or repairing backflow assemblies, devices, or air gaps intended to protect a public water system from contamination; or
 - (iii) Developing or implementing a cross-connection control program.

(c) Intentionally violates the requirements of this chapter or department statutes, rules, or orders as authorized in chapter 246-290 WAC, RCW 70A.120.110, or 70A.125.040.

(2) When considering if an act or omission constitutes gross negligence, the department shall consider all pertinent factors including, but not limited to:

- (a) The standard of care commonly exercised by a certified operator;
- (b) If the legal duty was known or should have been known to the alleged violator; and
- (c) The degree to which the alleged gross negligence endangered public health.

(3) An operator whose certificate is suspended shall continue to meet all renewal and professional growth requirements in WAC 246-292-090 and 246-292-095, in order to maintain certification after the suspension period has ended.

(4) An operator whose certificate is revoked may apply for certification after the period of revocation has ended, and shall meet all requirements in WAC 246-292-060 and 246-292-070.

[Statutory Authority: RCW 43.70.040 and 2020 c 20. WSR 22-07-025, § 246-292-100, filed 3/9/22, effective 4/9/22. Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-100, filed 12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW. WSR 05-06-122, § 246-292-100, filed 3/2/05, effective 4/2/05. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public

Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-100, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-100, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-100, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-120, filed 9/22/78.]

WAC 246-292-105 Certification denial. (1) The department may deny an application for certification if the applicant:

(a) Fails to meet any of the requirements of this chapter or falsifies information;

(b) At the time of application, and for any period of time during the prospective period of certification, the applicant:

(i) Has a waterworks operator certificate revoked, suspended, or restricted by another state or province with substantially equivalent standards as the requirements in this chapter;

(ii) Has a waterworks operator certificate revoked, suspended, or restricted by the department; or

(iii) Has a wastewater operator certificate in chapter 173-230 WAC revoked, suspended, or restricted by the department of ecology.

(2) The department shall give written notice to the applicant of the decision to deny a certificate and state the grounds and factual basis for the action.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-105, filed 12/4/13, effective 1/4/14.]

WAC 246-292-110 Enforcement. (1) When a public water system or operator fails to comply with the requirements of this chapter, the department may initiate appropriate enforcement actions as authorized in chapters 70A.120 and 70A.125 RCW.

(2) The department's enforcement actions against a public water system or operator may include one or more of the following:

(a) Issuing an informal letter directing appropriate corrective measures;

(b) Issuing a notice of violation requiring appropriate corrective measures;

(c) Issuing a compliance schedule of specific actions needed to achieve compliance;

(d) Issuing an order requiring specific actions or ceasing unacceptable activities within a designated time period;

(e) Imposing civil penalties for up to:

(i) Five thousand dollars per day per violation; or

(ii) Ten thousand dollars per day per violation in the case of a violation that the department has determined to be a public health emergency;

(f) Revoking or suspending a certification in accordance with WAC 246-292-100; and

(g) Other legal action by the attorney general or local prosecutor.

[Statutory Authority: RCW 43.70.040 and 2020 c 20. WSR 22-07-025, § 246-292-110, filed 3/9/22, effective 4/9/22. Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-110, filed

12/4/13, effective 1/4/14. Statutory Authority: Chapter 70.119 RCW and Safe Drinking Water Act, Public Law 104-182; 64 F.R. 5916 - 5921. WSR 01-02-070, § 246-292-110, filed 12/29/00, effective 1/29/01. Statutory Authority: Chapter 70.119 RCW. WSR 94-04-004, § 246-292-110, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-292-110, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.119.050. WSR 78-10-053 (Order 1343), § 248-55-130, filed 9/22/78.]

WAC 246-292-995 Certified operator and public water system certification fees. (1) Table 8 specifies certified operator fees:

**Table 8
Certified Operator Fees**

| Operator Classification | Application Fee By Examination | Application Fee By Reciprocity | Annual Renewal Fee | Late Fee (Assessed for failure to submit the fee within the time period specified on the renewal form) |
|--------------------------------|---------------------------------------|---------------------------------------|--|---|
| WTPO | \$87.00 | \$177.00 | \$42 | \$35 |
| WDM | \$87.00 | \$177.00 | (Regardless of the number of classifications held by the operator) | (Regardless of the number of classifications held by the operator) |
| WDS | \$87.00 | \$177.00 | | |
| CCS | \$51.00 | Not applicable | | |
| BAT | \$51.00 | Not applicable | | |
| BTO | Not applicable | Not applicable | | |

(2) A public water system shall pay the fee in Table 9 in combination with the system's annual operating permit fee as required in chapter 246-294 WAC.

(3) A public water system that fails to submit the required annual fees by the deadline specified on the renewal form shall pay the late fee as specified in Table 9.

**Table 9
Public Water System Annual Certification Fees**

| Public Water System Size* (Number of Service Connections on WFI form) | Public Water System Certification Fee | Late Fee |
|--|--|-----------------|
| Less than 601 | \$132.00 | \$35.00 |
| 601 through 6,000 | \$403.00 | \$40.30 |
| 6,001 through 20,000 | \$536.00 | \$53.60 |
| More than 20,000 | \$809.00 | \$80.90 |

* Approved SMAs shall pay a fee based on total services in all public water systems owned by the SMA.

(4) An individual applying for a temporary certification shall pay a fee of eighty-seven dollars to the department as required in WAC 246-292-080.

(5) Fees are not refundable or transferable.

[Statutory Authority: RCW 70.119.050 and chapter 70.119 RCW. WSR 14-01-003, § 246-292-995, filed 12/4/13, effective 1/4/14.]