

LEGISLATIVE BILL 161

Approved by the Governor February 14, 2007

Introduced by Natural Resources Committee: Louden, 49, Chairperson; Carlson, 38; Dubas, 34; Hudkins, 21; Kopplin, 3; Wallman, 30

FOR AN ACT relating to the Wastewater Treatment Operator Certification Act; to amend section 81-15,130, Reissue Revised Statutes of Nebraska; to change a provision regarding applicant's fees; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 81-15,130, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,130 In order to carry out the purposes of the Wastewater Treatment Operator Certification Act, the council shall adopt and promulgate rules and regulations. Such rules and regulations shall include, but not be limited to:

(1) Establishing and carrying out procedures for the certification program provided for in the act;

(2) Classification of wastewater treatment facilities. Such classification shall be based on the size and type of wastewater treatment facility, the quality and quantity of wastewater to be treated, and other physical, chemical, and biological conditions affecting such treatment facilities and according to the skill, knowledge, and experience that the operator must have to supervise successfully the operation of the facilities so as to protect the public health and to protect the waters of the state;

(3) A procedure to be carried out by the department to receive applications and examine the qualifications of applicants for certification;

(4) Development of a training and continuing educational program including regular training schools, short courses, conferences, and programs. The council shall adopt procedures and minimum requirements for the approval of correspondence courses, required classroom instruction, and minimum attendance standards to maintain certification;

(5) Requirements for the maintenance of records of the classification of wastewater treatment facilities;

(6) Distribution of applications and notices of examinations;

(7) Procedures in the department for preparing, conducting, and grading examinations either by the department or by its representatives or persons conducting approved training schools, short courses, conferences, and programs, including correspondence courses;

(8) A fee schedule to be implemented by the department which shall include a fee designed to cover direct and indirect costs associated with applicant's certification but not to exceed ~~one~~ three hundred fifty dollars per application. Fees may also be charged by the department for each educational program to be paid by the participant. Such fee shall be an amount necessary to cover program costs;

(9) Procedures and requirements to allow the director to issue temporary certificates as provided in section 81-15,135; and

(10) Provisions for granting exemptions to operators of individual septic tank systems, nondischarging lagoon systems, and other disposal systems as determined by the council.

Sec. 2. Original section 81-15,130, Reissue Revised Statutes of Nebraska, is repealed.