

**REVISED PROPOSED REGULATION
OF THE STATE BOARD OF HEALTH**

LCB File No. R021-02

July 16, 2002

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

AUTHORITY: §§1-23 and 25, NRS 445A.860 and 445A.880; §24, NRS 439.200 and 445A.860.

Section 1. Chapter 445A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *“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.*

Sec. 3. *“Experience in operating” means having been actively engaged in the operation and maintenance activities of a water treatment or water distribution system.*

Sec. 4. *“Operator” has the meaning ascribed to it in NRS 445A.830.*

Sec. 5. 1. *Only a person who is certified in the same level of classification or a higher level of classification as the classification of the public water system pursuant to subsection 2 of NAC 445A.629 may make decisions regarding the following operations:*

(a) Installing, tapping, relining, disinfecting, testing or connecting a water main or appurtenance;

(b) Shutting down, repairing, disinfecting or testing a damaged, ruptured or broken water main;

(c) Supervising the flushing, cleaning or pigging of an existing water main;

(d) Pulling, resetting, rehabilitating, disinfecting or testing a water well;

(e) Responding to an operational emergency in a distribution system before or after regular working hours;

(f) Draining, cleaning, disinfecting or maintaining a distribution reservoir;

(g) Manually or through the use of a supervisory control and data acquisition system, operating:

(1) A pump or the controls of a pump that affect the requirements of flow or pressure in a distribution system; or

(2) A facility for storage;

(h) Maintaining or adjusting the requirements of flow or pressure in a distribution system, including, without limitation:

(1) The flow necessary to satisfy consumer demands;

(2) The flow necessary for fire demands; and

(3) The minimum level of pressure in a distribution system;

(i) Determining and controlling the proper rate of dosage of chemicals for disinfection of a wellhead and maintaining the residual levels of disinfection in a distribution system; and

(j) Investigating problems concerning the quality of water in a distribution system.

2. An operator who works only on the operations of a distribution system or distribution facility of a public water system is required to hold a valid certificate only in class distribution at the appropriate level of classification pursuant to NAC 445A.629 as determined by the public water system.

3. An operator who works only on operations of treatment or the operations of a treatment facility of a public water system is required to hold a valid certificate only in class

treatment at the appropriate level of classification pursuant to NAC 445A.629 as determined by the public water system.

4. An operator who works on the operations of a distribution system or distribution facility and the operations of treatment or the operations of a treatment facility of a public water system is required to hold valid certificates in class distribution and class treatment at the appropriate level of classification pursuant to NAC 445A.629 as determined by the public water system.

Sec. 6. NAC 445A.617 is hereby amended to read as follows:

445A.617 As used in NAC 445A.617 to 445A.652, inclusive, *and sections 2 to 5, inclusive, of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 445A.618 to 445A.625, inclusive, *and sections 2, 3 and 4 of this regulation* have the meanings ascribed to them in those sections.

Sec. 7. NAC 445A.624 is hereby amended to read as follows:

445A.624 “Responsible charge” means:

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

FLUSH ~~[A person in responsible charge is generally classified as an operator or supervisor, including a shift operator or supervisor, of a public water system.]~~

Sec. 8. NAC 445A.626 is hereby amended to read as follows:

445A.626 A person who desires to ~~obtain a certificate 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.

Sec. 9. NAC 445A.627 is hereby amended to read as follows:

445A.627 1. A public water system which:

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

or

(b) Is designated by the health division as being supplied by:

(1) Surface water; or

(2) Ground water under the direct influence of surface water,

FLUSH shall have a person in responsible charge at the site of the facility or on call at all times. Except as otherwise provided in NAC 445A.628, the person in responsible charge of the public water system must be the holder of a full certificate in the same classification or a higher classification than the classification of the public water system ~~is~~ *pursuant to NAC 445A.629.*

2. If the person in responsible charge is on call, he must be able to ~~be~~ :

(a) *Be* contacted immediately ; and ~~be able to respond~~

(b) *Respond* at the site within ~~a reasonable period.~~

~~—2.]~~ *4 hours.*

3. A supplier of water shall notify the health division within 72 hours or 2 working days, whichever is earlier, of any time that the public water system is not in compliance with the provisions of this section.

~~3.]~~ 4. If a public water system serves more than 10,000 persons, the health division may require the public water system to have, in addition to the person in responsible charge of the

public water system, *an* additional *person or* persons in responsible charge at the same time, including , *without limitation*, a person in responsible charge for the treatment of water ~~[and]~~ or a person in responsible charge for the distribution of water. If the health division requires *an* additional *person or* persons in responsible charge ~~[, the]~~ *pursuant to this subsection, the health division must:*

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

(b) Review the requirement not less than once every 5 years to determine whether any changes need to be made regarding the additional person or persons;

(c) Require a public water system that is subject to the requirement of an additional person or persons pursuant to this subsection to employ the additional person or persons within 2 years after the date the public water system receives the written notification of the requirement by the health division to employ the additional person or persons; and

*(d) Require the additional person or persons in responsible charge ~~[:~~ —(a) May] to be certified ~~[at a classification lower than]~~ *in the same level of classification or a higher level of classification as* the classification of the public water ~~[facility;~~*

~~—(b) Must be certified if they make process control/system integrity decisions about water quality or quantity that affect public health; and~~

~~—(c) Must be certified at least one classification lower than the operator in responsible charge if they are shift operators who work on a shift alone or are forepersons or supervisors of a public water system.~~

~~—4.] system pursuant to NAC 445A.629.~~

5. A supervisor employed by a supplier of water must be:

(a) Certified at no less than one class lower than the classification of the public water system pursuant to NAC 445A.629; and

(b) Supervised by a person in responsible charge.

6. An operator employed by a supplier of water to make decisions regarding process control, quality of water, quantity of water or system integrity must be:

(a) Certified at the appropriate level of classification as determined by the public water system pursuant to NAC 445A.629; and

(b) Supervised by a person in responsible charge.

7. As used in this section:

(a) “Community water system” has the meaning ascribed to it in NRS 445A.808.

(b) “Nontransient, noncommunity water system” means a nontransient water system as defined in NRS 445A.829.

(c) “Supervisor” does not include a person in responsible charge.

Sec. 10. NAC 445A.628 is hereby amended to read as follows:

445A.628 1. Upon the request of the owner of a public water system and the approval of the health division, a person holding a certificate as an operator-in-training may be the person in responsible charge of the public water system ~~[The owner must demonstrate that the public water system is unable to employ a person who holds a full certificate.]~~ *for not more than 6 months.* The health division shall not grant approval unless it makes a finding that ~~[the]~~ :

(a) The person holding the certificate as an operator-in-training has the basic knowledge necessary to operate the public water system ~~[and that the]~~ ;

(b) The health and safety of the public will be protected ~~[]~~ ; *and*

(c) The owner has demonstrated that the public water system is unable to employ a person who holds a full certificate.

2. The health division shall consider the following in making its decision of whether to grant approval ~~(c)~~ *pursuant to subsection 1:*

- (a) The results of an inspection of the site of the public water system;
- (b) A review of the plans and specifications of the public water system;
- (c) A review of the personnel records ~~(c)~~ *that pertain to the operation of a public water system*, experience *in operating* and training of the person holding the certificate as an operator-in-training; and
- (d) A review of any other reasonably available and relevant information.

3. Upon the occurrence of circumstances of an emergency nature, the health division may approve any other qualified person as the person in responsible charge of a public water system for not more than 6 months.

4. The health division shall consider the following in making its decision of whether to grant approval pursuant to subsection 3:

- (a) The results of an inspection of the site of the public water system;*
- (b) A review of the plans and specifications of the public water system;*
- (c) A review of the personnel records that pertain to the operation of a public water system, experience in operating and training of the person being considered; and*
- (d) A review of any other reasonably available and relevant information.*

5. Upon request from a public water system, the health division may approve a qualified person as the person in responsible charge of a public water system for not more than 15

months to provide vacation and temporary relief of the designated person in responsible charge.

6. The health division shall consider the following in making its decision of whether to grant approval pursuant to subsection 5:

(a) The results of an inspection of the site of the public water system;

(b) A review of the plans and specifications of the public water system;

(c) A review of the personnel records that pertain to the operation of a public water system, experience in operating and training of the person being considered; and

(d) A review of any other reasonably available and relevant information.

7. Within 4 months after an approval is granted pursuant to subsection 1, 3 or 5, the health division shall review the status of the public water system to determine whether the approval should be extended past the 6-month limit of approval provided pursuant to subsection 1, 3 or 5. Any determination made by the health division pursuant to this review must be received by the public water system no less than 15 days before the end of the 6-month period specified in the approval granted by the health division.

Sec. 11. NAC 445A.629 is hereby amended to read as follows:

445A.629 1. The health division shall classify all public water systems in this state pursuant to ~~subsection~~ *subsections* 2 and ~~or~~ 3.

2. A public water system which:

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

(b) Does not provide treatment of the water or ground water or ~~the only treatment it provides is chlorination,~~ *provides only disinfection by chlorination,*

must be classified based only on the population it serves as follows:

FLUSH

DISTRIBUTION CLASSIFICATION AVERAGE DAILY POPULATION SERVED

Class Distribution-1	25 - 500
Class Distribution-2	501 - 3,300
Class Distribution-3	3,301 - 10,000
Class Distribution-4	10,001 or more

3. A public water system which:

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

(b) Uses ground water and provides treatment of the ground water, other than *disinfection by*

chlorination,

FLUSH 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

Ground water	3
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ITEMS FOR *TREATMENT* CLASSIFICATION

POINTS

Ground water under the direct influence of surface water	4
Surface water	5
Air stripping	4
Ozone.....	7
<i>Ultraviolet light</i>	8
pH adjustment or corrosion control.....	4
Iron and manganese removal/sequestering.....	2
Softening (ion exchange).....	5
Granular activated carbon for organic contamination	7
Coagulation	5
Taste and odor control	4
Chlorination.....	5
Fluoridation	5
Chlorine-ammonia treatment.....	8
Chlorine dioxide.....	8
Bacteriological or chemical laboratory	2
Blending, aesthetic	5
Blending, health effects	8
Arsenic removal	5 8
Nitrate removal.....	8
Filtration	

ITEMS FOR *TREATMENT* CLASSIFICATION

POINTS

Conventional	10
<i>Direct</i>	<i>10</i>
Rapid	7
Diatomaceous earth	7
Slow sand	5
Bag, ceramic, microfiltration, <i>nanofiltration, reverse osmosis, membrane</i>	5

TREATMENT CLASSIFICATION

TOTAL POINTS

Class Treatment-1.....	5 - 19
Class Treatment-2.....	20 - 35
Class Treatment-3.....	36 - 45
Class Treatment-4.....	46 or more

4. *The health division shall review the classification of every public water system not less than once every 5 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 health 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 2 years after the date the public water system receives the written notification of the determination by the health division.

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

Sec. 12. NAC 445A.630 is hereby amended to read as follows:

445A.630 1. An application to take an examination for certification as an operator must be made on a form provided by the health division and must be submitted to the health division not less than 30 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 any 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 ~~[not]~~ eligible for reexamination ~~[until 6 months after the date on which the examination was taken.]~~ *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 at locations and times designated by the health division.

5. Except as otherwise provided in this subsection, 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. An applicant who holds or has held within the year immediately preceding the date of the examination a certificate to operate a public water system in another state that is equivalent to such a certificate in this state may take an examination for certification in a class higher than class distribution-1 or class treatment-1 if the health division determines that the applicant qualifies to take an examination for a higher certification.

Sec. 13. NAC 445A.631 is hereby amended to read as follows:

445A.631 1. The health division, *or its designee*, shall ~~give~~ *offer separate* examinations for certification ~~for~~ *in the* four classifications in water treatment and *separate examinations for certification in the* four classifications in water distribution. *The health division shall validate the areas of knowledge tested in an examination pursuant to this subsection before offering such examination to the applicant.* The areas in which the examination must test the knowledge of the applicant include, but are not limited to:

- (a) General water supply;
 - (b) Control processes in the treatment or distribution of water;
 - (c) Operation, maintenance and emergency procedures in the treatment and distribution of water;
 - (d) Proper recordkeeping relating to the operation of a public water system;
 - (e) Laws and regulations relevant to the operation of a public water system; and
 - (f) Water quality standards.
2. Examinations must not be returned to examinees.

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

Sec. 14. NAC 445A.632 is hereby amended to read as follows:

445A.632 1. The health 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 health 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.

Sec. 15. NAC 445A.633 is hereby amended to read as follows:

445A.633 1. The health 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 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	Years Experience
Class Distribution-1.....	6 months
Class Distribution-2.....	1 year
Class Distribution-3.....	2 years

Class Distribution-4.....	3 years
Class Treatment-1	6 months
Class Treatment-2	1 year
Class Treatment-3	2 years
Class Treatment-4	3 years

2. Except as otherwise provided in this subsection, the health division may credit experience *in operating* gained in the field of waste water treatment or in a related field toward the experience *in operating* required ~~in~~ 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 health 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 health 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. Except as otherwise provided in this subsection, 2 days of education in engineering at the college level, or the equivalent thereof *in a related field at a vocational school or* as determined by the health division, may be substituted for each day of experience in operating required ~~in~~

pursuant to subsection 1. Not more than one-half of the required experience in operating may be satisfied by such substitution.

5. Experience *in operating* or relevant training may be substituted for a high school diploma or general equivalency diploma upon approval of the health 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.

~~[6.—As used in this section, “experience in operating” means having been actively engaged in the operation and maintenance activities of a water treatment or water distribution system.]~~

Sec. 16. NAC 445A.634 is hereby amended to read as follows:

445A.634 1. The health division shall issue a full certificate in the same classification to an operator who has obtained certification in another state if the health division determines, upon review of his application for certification and supporting material, that the applicant has:

(a) Passed an examination that is equivalent to the examination administered by the health division pursuant to NAC 445A.631; and

(b) The experience *in operating* required by NAC 445A.633.

2. The health division shall issue a full certificate in the same classification to an operator who holds a current certification by the California/Nevada section of the American Water Works Association ~~[]~~ *if the health division determines, upon review of his application for certification and supporting material, that the applicant has:*

(a) Passed an examination that is equivalent to the examination administered by the health division pursuant to NAC 445A.631; and

(b) The experience in operating required by NAC 445A.633.

Sec. 17. NAC 445A.635 is hereby amended to read as follows:

445A.635 **1.** The health division shall issue a certificate as an operator-in-training to a person who:

~~1.1~~ **(a)** Has passed the examination for certification; and

~~1.2~~ **(b)** Does not have the experience *in operating* required for a full certificate pursuant to NAC 445A.633.

2. Upon payment of the fee set forth in NAC 445A.651, the health division shall issue a full certificate to an operator who, after being issued a certificate as an operator-in-training, has fulfilled the *requirement for* experience ~~requirement~~ *in operating* set forth in NAC 445A.633. The full certificate expires on December 31 of the first calendar year after the calendar year in which it is issued.

Sec. 18. NAC 445A.636 is hereby amended to read as follows:

445A.636 **1.** Upon payment of the fee set forth in NAC 445A.651, the health division shall issue to an applicant a provisional certificate if:

(a) The applicant is an owner and operator of a public water system or is employed by a public water system that is not designated by the health division as being supplied by surface water or ground water under the direct influence of surface water;

(b) A statement is submitted to the health 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) The applicant was in a position of responsible charge of the public water system before January 1, 2000, and was not required to obtain a full certificate before that date;

(d) The applicant has 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; and

(e) The application is submitted not later than December 31, 2000.

2. Except as otherwise provided in subsection 3, a provisional certificate issued pursuant to subsection 1:

(a) Expires on December 31 of the first calendar year after the calendar year in which the certification is issued.

(b) May be renewed for 2 years if the applicant completes the process for renewal as set forth in NAC 445A.638.

3. Except as otherwise provided in subsection 4, a provisional certificate is only valid:

(a) During the period that the operator remains employed in that position of responsible charge of the public water system ~~is~~ *for which the operator received the provisional certificate;* and

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

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

5. The health division shall sponsor and pay for the training required pursuant to paragraph (d) of subsection 1. Such training must include, without limitation, training in well design, safety, water quality, monitoring, reporting, the Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq., drinking water standards, health effects of chemical and bacterial contamination, and the Total Coliform Rule.

Sec. 19. NAC 445A.639 is hereby amended to read as follows:

445A.639 1. ~~Except as otherwise provided in NAC 445A.642, the~~ *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. The holder of a certificate for certification in the classification of class distribution-1, class distribution-2, class treatment-1 or class treatment-2, must earn one-half credit of continuing education during the 2 years immediately preceding the date of application for renewal.

3. The holder of a certificate for certification in the classification of class distribution-3, class distribution-4, class treatment-3 or class treatment-4, must earn one credit of continuing education during the 2 years immediately preceding the date of application for renewal.

4. As used in this section:

(a) “One credit of continuing education” means 10 hours of participation in a course of training approved by the health division pursuant to NAC 445A.641 or 445A.643.

(b) “One-half credit of continuing education” means 5 hours of participation in a course of training approved by the health division pursuant to NAC 445A.641 or 445A.643.

Sec. 20. NAC 445A.640 is hereby amended to read as follows:

445A.640 ~~[Except as otherwise provided in NAC 445A.642, an]~~ **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.

Sec. 21. NAC 445A.641 is hereby amended to read as follows:

445A.641 The health 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 health division.

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

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. ~~[As used in this subsection, “disinfection” means a process that inactivates pathogenic organisms in water by using chemical oxidants or equivalent agents.]~~

Sec. 22. NAC 445A.643 is hereby amended to read as follows:

445A.643 1. A public water system may request the written approval of the health division ~~[of]~~ *for* the public water system ~~[providing]~~ *to provide* a course of training for its employees which is intended to comply with any part of the requirement of continuing education. The *health division must approve the* request ~~[must be approved]~~ in writing before *an employee will be credited with continuing education for* the course. ~~[of training is begun.]~~

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

(a) ~~[Instruction must be provided by an instructor approved by the health division.]~~

~~—(b)~~ 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.

~~(e)~~ (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. 23. NAC 445A.644 is hereby amended to read as follows:

445A.644 1. ~~[An]~~ *Except as otherwise provided in subsections 3 and 4, a holder of an expired full certificate may ~~[be reinstated and renewed]~~ request, within 6 months ~~[of]~~ 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 ~~[renewed]~~ **requested reinstatement and renewal of** his full certificate within 6 months ~~[of]~~ 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 health 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 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 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 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 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.

Sec. 24. NAC 445A.66285 is hereby amended to read as follows:

445A.66285 “Public water system” ~~[means any system, regardless of ownership, which provides the public with piped water for human consumption, if the system has 15 or more service connections used by residents throughout the year or regularly serves 25 or more persons for 60 or more days a year. A public water system includes:~~

~~—1.— Any facility for the collection, pumping, treatment, storage or distribution of water which is under the control of the operator of the system and used primarily in connection with the system; and~~

~~—2. Any facility for the collection or pretreatment storage of water which is not under the control of the operator of the system but used primarily in connection with the system.]~~ *has the meaning ascribed to it in NRS 445A.840.*

Sec. 25. NAC 445A.6335 and 445A.642 are hereby repealed.

TEXT OF REPEALED SECTIONS

445A.6335 Appropriate titles for operators in various classifications.

1. The holder of a certificate in the classification of class distribution-1 or class treatment-1 may be referred to as an entry-level operator.

2. The holder of a certificate in the classification of class distribution-2 or class treatment-2 may be referred to as a journeyman operator.

3. The holder of a certificate in the classification of class distribution-3 or class treatment-3 may be referred to as a journeyman operator or supervising operator.

4. The holder of a certificate in the classification of class distribution-4 or class treatment-4 may be referred to as a journeyman operator, supervising operator or managing operator.

445A.642 Continuing education: Waiver of requirements; deemed compliance.

1. The health division may waive compliance with the requirements of continuing education for renewal of a certificate if the holder of the certificate is unable to attend approved courses of

training because of undue hardship or other extenuating circumstances beyond his control, including limitations imposed as a result of his health, if documented.

2. In the discretion of the health division, the holder of a certificate may be deemed to have complied with the requirements of continuing education during any period that he:

(a) Serves honorably on active duty in the military services.

(b) Is a resident of another state that imposes a requirement of continuing education on operators of public water systems and he has met the requirement of continuing education imposed in that state.

(c) Is employed by a governmental agency as an operator of a public water system and is assigned to duty outside of the United States.

(d) Is active as an operator of a public water system and is absent from the state for any other reason.