**Section 900.45 Non-Transient, Non-Community Public Water System Operator Certification**

a) All non-transient, non-community public water systems shall be directly supervised and operated by personnel who:

1) are currently the operator in responsible charge of the non-transient, non-community public water system and whose identity has been submitted to the Department by the non-transient, non-community public water supply system by January 1, 2000; or

2) have been certified by the Department; or

3) have been certified as a public water supply operator by the Illinois Environmental Protection Agency.

b) Operator Certification.

1) All operators must be certified by January 1, 2003. In order to be certified by the Department, an operator must provide evidence of successful completion of a water operator's course that has been approved by the Department. Successful completion shall mean passing a written examination given at the end of the training. Evidence of completion shall be a letter from the school or approved training organization conducting the course. Upon receipt of this documentation, the Department will provide a certificate to the operator.

2) All courses and training organizations must be approved by the Department. The course must consist of at least 12 hours of classroom instruction addressing disinfection and measurement of disinfectant residual, treatment, sample collection, water wells, Department regulations and small water system operation. The examination administered at the conclusion of the training course will be based on job performance.

3) Operator training courses must be updated and approved annually by the Department to ensure that all current regulations are covered in the training course.

4) Applicants for the training course must provide to the training organization evidence of having a high school diploma or the equivalent, or must be currently employed by a non-transient, non-community public water system.

5) Certified operators shall be recertified every three years. In order to be recertified, the operator shall attend a recertification training session approved by the Department and provide proof of attendance from the organization conducting the course. The recertification training shall provide information on new USEPA drinking water regulations, new technology, and water treatment topics that will aid the operator in the operation of the supply.

6) All non-transient, non-community public water systems shall provide the Department with the name, address and phone numbers of the certified individual operating the supply. The Department shall be notified in writing within 30 days after a different person becomes responsible for operation of the supply. This information shall be supplied on forms provided by the Department.

c) Financial, Managerial, and Technical Requirements for Non-Transient, Non-Community Public Water Supply Systems. All applications for a permit to construct a non-transient, non-community public water system that will initiate operation after September 20, 1999 shall contain information relative to its financial, managerial and technical capability to meet all primary drinking water requirements contained in this Part. Applications shall be on forms provided by the Department and shall include the following:

1) Details of well construction and location, water consumption, pumping capacity, location and type of any known potential source or route of contamination, and the types of chemicals stored or used within a 1000 foot radius of the well or surface supply intake. The system shall document the steps to be taken to protect the water supply from contamination.

2) Name, address and phone number of the owner of, and of the individual responsible for the operation and sampling of, the water supply, and, after January 1, 2002, documentation showing that the operator is certified by the Department. If, at the time of application, a certified operator is not available, the owner must provide the name, address, and phone number of the individual who will be seeking certification.

3) A contingency plan. The contingency plan shall indicate the name of the alternate water supply and describe the method for transporting water. The alternate supply shall meet all drinking water quality standards and treatment techniques contained in this Part. The plan shall describe how water from an alternate water supply will be provided if any of the following conditions occur:

A) water service is interrupted due to broken pipes, pump failure or lack of water from the well or surface supply;

B) water quality fails to meet any drinking water maximum contaminant level or treatment technique in this Part.

4) Information indicating that the facility is aware of monitoring requirements and has financial capability to maintain cost of monitoring and system maintenance.

5) The name and certification number of the laboratory that will be used for required chemical analyses, along with an estimate of the cost of performing these analyses.

d) Causes of Suspension or Revocation of Operator Certification. The Department may suspend, revoke, or refuse to issue a certification to a water supply operator for any one of the following:

1) The practice of fraud or deceit in obtaining or attempting to obtain a certification;

2) Gross negligence, or incompetency, or misconduct in the operation of a water supply;

3) Falsification or willful failure to maintain or willful failure to submit records and reports required by this Part;

4) Failure to comply with any of the rules pertaining to the operation of a water supply contained in this Part.

e) Suspension or Revocation of Operator Certification or Denial of an Application for Operator Certification. The Department shall, in any proceeding to suspend, revoke or refuse to issue a certification, first serve on the certified operator or applicant a written notice specifying the manner in which the operator or applicant has failed to comply with this Part and the Act. Such person shall be granted the right to a hearing before the Department and will receive a written notice of opportunity for an administrative hearing. To be eligible for a hearing, the certified operator or applicant shall submit a written request for a hearing to the Department within 10 days after receipt of the written notice of opportunity for an administrative hearing from the Department. Failure to submit a written request for a hearing will constitute a waiver of the person's right to an administrative hearing. All hearings shall be conducted in accordance with the Department's "Rules of Practice and Procedure in Administrative Hearings" (77 Ill. Adm. Code 100).

(Source: Added at 23 Ill. Reg. 11707, effective September 1, 1999)