Table of Contents

24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals

000. Legal Authority (Rule 0). 2
001. Title And Scope (Rule 1). 2
002. Written Interpretations (Rule 2). 2
003. Administrative Appeals (Rule 3). 2
004. Incorporation By Reference (Rule 4). 2
005. Address Of Idaho Board Of Drinking Water And Wastewater Professionals (Rule 5). 2
006. Public Records (Rule 6). 2
007. -- 009. (Reserved) 2
010. Definitions (Rule 10). 2
011. -- 099. (Reserved) 3
100. Organization (Rule 100). 3
101. -- 149. (Reserved) 4
150. Application (Rule 150). 4
151. -- 174. (Reserved) 4
175. License Types And Classifications (Rule 175). 4
176. -- 199. (Reserved) 6
200. Fees For Examination And Licensure (Rule 200). 6
201. -- 249. (Reserved) 6
250. License Required -- Scope Of Practice (Rule 250). 6
251. -- 299. (Reserved) 7
300. Requirements For License (Rule 300). 7
301. -- 399. (Reserved) 10
400. Endorsement (Rule 400). 10
401. -- 449. (Reserved) 10
450. Wastewater Grandparent Provision (Rule 450). 10
451. -- 499. (Reserved) 10
500. Continuing Education (Rule 500). 10
501. -- 599. (Reserved) 12
600. Renewal Or Reinstatement Of License (Rule 600). 12
601. -- 699. (Reserved) 13
700. Discipline (Rule 700). 13
701. -- 799. (Reserved) 13
800. Stakeholder Involvement (Rule 800). 13
801. -- 999. (Reserved) 13

IDAPA 24
TITLE 05
CHAPTER 01

24.05.01 - RULES OF THE BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS

000. LEGAL AUTHORITY (RULE 0).
These rules are hereby prescribed and established pursuant to the authority vested in the Board of Drinking Water and Wastewater Professionals by the provisions of Section 54-2406, Idaho Code. (3-24-05)

001. TITLE AND SCOPE (RULE 1).
These rules shall be cited as IDAPA 24.05.01, "Rules of the Board of Drinking Water and Wastewater Professionals." (3-24-05)

002. WRITTEN INTERPRETATIONS (RULE 2).
The board may have written statements that pertain to the interpretation of the rules of this chapter. Such interpretations, if any, are available for public inspection and copying at cost in the main office of the Bureau of Occupational Licenses. (3-24-05)

003. ADMINISTRATIVE APPEALS (RULE 3).
Administrative appeals shall be governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code. (3-24-05)

004. INCORPORATION BY REFERENCE (RULE 4).
These rules do not incorporate by reference any document other than those sections of Idaho Code so referenced. (3-24-05)

005. ADDRESS OF IDAHO BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS (RULE 5).
The office of the Board of Drinking Water and Wastewater Professionals is located within the Bureau of Occupational Licenses, 700 W. State Street, Boise, Idaho 83702. The Bureau is open between the hours of 8:00 a.m. and 5:00 p.m. each day except Saturdays, Sundays and holidays. The phone number of the Board is (208) 334-3233. The Board's fax number is (208) 334-3945. The Board's e-mail address is wwp@ibol.idaho.gov. The Board's official website is http://www.ibol.idaho.gov. (3-29-10)

006. PUBLIC RECORDS (RULE 6).
The records associated with the Idaho Board of Drinking Water and Wastewater Professionals are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (3-24-05)

007. -- 009. (RESERVED)

010. DEFINITIONS (RULE 10).

01. Board. The Idaho Board of Drinking Water and Wastewater Professionals. (3-24-05)

02. Bureau. The Idaho Bureau of Occupational Licenses. (3-24-05)

03. Class I Restricted License. Class I restricted license means a water or wastewater license associated with a specific class I system. A restricted license is available for water distribution or treatment or for wastewater collection or treatment. A restricted license is not transferable and does not qualify for endorsement. (3-29-10)

04. DEQ. The Idaho Department of Environmental Quality. (3-24-05)

05. Direct Supervision. Supervision in a way that will ensure the proper operation and maintenance of the public drinking water or public wastewater system. Supervision shall include, but not be limited to, providing written, hands-on, or oral instruction as well as verification that the instructions are being completed. The supervisor has an active on-site and on-call presence at the specific facility. (2-26-08)

06. **Endorsement**. Endorsement (often referred to as "reciprocity") is that process by which a person licensed in another jurisdiction may apply for a license in Idaho. (3-24-05)

07. **EPA**. The United States Environmental Protection Agency. (3-24-05)

08. **Experience**. One (1) year of experience is equivalent to one thousand six hundred hours (1,600) worked. (2-26-08)

09. **Operating Personnel**. Operating personnel means any person who is employed, retained, or appointed to conduct the tasks associated with the day-to-day operation and maintenance of a public drinking water system or a public wastewater system. Operating personnel shall include every person making system control or system integrity decisions about water quantity or water quality that may affect public health. (3-24-05)

10. **Person**. A human being, municipality, or other governmental or political subdivision or other public agency, or public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent or other legal representative of the foregoing or other legal entity. (3-24-05)

11. **Public Drinking Water System or Public Water System**. Public drinking water system or public water system means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days of the year. Such term includes any collection, treatment, storage, and distribution facilities under control of the operator of such system, and used primarily in connection with such system, and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Every community and nontransient noncommunity water system, and each transient water system using a surface water source or ground water source directly influenced by surface water, shall be operated by a certified drinking water operator. (3-24-05)

12. **Public Wastewater System or Wastewater System**. Public wastewater system or wastewater system means those systems, including collection systems and treatment systems, that are owned by a city, county, state or federal unit of government, a nonprofit corporation, district, association, political subdivision or other public entity, or that generate or collect two thousand five hundred (2,500) or more gallons a day; or that have been constructed in whole or in part with public funds. This does not include any wastewater treatment system operated and maintained exclusively by a single family residence or any wastewater system consisting solely of a gravity flow, nonmechanical septic tank and subsurface treatment and distribution system, or industrial wastewater systems under private ownership. (3-24-05)

13. **State**. The State of Idaho. (3-24-05)

011. -- 099. **(RESERVED)**

100. **ORGANIZATION (RULE 100).**

01. **Meetings**. The Board shall meet at least two (2) times annually at such times and places as designated by the Board or the Chairman of the Board. (3-24-05)

a. All meetings shall be held in accordance with the Idaho Open Meeting Law, Chapters 2340 – 2347, Title 67, Idaho Code. (3-24-05)

b. Special meetings may be called by the Chairman, upon written request of any three (3) members, and all members shall be notified in writing. (3-24-05)

c. A minimum of four Board members shall constitute a quorum and shall be required to be present in order to hold a meeting of the Board. A majority vote of the Board members present at a meeting shall be considered the action of the Board as a whole. The Chairman may vote only in the event of a tie vote. (3-24-05)

02. **Organization of the Board**. At the first meeting of each fiscal year, the Board shall elect from its

members a Chairman, who shall assume the duty of the office immediately upon such selection. (3-24-05)

a. The Chairman shall when present, preside at all meetings, appoint with the consent of the Board, all committees, and shall otherwise perform all duties pertaining to the office of Chairman. The Chairman shall be an ex-officio member of all committees. (3-24-05)

b. The Chief of the Bureau shall act as an agent of the Board and shall be the official keeper of all records of the Board. The Bureau shall provide such services as may be authorized by Chapter 26, Title 67, Idaho Code, and as defined under contract between the Bureau and the Board. (3-24-05)

101. -- 149. (RESERVED)

150. APPLICATION (RULE 150).
Each applicant for licensure shall submit a complete application together with the required fees. The applicant must provide or facilitate the provision of any supplemental third party documents that may be required. The Board shall not review an application until all required information is furnished and the required fees paid. (3-24-05)

01. Licensure by Examination. An application shall be made on the uniform application form adopted by the Board and furnished to the applicant by the Bureau. All applications shall include: (3-24-05)

a. Documentation of having met the appropriate educational requirement; (3-24-05)

b. Documentation of all actual applicable experience giving kind and type of work done, together with dates of employment, and verification by affidavit of the most current applicable experience, signed by the person under whose supervision the work was performed. (3-24-05)

02. Licensure by Endorsement. An application shall be made on the uniform application form adopted by the Board and furnished to the applicant by the Bureau. All applications shall include: (3-24-05)

a. Official documentation of licensure sent to the Bureau directly from each regulatory authority from which the applicant has obtained licensure. Such documentation shall note name, address, current status, date originally issued, expiration date, and any disciplinary action imposed; (3-24-05)

b. A copy of the current regulations governing licensure in each jurisdiction from which the applicant obtained licensure. (3-24-05)

03. Application Deadline. Completed applications must be received at least thirty (30) days prior to the next scheduled board meeting in order to be reviewed by the Board. (3-24-05)

04. Application Required. Applicants seeking licensure in any type or classification of licensure shall submit a separate application for each type and classification of licensure being sought. Applicants holding a current type and classification of license and who are seeking a classification upgrade within the same license type and category shall not be required to submit an original license fee with their application. (3-24-05)

05. Lack of Activity. Applications on file with the Board where an applicant has failed to respond to a Board request or where the applications have lacked activity for twelve (12) consecutive months shall be deemed denied and shall be terminated upon thirty (30) days written notice unless good cause is established to the Board. (5-8-09)

151. -- 174. (RESERVED)

175. LICENSE TYPES AND CLASSIFICATIONS (RULE 175).
The Board shall issue each of the following licenses under the provisions of Chapter 24, Title 54, Idaho Code. (3-24-05)

01. Drinking Water Distribution Operator. (3-24-05)

a. Class Operator-In-Training. (3-24-05)

b. Class Very Small Water System. (3-24-05)

c. Class I Restricted. (3-29-10)

d. Class I. (3-24-05)

e. Class II. (3-24-05)

f. Class III. (3-24-05)

g. Class IV. (3-24-05)

02. **Drinking Water Treatment Operator**. (3-24-05)

a. Class Operator-In-Training. (3-24-05)

b. Class I Restricted. (3-29-10)

c. Class I. (3-24-05)

d. Class II. (3-24-05)

e. Class III. (3-24-05)

f. Class IV. (3-24-05)

03. **Wastewater Treatment Operator**. (3-24-05)

a. Class Operator-In-Training. (3-24-05)

b. Class Very Small Wastewater System. (3-29-10)

c. Lagoon. (3-24-05)

d. Class I Restricted. (3-29-10)

e. Class I. (3-24-05)

f. Class II. (3-24-05)

g. Class III. (3-24-05)

h. Class IV. (3-24-05)

i. Land Application. (3-24-05)

04. **Wastewater Collection Operator**. (3-24-05)

a. Class Operator-In-Training. (3-24-05)

b. Class Very Small Wastewater System. (3-29-10)

c. Class I Restricted. (3-29-10)

d. Class I. (3-24-05)

e. Class II. (3-24-05)

f. Class III. (3-24-05)

g. Class IV. (3-24-05)

05. Wastewater Laboratory Analyst. (3-24-05)

a. Class I. (3-24-05)

b. Class II. (3-24-05)

c. Class III. (3-24-05)

d. Class IV. (3-24-05)

06. Backflow Assembly Tester. (3-24-05)

176. -- 199. (RESERVED)

200. FEES FOR EXAMINATION AND LICENSURE (RULE 200).
The fees for each license type and classification shall be as follows: (3-24-05)

01. Application Fee. Application fee -- twenty-five dollars ($25). (3-24-05)

02. Examination Fee. The examination fees shall be those fees charged by the Association of Boards of Certification (ABC) or other approved examination provider. (3-24-05)

03. Endorsement Fee. Endorsement fee -- thirty-five dollars ($35). (3-29-10)

04. Original License Fee. Original license fee -- thirty-five dollars ($35). (3-29-10)

05. Annual Renewal Fee. Annual renewal fee -- thirty-five dollars ($35). (3-29-10)

06. Reinstatement Fees. Reinstatement fee -- twenty-five dollars ($25). (3-24-05)

07. Refund of Fees. No refund of fees shall be made to any person who has paid such fees for application, examination, reexamination, or reinstatement of a license. (3-24-05)

201. -- 249. (RESERVED)

250. LICENSE REQUIRED -- SCOPE OF PRACTICE (RULE 250).
All water and wastewater operating personnel, including those in responsible charge and those in substitute responsible charge, of public water systems and public wastewater systems, and all backflow assembly testers or inspectors, shall be licensed under the provisions of these rules and Chapter 24, Title 54, Idaho Code. (3-24-05)

01. Drinking Water Operator Scope. Operating personnel shall only act in accordance with the nature and extent of their license. Those in responsible charge or substitute responsible charge of a public water system must hold a valid license equal to or greater than the classification of the public water system where the responsible charge or substitute responsible charge operator is in responsible charge. The types of water systems are distribution and treatment. (3-24-05)

02. Wastewater Operator Scope. Operating personnel shall only act in accordance with the nature and extent of their license. Those in responsible charge or substitute responsible charge of a public wastewater system shall hold a valid license equal to or greater than the classification of the public wastewater system where the responsible charge or substitute responsible charge operator is in responsible charge. The types of wastewater

systems are collection, laboratory analyst, and treatment. Responsible charge duties shall not be included in the scope of the laboratory analyst category. (3-24-05)

03. Backflow Assembly Tester. Individuals licensed as backflow assembly testers may inspect and test backflow prevention assemblies as defined in Title 54, Chapter 24, Idaho Code. (3-24-05)

04. Operator-in-Training. Operators-in-training shall practice only under the direct supervision of a licensed operator of a type, category, and classification higher than operator-in-training. No operator-in-training shall accept or perform the designated responsible charge duties at any system. (3-24-05)

251. -- 299. (RESERVED)

300. REQUIREMENTS FOR LICENSE (RULE 300).
Applicants shall submit an application together with the required fees and such documentation as is required. (3-24-05)

01. Examination Requirement. Applicants must pass a written examination for each individual classification in each type of licensure with a minimum score of seventy percent (70%). For those classifications of Class II through IV, successful completion of the examinations from the immediate lower type and classification shall be a prerequisite to examination eligibility for the next higher classification of the same type, except that applicants for wastewater collection operator or wastewater laboratory analyst or drinking water distribution operator licenses may apply for any classification examination for which they hold the required education and experience. (3-30-06)

a. The examination will reflect different levels of knowledge, ability and judgment required for the established license type and class. The Board will administer examinations at such times and places as the Board may determine. (3-24-05)

b. The examination for all types and classes of licensure shall be validated and provided by the Association of Boards of Certification (ABC). The American Backflow Prevention Association (ABPA) backflow assembly tester examination is also approved for backflow assembly tester licensure. (5-8-09)

c. Applicants who fail an examination must make application to retake the same type and class examination and pay the required examination fees prior to retaking the examination. (3-24-05)

d. Applicants must take and pass the examination within one (1) year of application approval. After one (1) year a new application and applicable fees must be submitted. (3-30-07)

02. Education and Experience Requirements. Only actual verified on-site operating experience at a treatment, distribution or collection system will be acceptable. (3-24-05)

a. Each applicant for an Operator-In-Training License must have a high school diploma or GED and pass the Class I exam or pass the very small water system exam. (5-8-09)

b. To qualify for a Very Small Water System license an operator must have a high school diploma or GED and eighty-eight (88) hours of acceptable operator-in-training experience at a water system and complete an approved six-hour water treatment or chlorination course and an approved six-hour water distribution course for a combined total of one hundred (100) hours. (3-29-10)

c. To qualify for a Very Small Wastewater System license, an operator must have a high school diploma or GED and fifty (50) hours of acceptable operator-in-training experience at a wastewater collection system and fifty (50) hours of acceptable operator-in-training experience at a wastewater treatment system and complete an approved six-hour pumps and motors course; and an approved six-hour lagoon operation and maintenance course; or an approved six-hour large soil absorption system course for a combined total of one hundred twelve (112) hours. (3-29-10)

d. To qualify for a Class I Restricted water or wastewater license an operator must have a high school diploma or GED and obtain two hundred sixty (260) hours of acceptable work experience with the system in one (1)

year and work a full operating year with the system and complete sixteen (16) hours of continuing education relevant to the license and pass the relevant Class I examination. Upon obtaining one thousand six hundred (1,600) hours of supervised operating experience for each license, the operator shall be eligible to apply for an unrestricted Class I license. There is no limit on the amount of time needed to obtain the necessary experience to qualify for the unrestricted license. A restricted license is limited to a specific system. (3-29-10)

e. To qualify for a Class I license an applicant must have a high school diploma or GED and one (1) year of acceptable experience at a Class I or higher system. To upgrade an OIT license to a Class I the applicant must provide documented proof to the Board of having completed one (1) year of supervised operating experience in a Class I or higher public drinking water or wastewater system, and payment of the required fees. (2-26-08)

f. To qualify for a Class II treatment or lab analyst license II an applicant must have a high school diploma or GED and three (3) years of acceptable Class I operating experience at a Class I or higher system. (2-26-08)

g. To qualify for a Class III treatment or lab analyst III license an applicant must have a high school diploma or GED and two (2) years of post high school education in the environmental control field, engineering or related science; and four (4) years of acceptable Class II operating experience of a Class II or higher system, including two (2) years of experience in daily on-site charge, supervision of personnel, or management of a major segment of a system in the same or next lower class. (2-26-08)

h. To qualify for a Class IV treatment or lab analyst IV license an applicant must have a high school diploma or GED; and four (4) years of post high school education in the environmental control field, engineering or related science; and four (4) years of acceptable Class III operating experience at a Class III or higher system, including two (2) years of experience in daily on-site charge, supervision of personnel, or management of a major segment of a system in the same or next lower class. (2-26-08)

i. To qualify for a Class II collection or distribution license an operator must have a high school diploma or GED and three (3) years of acceptable operating experience at a Class I or higher system. (3-24-05)

j. To qualify for a Class III collection or distribution license an operator must have a high school diploma or GED and two (2) years of post high school education in the environmental control field, engineering or related science; and four (4) years of acceptable operating experience of a Class I or higher system, including two (2) years of experience in daily on-site charge, supervision of personnel, or management of a major segment of a system in the same or next lower class. (3-24-05)

k. To qualify for a Class IV collection or distribution license an operator must have a high school diploma or GED; and four (4) years of post high school education in the environmental control field, engineering or related science; and four (4) years of acceptable operating experience at a Class I or higher system, including two (2) years of experience in daily on-site charge, supervision of personnel, or management of a major segment of a system in the same or next lower class. (3-24-05)

l. To qualify for a lagoon license, an operator must have a high school diploma or GED and twelve (12) months of acceptable supervised operating experience at a Lagoon system. (3-24-05)

m. To qualify for a Wastewater Land Application license, an operator must have a high school diploma or GED, a current wastewater treatment license that is at least Class I or higher, and minimum six (6) months of hands-on operating experience at a wastewater land application system. The wastewater land application operator that is a responsible charge or substitute responsible charge operator must be licensed at the type and class equal to or greater than the classification of the wastewater system. (3-29-10)

n. To qualify for a backflow assembly tester license, an applicant must have a high school diploma or GED, and shall document successful completion of a Board-approved backflow assembly tester training program in compliance with the Cross Connection Control Accepted Procedure and Practice Manual and consisting of theory instruction, practical instruction, and a practical examination in compliance with the USC Test procedures. (3-30-06)

o. To qualify for an original wastewater laboratory analyst license, an applicant must hold a current

water treatment, wastewater treatment or lagoon license. (3-24-05)

03. Substituting Education for Experience. Applicants may substitute approved education for operating and responsible charge experience as specified below. (3-24-05)

a. No substitution for operating experience shall be permitted for licensure as a very small system operator or a Class I operator. (3-24-05)

b. For Classes II, III and IV, substitution shall only be allowed for the required experience when fifty percent (50%) of all stated experience (both operating and responsible charge) has been met by actual on-site operating experience. (3-24-05)

c. For Class II, a maximum of one and one-half (1½) years of post high school education in the environmental control field, engineering or related science may be substituted for one and one-half (1½) years of operating experience. (3-24-05)

d. For Class III and IV, a maximum of two (2) years of post high school education in the environmental control field, engineering or related science may be substituted for two (2) years of operating experience; however the applicant must still have one (1) year of responsible charge experience. (3-24-05)

e. Education substituted for operating experience may not be also credited toward the education requirement. (3-24-05)

f. One (1) year of post high school education may be substituted for one (1) year experience up to a maximum of fifty percent (50%) of the required operating or responsible charge experience. (3-24-05)

04. Substituting Experience for Education. Where applicable, approved operating and responsible charge experience may be substituted for education as specified below: (3-24-05)

a. One (1) year of operating experience may be substituted for two (2) years of grade school or one (1) year of high school with no limitation. (3-24-05)

b. For Class III and IV, additional responsible charge experience (that exceeding the two-year class requirements) may be substituted for post high school education on a two (2) for one (1) basis: two (2) years additional responsible charge equal one (1) year post high school education. (3-24-05)

05. Substituting Experience for Experience. Related experience may be substituted for experience up to one-half (½) of the operating experience requirement for Class II, III and IV. Experience that may be substituted includes but is not limited to the following: (3-24-05)

a. Experience as an environmental or operations consultant; (3-24-05)

b. Experience in an environmental or engineering branch of federal, state, county, or local government; (3-24-05)

c. Experience as a wastewater collection system operator; (3-24-05)

d. Experience as a wastewater treatment plant operator; (3-24-05)

e. Experience as a water distribution system operator and/or manager; (3-24-05)

f. One (1) year of post high school education may be substituted for one (1) year experience up to a maximum of fifty percent (50%) of the required operating or responsible charge experience. (3-24-05)

g. Experience in waste treatment operation and maintenance. (3-24-05)

06. Equivalency Policy. Substitutions for education or experience requirements needed to meet

minimum requirements for license will be evaluated upon the following equivalency policies: (3-24-05)

a. High School - High School diploma equals GED or equivalent as approved by the Board equals four (4) years. (3-24-05)

b. College - Thirty-five (35) credits equal one (1) year (limited to curricula in environmental engineering, environmental sciences, water/wastewater technology, and/or related fields as determined by the Board). (3-24-05)

c. Continuing Education Units (CEU) for operator training courses, seminars, related college courses, and other training activities. Ten (10) classroom hours equal one (1) CEU; forty-five (45) CEUs equal one (1) year of college. (3-24-05)

301. -- 399. (RESERVED)

400. ENDORSEMENT (RULE 400).
The board may waive the examination requirements and issue the appropriate license for applicants holding licenses issued by other States that have equivalent license requirements and who otherwise meet the requirements set forth in Subsections 150.02, 150.03, and 150.04. (3-24-05)

401. -- 449. (RESERVED)

450. WASTEWATER GRANDPARENT PROVISION (RULE 450).
Upon application, the board may issue a grandparent license to a wastewater operator who provides documentation satisfactory to the board of being in responsible charge of an existing public wastewater system on or before April 15, 2003 and to the present. Grandparent licenses for drinking water operators and backflow assembly testers shall not be issued. (3-24-05)

01. Grandparent License. A license issued under the grandparent provision shall allow the applicant to continue as operator in responsible charge only of the specific facility identified in the application. The license shall be site specific and non-transferable and shall not grant authority for the holder to practice at any other system in any capacity as an operator. (3-24-05)

02. Application Limitations. The board must receive all applications for a grandparent license no later than April 15, 2006. Applicants shall be subject to the application fee and the original license fee. The owner of the system shall attest under oath that the applicant has served as the system operator in responsible charge and shall specify the duties of the applicant and the dates of employment. (3-24-05)

03. License Requirements. Upon receiving a grandparent license the wastewater operator shall be required to meet all other requirements including the continuing education and renewal requirements. (3-24-05)

04. Wastewater System Classification Limitations. The grandparent license shall become invalid any time the classification of the wastewater system changes to a higher classification. (3-24-05)

05. One System Limitation. A wastewater operator who is the wastewater operator in responsible charge of more than one (1) public wastewater system shall not be eligible for more than one (1) grandparent license. (3-24-05)

06. Grandparent Professional Growth Requirement. In the first license renewal cycle, every holder of a grandparent license must complete and maintain documentation of completing a one-time training requirement. The one-time training shall include all information covered by the qualifying license exam for the license class the operator holds. Following the first renewal cycle, the operator must meet the regular continuing education requirements. (3-24-05)

451. -- 499. (RESERVED)

500. CONTINUING EDUCATION (RULE 500).

In order to further protect the health, safety and welfare of Idaho's public, and to facilitate the continued competence of persons licensed under the drinking water and wastewater professionals licensing act, the Board has adopted the following rules for continuing education. (3-24-05)

01. Continuing Education Requirement. Each licensee must successfully complete a minimum of six (6) hours (0.6 CEUs) of approved continuing education annually for license renewal, except that backflow assembly testers shall complete an eight (8) hour refresher course every two (2) years for license renewal. Continuing education must be earned in a subject matter relevant to the field in which the license is issued. A licensee holding one (1) or more drinking water license(s) shall be required to meet the annual continuing education requirement for only one license. A licensee holding one (1) or more wastewater license(s) shall be required to meet the annual continuing education requirement for only one license. A licensee holding both drinking water and wastewater class licenses must complete a minimum of six (6) hours annually for the drinking water license plus six (6) hours annually for the wastewater license. (3-30-06)

a. Each licensee shall submit to the Board an annual license renewal application form, together with the required fees, certifying by signed affidavit that compliance with the CE requirements have been met. The Board may conduct such continuing education audits and require verification of attendance as deemed necessary to ensure compliance with the CE requirements. (3-24-05)

b. A licensee shall be considered to have satisfied their CE requirements for the first renewal of their license. (3-24-05)

c. A water or wastewater licensee may carryover a maximum of six (6) hours of continuing education to meet the next year's continuing education requirement. The same hours may not be carried forward more than one (1) renewal cycle. (3-24-05)

d. Continuing Education hours for approved operator training courses, seminars, related college courses, and other training activities may be converted to Continuing Education Units (CEU) as follows: Six (6) classroom hours = point six (0.6) CEU. (3-24-05)

02. Subject Material. The subject material of the continuing education requirement shall be relevant to the license for which the continued education is required. "Relevant" shall be limited to material germane to the operation, maintenance and administration of drinking water and wastewater systems as referenced in Chapter 24, Title 54, Idaho Code, and includes those subjects identified in the "need to know" criteria published by the Associations of Boards of Certification. (3-30-06)

03. Course Approval. All course providers must submit requests for approval of continuing education courses to the Board in writing no less than thirty (30) days prior to the course being offered, on a form approved by the Board that includes: (3-30-06)

a. The name and qualifications of the instructor or instructors; (3-24-05)

b. The date, time and location of the course; (3-24-05)

c. The specific agenda for the course; (3-24-05)

d. The type and number of continuing education credit hours requested; (3-24-05)

e. A statement of how the course is believed to be relevant as defined; (3-24-05)

f. Any certificate of approval from a governmental agency if the course has been previously approved for continuing education; (3-30-06)

g. The training materials; (3-24-05)

h. Other information as may be requested by the Board. (3-24-05)

i. Upon review of all information requested, the Board may either approve or deny any request for a course. Board approval of a course shall be granted for a period not to exceed two (2) years or until the course materials or instructors are changed. (3-30-06)

04. Approved Courses. Those continuing education courses which are relevant and approved by the states of Nevada, Oregon, Montana, Utah, Wyoming, and Washington are deemed approved by the Board. (2-26-08)

05. Verification of Attendance. It shall be necessary for each licensee to maintain verification of attendance by securing authorized signatures or other documentation from the course instructors or sponsoring institution substantiating any and all hours attended by the licensee. This verification shall be maintained by the licensee and provided upon request of the Board or its agent. (3-24-05)

06. Distance Learning and Independent Study. The Board may approve a course of study for continuing education credit that does not include the actual physical attendance of the licensee in a face-to-face setting with the course instructor. The licensee shall maintain documentation of the nature and details of the course and evidence that the licensee successfully completed the course, which shall be made available to the Board upon request. (3-30-06)

07. Failure to Fulfill the Continuing Education Requirements. The license will not be renewed for those licensees who fail to certify or otherwise provide acceptable documentation of meeting the CE requirements. Licensees who make a false attestation regarding compliance with the CE requirements shall be subject to disciplinary action by the Board. (3-24-05)

08. Exemptions. The Board may waive the continuing education requirement or extend the deadline up to ninety (90) days for any one or more of the following circumstances. The licensee must request the exemption and provide any information requested to assist the Board in making a determination. An exemption may be granted at the sole discretion of the Board. (3-30-06)

a. The licensee is a resident of another jurisdiction recognized by the Board having a continuing professional education requirement for licensure renewal and has complied with the requirements of that state or district. (3-24-05)

b. The licensee is a government employee working outside the continental United States. (3-24-05)

c. The licensee documents individual hardship, including health (certified by a medical doctor) or other good cause. (3-24-05)

501. -- 599. (RESERVED)

600. RENEWAL OR REINSTATEMENT OF LICENSE (RULE 600).

01. Expiration Date. All licenses expire and must be renewed annually on forms approved by the Board in accordance with Section 67-2614, Idaho Code. Licenses not so renewed will be cancelled in accordance with Section 67-2614, Idaho Code. (3-24-05)

02. Reinstatement. Any license cancelled for failure to renew may be reinstated in accordance with Section 67-2614, Idaho Code, with the exception that the applicant shall submit proof of having completed the total number of required continuing education for each year the license or certificate was cancelled. (2-26-08)

03. Operator-in-Training License. Applicants for the operator-in-training license shall, upon compliance with the requirements of Subsections 300.01 and 300.02, be issued a “one-time” non-renewable license for the purpose of gaining supervised experience as an operator-in-training (OIT). This license will be valid for three (3) years from the date of issue. To upgrade an OIT license to a Class I the applicant must provide documented proof to the Board of having completed one (1) year of supervised operating experience in a Class I or higher public drinking water or wastewater system, and payment of the required fees. (2-26-08)

04. Backflow Assembly Testers. Backflow assembly testers shall complete a Board-approved eight

(8) hour refresher course every two (2) years for license renewal. (3-30-06)

05. Wastewater Land Application License. Wastewater land application licenses shall not be renewed unless the licensee also maintains a current wastewater treatment license. (3-30-06)

601. -- 699. (RESERVED)

700. DISCIPLINE (RULE 700).

01. Civil Fine. The Board may impose a civil fine not to exceed one thousand dollars ($1,000) upon a licensee for each violation of Chapter 24, Title 54, Idaho Code. (3-24-05)

02. Costs and Fees. The Board may order a licensee to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Chapter 24, Title 54, Idaho Code. (3-24-05)

701. -- 799. (RESERVED)

800. STAKEHOLDER INVOLVEMENT (RULE 800).
Ongoing drinking water stakeholder involvement shall be provided through the existing DEQ drinking water advisory committee. (3-24-05)

801. -- 999. (RESERVED)

Subject Index

A

Application 4
- Application Deadline 4
- Application Required 4
- Lack of Activity 4
- Licensure by Endorsement 4
- Licensure by Examination 4

C

Continuing Education 10
- Approved Courses 12
- Continuing Education Requirement 11
- Course Approval 11
- Distance Learning & Independent Study 12
- Exemptions 12
- Failure to Fulfill the Continuing Education Requirements 12
- Subject Material 11
- Verification of Attendance 12

D

Definitions, IDAPA 24.05.01 2
- Board 2
- Bureau 2
- Class I Restricted License 2
- DEQ 2
- Direct Supervision 2
- Endorsement 3
- EPA 3
- Experience 3
- Operating Personnel 3
- Person 3
- Public Drinking Water System or Public Water System 3
- Public Wastewater System or Wastewater System 3
- State 3

Discipline 13
- Civil Fine 13
- Costs & Fees 13

E

Endorsement 10

F

Fees For Examination & Licensure 6
- Annual Renewal Fee 6
- Application Fee 6
- Endorsement Fee 6
- Examination Fee 6
- Original License Fee 6
- Refund of Fees 6
- Reinstatement Fees 6

L

License Required - Scope Of Practice 6
- Backflow Assembly Tester 7
- Drinking Water Operator Scope 6
- Operator-in-Training 7
- Wastewater Operator Scope 6

License Types & Classifications 4
- Backflow Assembly Tester 6
- Drinking Water Distribution Operator 4
- Drinking Water Treatment Operator 5
- Wastewater Collection Operator 5
- Wastewater Laboratory Analyst 6
- Wastewater Treatment Operator 5

O

Organization 3
- Meetings 3
- Organization of the Board 3

R

Renewal Or Reinstatement Of License 12
- Backflow Assembly Testers 12
- Expiration Date 12
- Operator-in-Training License 12
- Reinstatement 12
- Wastewater Land Application License 13

Requirements For License 7
- Education & Experience Requirements 7
- Equivalency Policy 9
- Examination Requirement 7
- Substituting Education for Experience 9
- Substituting Experience for Experience 9

S

Substituting Experience for Education 9

W

Wastewater Grandparent Provision 10
- Application Limitations 10
- Grandparent License 10
- Grandparent Professional Growth Requirement 10
- License Requirements 10
- One System Limitation 10
- Wastewater System Classification Limitations 10