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100.9 QUALIFICATIONS AND CLASSIFICATIONS FOR CERTIFICATION OF OPERATORS

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100.9.6 Operators shall be classified according to the type of facility they are certified to operate. An applicant must pass a validated ~~written~~ examination designated for the type and level of facility that he or she seeks to be certified to operate. Except as provided in subsection 100.9.8, to qualify to sit for an examination, an applicant must have the required minimum experience or cross-experience as designated in the table below. Small system water or wastewater operator requirements are the same as for Class D and Class 1 below. There is no minimum experience requirement for certification as a Transient Non-community Water System Operator as described in section 100.19.2. For purposes of this section, domestic and industrial wastewater treatment facility experience shall be considered interchangeable.

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100.9.8 Special rules for satisfying the minimum experience requirements of this regulation:

(a) Class D Operators:

- (i) Applicants for certification as Class D Operators of water or wastewater treatment facilities may take the Class D examination before accruing the necessary experience for the issuance of a certificate.
- (ii) The Class D certificate will then only be issued upon a showing of satisfactory experience to the Board or its designee, as well as passage of ~~a validated written exam~~ the Class D examination.
- (iii) The required experience may be accrued under the supervision of a certified operator, through on the job training with a certified operator, or through an apprenticeship with a contract operator who is certified. The required experience may also be accrued through the successful completion of an on-site or correspondence training course, approved by the Board or its designee, which is designed to prepare the Class D Operator to operate Class D facilities.
- (iv) Any education courses used to satisfy the basic experience requirement for a Class D Operator certification may not be used to satisfy the certification renewal requirements for that same certification.

(b) Class 1 Operators:

- (i) Applicants for certification as Class 1 Operators of water distribution or wastewater collection systems may take the Class 1 examination before accruing the necessary experience for the issuance of a certificate.
- (ii) The Class 1 certificate will then only be issued upon a showing of satisfactory experience to the Board or its designee, as well as passage of ~~a validated written exam~~ the Class 1 examination.
- (iii) The required experience may be accrued under the supervision of a certified operator, through on the job training with a certified operator, or through an apprenticeship with a contract operator who is certified. The required experience may also be accrued through the successful completion of an on-site or

correspondence training course, approved by the Board or its designee, which is designed to prepare the Class 1 Operator to operate a Class 1 system.

- (iv) Any education courses used to satisfy the basic experience requirement for a Class 1 Operator certification may not be used to satisfy the certification renewal requirements for that same certification.

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100.11 EXAMINATIONS

100.11.1 The Board or its designee shall oversee the preparation and administration of validated ~~written~~ examinations to be used in determining whether or not the applicant has the necessary skills, knowledge, ability and judgment appropriate for the level of certification sought.

100.11.3 All examinations shall be written or administered electronically, except in such cases as the Board or its designee decide, on a case-by-case basis, represent proper exceptions ~~to the general rule that all examinations shall be written~~ to this requirement.

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100.13 CERTIFICATES

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100.13.8 Reciprocity--Certificates may be issued by the Board or its designee, without examination, on a case-by-case basis, to persons in a comparable classification who have passed an adequate ~~written~~ validated examination and who hold a valid certificate in another state, territory or possession of the United States or any country provided the requirements for certification of operators under which the person's certificate was issued do not conflict with the provisions of Article 9 of Title 25, C.R.S., and are of a standard not lower than that specified by these regulations.

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100.22 FEES

100.22.1 Application fees for certification, renewal of certification, and issuance of a certificate upon a Board finding of reciprocity shall be \$15, and shall be nonrefundable.

100.22.2 Program fees shall consist of the following.

- (a) Examination fees in the amount of \$45.00 will be charged for each examination the applicant signs up to take. Examination fees are based on the cost of preparing, administering, and scoring the certification examination.
- (b) An additional fee of \$35.00 per examination will be charged applicants who choose to take certification examinations electronically. This fee is based upon the added cost to the program of making electronic testing available.
- (b~~c~~) Administration fees will be charged upon issuance of all new and renewal certifications and will be based on the cost of administering the operator certification program. Administration fees shall be:
 - (i) \$55.00 for each new certification by examination; and

- (ii) \$70.00 for each renewal certification and each new certification by reciprocity.
- (ed) There shall be a \$20.00 fee to cover the cost of replacing certification documentation.
- (de) Training unit approval fees shall be \$50.00 for each course submitted for review, except that:

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**100.47 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: NOVEMBER 2009
RULEMAKING ADOPTED NOVEMBER 24, 2009; EFFECTIVE JANUARY 30, 2010**

Provisions of section 25-9-108, C.R.S., provide the specific statutory authority for the adoption of these amendments to the established regulatory provisions of Regulation 100 (5 CCR 1003-2). The Board also adopted, in compliance with section 24-4-103(4), C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE

A. New and Revised Fees.

The Board has revised section 100.22.2 to modify the current examination fees by establishing a \$35.00 fee for online testing. Examination fees currently cover the costs associated with certification when certification examinations are taken in a written format during the regularly scheduled examination periods. Recent advances in technology have now made it possible to offer certification examinations in an electronic format. While this technology offers advantages in the form of convenience, enhanced security and immediate results, there are added costs associated with this form of testing. These costs include added cost for the setup and maintenance of the electronic testing system and the cost of administering and staffing an examination facility. The Board concludes that since electronic testing is an option offered for the convenience of the applicant, the added costs associated with this form of testing should be met by the assessment of a fee specific to electronic examinations and should not be met by an increase in the existing examination fee.

B. Other Revisions

The Board has also revised sections 100.9.6, 100.9.8, 100.11.1, 100.11.3, and 100.13.8 to modify references to "written examinations" in order to accommodate electronic testing.