

NEBRASKA ADMINISTRATIVE CODE

Title 197 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 1 - DEFINITIONS

001 "Act" means the Wastewater Treatment Operator Certification Act.

002 "Base Metal" generally refers to regulated non-precious metals in wastewater (cadmium, copper, lead, nickel, zinc).

003 "Certificate" means a certificate of competency issued by the director or his or her duly authorized representative certifying that ~~the~~ a wastewater treatment system operator has met the requirements for the specified operator classification of the certification program.

004 "Certified Operator" means an operator who holds a wastewater treatment system operator certificate issued by the director or his or her authorized representative.

005 "Classification System" or "System" means the procedure used to classify wastewater treatment facilities including the point rating worksheets and classification tables in Appendix A and B, hereby adopted and incorporated herein.

006 "Class I, Class II, Class III, Class IV, and Class L" means the level of certification of an operator of a municipal, commercial, or compatible industrial wastewater treatment works.

007 "Collection System" means the part of the wastewater treatment facility that includes the structures, equipment, and processes required to collect and transport wastewater from its point of origin to some treatment component in the ~~a~~-wastewater treatment facility.

008 "Commercial Facility or Commercial Wastewater Treatment Facility" means a privately owned wastewater treatment facility treating only domestic wastewater.

009 "Compatible Industrial Facility" means a wastewater treatment facility treating or pretreating wastewater produced by an industry whose wastewater is treated similar to domestic wastewater.

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010 "Industrial I, Industrial II, Industrial III, or Industrial IV" means the level of certification of an operator of a non-compatible industrial wastewater treatment facility.

011 "Continuing Education Unit (CEU)" is a standard unit of measurement meaning ten contact hours of participation in, and successful completion of an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction which is approved by the director or some nationally recognized association.

012 "Contract Operation" means operation of a wastewater treatment facility by an individual operator who is not an employee of the owner of the wastewater treatment facility, or by a private firm employing certified operators, authorized to operate a facility through a contract with the owner of the wastewater treatment facility.

013 "Council" means the Environmental Quality Council.

014 "Department" means the Nebraska Department of Environmental Quality.

015 "Director" means the Director of the Nebraska Department of Environmental Quality.

016 "Direct Responsible Charge (DRC)" means the person(s) designated by the owner to be the certified operator(s) responsible for making decisions regarding the daily operational activities of a wastewater treatment facility and decisions that will impact compliance with the National Pollutant Discharge Elimination System permit.

017 "Domestic Wastewater" means human body waste and household type wastes including bath and toilet wastes, laundry wastes, kitchen wastes, and other similar wastes from households.

018 "Exempt Facility" means a wastewater treatment facility that is not required to be operated by a certified operator.

019 "Initiation of Operation" means the date on which a new or upgraded wastewater treatment facility is put into operation or is capable of being placed in operation for the purpose for which it was planned, designed, and built.

020 "Municipal Facility" means a wastewater treatment facility owned by a municipality that treats wastewater.

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021 "Municipality" means a city, town, borough, county, parish, district, association, or other public body created by or pursuant to state law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

022 "National Pollutant Discharge Elimination System (NPDES)" means the national system for the issuance, reissuance, modification, suspension, revocation, monitoring, and enforcing of permits pursuant to the Federal Water Pollution Control Act, 33 USC, 1342, as amended, and includes any State program which has been approved by the Administrator of the U.S. Environmental Protection Agency, in whole or in part, pursuant to the Federal Water Pollution Control Act, 33 USC 1251, et seq., as amended.

023 "Non-compatible Industrial Facility" means ~~an~~ a wastewater treatment facility treating or pre-treating wastewater produced by an industry whose wastewater is not treated similar to domestic wastewater.

024 "Non-discharging Lagoon Systems" means the shallow earthen basins, used for the treatment of wastewater by natural processes involving the use of both algae and bacteria, which do not discharge to waters of the state.

025 "Operating Experience" means the length of time of service while functioning as a wastewater treatment facility operator.

026 "Operator" means any person who regularly makes recommendations or is responsible for process control decisions at a wastewater treatment facility. Operator shall not include a person whose duties are limited solely to laboratory testing or maintenance or who exercises general or indirect supervision only.

027 "Population Equivalent Served" means the number of persons that would be required to contribute an equivalent quantity of waste. Biochemical Oxygen Demand (BOD) and Suspended Solids (SS) population equivalents are 0.17 lbs BOD per person per day and 0.20 lbs SS per person per day, respectively.

028 "Wastewater" means the combination of the liquid or water-carried wastes removed from residences, institutions, and commercial and industrial establishments, together with such ground water, surface water, and storm water as may be present.

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029 "Wastewater Treatment Facility" or "Facility" means the structures, equipment, and processes required to collect, transport, and treat domestic or industrial wastes and to dispose of the effluent and sludge.

Enabling Legislation: Neb. Rev. Stat. §81-15,129 and §81-15,130(1).

Legal Citation: Title 197, Ch. 1, Nebraska Department of Environmental Quality.

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Chapter 2 - EXEMPTIONS

001 The following wastewater treatment facilities are hereby exempted from these regulations.

001.01 pH neutralization system.

001.02 Ash and coal pile runoff retention ponds.

001.03 Storm water retention ponds.

001.04 Non-contact cooling water discharges.

001.05 Construction sand and gravel operations.

001.06 Water treatment plant discharges.

001.07 Equalization Basins.

001.08 pH adjustments used to break down oil immersions.

001.09 Compatible industrial facilities which are awarded 15 points or less in accordance with the point rating system in Appendix B.

001.10 Non-compatible industrial facilities which are awarded 4 points or less in accordance with the point rating system in Appendix B and are not a Significant Industrial User as defined in ~~Title 127, Chapter 4~~ Title 119 – Rules and Regulations Pertaining to the Issuance of Permits Under the National Pollutant Discharge Elimination System.

001.11 Livestock waste control facilities as defined in Title 130 – Livestock Waste Control Regulations.

001.12 Individual septic ~~-tank~~ systems for domestic wastewater treatment and individual lagoon systems for domestic wastewater treatment as defined in ~~the Department's~~ Title

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124 - Rules and Regulations for the Design, Operation and Maintenance of On-Site Wastewater Treatment Systems.

001.13 ~~Septic tank systems classified for establishments (i.e. serving the flow from ten (10) or more bedrooms or 25 population equivalent) for buildings, structures, houses or other places which generate wastewater flows that are 1000 gallons per day or more, or which generate non-domestic wastewater.~~

002 ~~The owner of Lagoon-lagoon wastewater treatment facilities that land apply effluent or are non-discharging lagoon systems may be exempted from the operator certification requirement for up to a four year period, by the director. It is the owner's responsibility to apply for the exemption. The application must be accompanied by the non-refundable application fee identified in the Appendix C Fee Schedule. The owner of a New-new or modified wastewater treatment facilities-facility shall-notify- apply to the department for the exemption within 90 days of startup. The owner of an exempted lagoon Wastewater treatment facilities-qualifying for exemption must renew is responsible to apply for renewal of the exemption prior to its expiration or to otherwise comply with the operator certification requirements in this Title.-the exemption every four (4) years.~~

003 The department will evaluate other wastewater treatment facilities for exemption on a case by case basis. Exemptions may be granted, by the director, for the life of the wastewater treatment facility or for a four (4) year period, at the discretion of the director. Any modification of the wastewater treatment facility will require re-evaluation by the department and may result in the revocation of the exemption.

Enabling Legislation: Neb. Rev. Stat. §81-15, 130; §81-15, 131; §81-15, 134.

Legal Citation: Title 197, Ch. 2, Nebraska Department of Environmental Quality.

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Chapter 3 - CLASSIFICATIONS OF FACILITIES, STAFFING REQUIREMENTS AND REPORTING REQUIREMENTS FOR OWNERS OF WASTEWATER TREATMENT FACILITIES

001 All wastewater treatment facility operators are required to be certified by the director. The level of certification required for the operator(s) in direct responsible charge (DRC) of each municipal, commercial, or compatible wastewater treatment facility shall correspond to the wastewater treatment facility's classification. A non-compatible industrial treatment facility must have one operator designated as DRC of the facility.

002 All wastewater treatment facilities shall be operated only by operators certified at the classification level of the wastewater treatment facility or a higher classification, with the following exceptions:~~unless the wastewater treatment facility is exempted under provisions of Chapter 2 or the operator otherwise qualifies under provisions of Chapter 4.~~

002.01 Facilities exempted under the provisions as provided for in Chapter 2;

002.02 The operator otherwise qualifies as provided for in Chapter 4; or

~~002.01-002.03~~ Wastewater treatment facilities-Facilities that are not staffed 24 hours a day, may use uncertified individuals to observe the facility during non-staffed times. All process control or operational changes made to the operation of a facility, during non-staffed periods, must be under the direction of and consultation with a certified operator.

003 Each municipal or commercial wastewater treatment facility shall be classified by the department as a Class L, Class I, Class II, Class III, or Class IV wastewater treatment facility based upon complexity of treatment, population equivalent served, downstream water course conditions, and potential health hazards in accordance with the point rating system established in Appendix A. The director shall determine a wastewater treatment facility's classification if the department is unable to classify using Appendix A.

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003.01 Lagoon wastewater treatment facilities which are awarded 15 points or less in accordance with the point rating system in Appendix A are classified as Class L facilities. Each Class L wastewater treatment facility is required to have a ~~certified~~-DRC operator certified at the Class L level or higher.

003.02 Wastewater Treatment Facilities which are awarded 30 points or less in accordance with the point rating system in Appendix A and are not classified as Class L are classified as ~~a~~-Class I wastewater treatment facility facilities. Each Class I wastewater treatment facility is required to have a ~~certified~~-DRC operator certified at the Class I level or higher.

003.03 Wastewater treatment facilities which are awarded 31 points or more but less than 56 points in accordance with the point rating system in Appendix A are classified as ~~a~~-Class II wastewater treatment facility facilities. Each Class II wastewater treatment facility is required to have a DRC operator certified at ~~least to~~ the Class II level or higher and an assistant operator certified at the Class I level or higher.

003.04 Wastewater treatment facilities which are awarded 56 points or more but less than 76 points in accordance with the point rating system in Appendix A are classified as ~~a~~-Class III wastewater treatment facility facilities. Each Class III wastewater treatment facility is required to have a DRC operator certified at ~~least at~~ the Class III level or higher and an assistant operator certified at the Class II level or higher. All other ~~personnel defined as~~ operators at a Class III facility shall be certified at levels commensurate with their responsibility as determined by the DRC operator.

003.05 Wastewater treatment facilities which are awarded 76 points or more in accordance with the point rating system in Appendix A are classified as ~~a~~-Class IV wastewater treatment facility facilities. Each Class IV wastewater treatment facility is required ~~as a minimum~~ to have the DRC operator in overall charge of the entire wastewater treatment facility and the shift supervisors serving as DRC operators certified at the Class IV level. All operators in charge of processes or making process control decisions will be certified at a level based on their delegated level of responsibility as

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determined by the DRC operator in overall charge of the entire wastewater treatment facility, using the point rating system in Appendix A.

004 Compatible industrial facilities: Each compatible industrial wastewater treatment facility shall be classified by the department as a Class I, II, III, IV, or exempt facility based upon complexity of treatment, downstream water course conditions, and potential health hazards in accordance with the point rating system established in Appendix B. The director shall determine a wastewater treatment facility's classification if the department is unable to classify the facility, using Appendix B.

004.01 Compatible industrial facilities which are awarded 16 points or more but less than 31 points in accordance with the point rating system in Appendix B are classified as a Class I compatible industrial facility. Each Class I compatible industrial facility is required to have a DRC operator certified at the Class I level or higher.

004.02 Compatible industrial facilities which are awarded 31 points or more but less than 56 points in accordance with the point rating system in Appendix B are classified as a Class II compatible industrial facility. Each Class II compatible industrial facility is required to have a DRC operator certified ~~at least~~ at the Class II level or higher and an assistant operator certified at the Class I level or higher.

004.03 Compatible industrial facilities which are awarded 56 points or more but less than 76 points in accordance with the point rating system in Appendix B are classified as Class III compatible industrial facilities. Each Class III compatible industrial facility is required to have a DRC operator certified ~~at least~~ at the Class III level or higher and an assistant operator certified at the Class II level or higher. All other personnel defined as operators shall be certified at levels commensurate with their responsibility as determined by the DRC operator.

004.04 Compatible industrial facilities which are awarded 76 points or more in accordance with the point rating system in Appendix B are classified as Class IV compatible industrial facilities. Each Class IV wastewater treatment facility is required as a minimum to have the DRC operator in overall charge of the entire wastewater treatment

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facility and the shift supervisors serving as DRC operators certified at the Class IV level. All operators in charge of processes or making process control decisions will be certified at a level based on their delegated level of responsibility as determined by the DRC operator in overall charge of the entire wastewater treatment facility, using the point rating system in Appendix B.

005 Non-compatible industrial facilities: Each non-compatible industrial wastewater treatment facility shall be classified by the department as an Industrial I, Industrial II, Industrial III, or Industrial IV or exempt facility based upon complexity of treatment, downstream water course conditions, and potential health hazards in accordance with the point rating system established in Appendix B. The director shall determine a wastewater treatment facility's classification if the department is unable to classify the facility, using Appendix B.

005.01 Non-compatible industrial facilities which are awarded 5 points or more but less than 31 points in accordance with the point rating system in Appendix B are classified as an Industrial I non-compatible industrial facility. Each Industrial I non-compatible industrial facility is required to have a DRC operator certified at the Industrial I level or higher.

005.02 Non-Compatible industrial facilities which are awarded 31 points or more but less than 56 points in accordance with the point rating system in Appendix B are classified as an Industrial II non-compatible industrial facility. Each Industrial II non-compatible industrial facility is required to have a DRC operator certified at least at the Industrial II level and an assistant operator certified at the Industrial I level or higher.

005.03 Non-compatible industrial facilities which are awarded 56 points or more but less than 76 points in accordance with the point rating system in Appendix B are classified as Industrial III non-compatible industrial facilities. Each Industrial III non-compatible industrial facility is required to have a DRC operator certified at least at the Industrial III level and an assistant operator certified at the Industrial II level or higher. All other personnel defined as operators shall be certified at levels commensurate with their responsibility as determined by the DRC operator.

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005.04 Non-compatible industrial facilities which are awarded 76 points or more in accordance with the point rating system in Appendix B are classified as Industrial IV non-compatible industrial facilities. Each Industrial IV non-compatible industrial facility is required as a minimum to have the DRC operator in overall charge of the entire wastewater treatment facility and the shift supervisors serving as DRC operators certified at the Industrial IV level. All operators in charge of processes or making process control decisions will be certified at a level based on their delegated level of responsibility as determined by the DRC operator in overall charge of the entire wastewater treatment facility, using the point rating system in Appendix B.

006 Reporting Requirements for wastewater treatment facility owners and operators are as follows:

006.01 The owner of a wastewater treatment facility shall notify the department, in writing, within 30 days of when a DRC operator leaves or is hired.

006.02 The owner of a wastewater treatment facility shall furnish the department upon request the names, addresses, and positions of all operators.

006.03 The owner of a wastewater treatment facility shall notify the department prior to construction of any process modifications affecting the quality of effluent or plant capacity.

006.04 The DRC operator in overall charge of the entire Class IV or Industrial IV wastewater treatment facility shall submit a staffing plan to the department every year by December 31st.

006.04A Staffing plans shall include organizational charts which identify the DRC operator in overall charge of the entire facility.

006.04B Staffing plans shall identify shift supervisors who are in DRC of the shifts.

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006.04C Staffing plans shall identify other operators working with treatment processes or making process control decisions.

006.04D Staffing plans shall include an emergency plan. The emergency plan shall describe how a treatment facility will be monitored during non-staffed operation, who will be contacted in the event of an emergency, and who will be in DRC of the plant during an emergency situation.

006.04E Prior to initiation of operation, all new or upgraded Class IV or Industrial IV wastewater treatment facilities shall submit a staffing plan for approval by the director, outlining levels of certification for all operators.

007 New wastewater treatment facilities or wastewater treatment facilities reclassified due to an upgrade must have properly certified operator(s) prior to initiation of operation.

008 Operation of wastewater treatment facilities may be allowed from a remote work station by the director when:

008.01 The owner can demonstrate a capability to comply with all NPDES permit requirements and protect the public health and the environment.

008.02 The level of certification of the DRC operator at the remote workstation shall be at least at the level of the classification of the facility, which is being operated from a remote workstation.

008.03 Where multiple facilities are operated from a common remote work station the DRC operator and backups shall be certified at the Class IV level. Where multiple non-compatible industrial facilities are operated from a common remote work station the DRC operator shall be certified at the Industrial IV level.

008.04 The wastewater treatment facility which is being operated remotely will be readily accessible to the certified operator and will be less than one hour travel time away from the location of the DRC operator.

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008.05 The owner will provide a staffing plan which includes all the operators who are responsible for operation of the treatment plant(s) which are being remotely operated.

008.06 The owner will provide a back-up emergency operation plan which describes how the plant to be remotely operated will be operated in case of an emergency.

009 Operators certified to operate municipal, commercial, or compatible industrial facilities (Class L and Class I-Class IV) may not operate a non-compatible industrial facility without obtaining the appropriate industrial certification license (Industrial I – Industrial IV).

010 Operators certified to operate a non-compatible industrial facility (Industrial I – Industrial IV) may not operate municipal, commercial, or compatible industrial facilities without obtaining the appropriate certification license (Class L and Class I-Class IV).

Enabling Legislation: Neb. Rev. Stat. §81-15, 130; §81-15, 131; §81-15, 134.

Legal Citation: Title 197, Ch. 3, Nebraska Department of Environmental Quality.

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Chapter 4 - OPERATOR CERTIFICATION, TYPES OF CERTIFICATES

001 The director will issue Class L, Class I, Class II, Class III, Class IV, Industrial I, Industrial II, Industrial III, and Industrial IV certificates to operators who pass the respective certification test and also meet the education and experience requirements.

002 Class L and Class I, wastewater treatment facility owners are eligible to obtain temporary certificates for their operators.

002.01 The director may issue a temporary certificate to an applicant who is a new operator at a Class L or a Class I wastewater treatment facility which requires only one operator. When issued, this temporary certificate is valid for a period of one year from the date of hire. During the period of this temporary certification, the operator must complete all necessary requirements to obtain certification.

002.02 The Class L temporary certificate and the Class I temporary certificate are operator and site specific and may not be transferred to another facility or operator.

002.03 The director will not issue a temporary certificate at any Class L and Class I wastewater treatment facilities in consecutive years without acceptance of written justification of due cause or extenuating circumstances.

002.04 Owners shall request a temporary certificate for their operator within 30 days of hiring the operator.

~~002003~~ Owners of non-compatible industrial wastewater treatment facilities are eligible to obtain temporary certificates for their uncertified operators.

~~002.01~~003.01 The director may issue a temporary certificate to an applicant who is a new operator at an Industrial I wastewater treatment facility. When issued, this temporary certificate is valid for a period of one year from the date of hire. During the period of this

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temporary certification, the operator must complete all necessary requirements to obtain certification.

002.02003.02 The temporary certificate is operator specific and site specific and may not be transferred to another facility or operator.

002.03003.03 The director will not issue a temporary certificate at any wastewater treatment facility in consecutive years without acceptance of written justification of due cause or extenuating circumstances.

002.04003.04 Owners shall request a temporary certificate for their operator within 30 days of hiring the operator.

003004 Provisional certification will be issued to applicants who pass the certification test for any level of classification but do not meet all of the educational and experience requirements. Operator(s) may request removal of provisional status upon completion of education and experience requirements.

003.01004.01 The owner of a wastewater treatment facility may request the department to allow an operator with a provisional certificate to be in DRC of their wastewater treatment facility.

003.02004.02 The director has the discretion to authorize an operator with a provisional certificate to be in DRC of a wastewater treatment facility if the operator has obtained a level of provisional certification which is equivalent to the facility classification.

004005 Restricted certification is available to applicants who qualify for alternative testing as addressed in Chapter 5, ~~Section 010~~. Restricted certification of an operator is valid only at the wastewater treatment facility the applicant was tested to operate.

005006 New or promoted employees hired as operators in a wastewater treatment facility will have up to twelve months (from hiring date) to obtain the required level of certification of

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the position, provided the employee takes the certification exam at least once within six months of hiring or promotion.

Enabling Legislation: Neb. Rev. Stat. §81-15,130(1)(3)(9); §81-15,131; §81-15,132; §81-15,133; §81-15,135 and §81-15,138.

Legal Citation: Title 197, Ch. 4, Nebraska Department of Environmental Quality.

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Chapter 5 - CERTIFICATION APPLICATION AND EXAMINATION PROCEDURES

001: An applicant is required to submit an application which contains information regarding education, and work experience to the department with the respective application fee prescribed in Appendix C, hereby adopted and incorporated herein. The department will notify applicants if additional information is required.

002 When an application for certification is denied, the department will notify the applicant in writing and explain the reason for denial. Upon notice of denial, the applicant may request a hearing following the procedure referred to in Chapter 11.

003 All applications received less than five (5) days prior to a scheduled examination date may be held for the next scheduled examination date.

004 A minimum of four examinations per year will be scheduled across the state.

005 After receipt of the application, the department will review the application and will schedule a date, time and place of examination for the applicant, or notify the applicant otherwise.

006 When the applicant is ineligible for certification, as prescribed in Chapter 10, ~~Section 004~~, the department will notify the applicant in writing and explain the reason for ineligibility. Upon notice of ineligibility, the applicant may request a hearing, following the procedure referred to in Chapter 11.

007 Applicants must attain a minimum grade of seventy percent for passage of an examination. All applicants shall be notified regarding the examination results by the department in writing as soon as the results of the examination are available.

008 Upon failure to pass an examination, an applicant shall be permitted to be re-examined at subsequent examinations. Applicants desiring to be re-examined shall submit their application

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together with the retesting fee as prescribed in Appendix C. Applicants failing three (3) exams in succession shall obtain a minimum of 1 CEU of applicable training prior to retesting.

009 All examination records shall be filed and retained by the department for three years.

010 Alternative testing may be provided for unusual situations upon written request by the owner or the operator to the director. If alternative testing is approved by the director, a wastewater treatment facility-specific test will be prepared and offered to applicants who have attempted to pass the written test at least three times, are unable to comply with the standard written testing procedures, but may otherwise qualify as an operator. The fee for the alternative test will be in accordance with the fee schedule in Appendix C. The alternative test may include an oral test and a demonstration by the operator showing successful operation of all phases of the wastewater treatment facility the applicant is employed to operate. The test will be administered by the department and may result in a restricted certification as addressed in Chapter 4, ~~Section 004~~.

Enabling Legislation: Neb. Rev. Stat. §81-15,130(1)(3)(4)(5)(6)(7)(8) and §81-15,131.

Legal Citation: Title 197, Ch.5, Nebraska Department of Environmental Quality.

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Chapter 6 - EDUCATION AND EXPERIENCE REQUIREMENTS

001 The director shall evaluate qualifications of operators based on education, operating experience, knowledge of wastewater characteristics, treatment processes, and wastewater treatment facility operation relating to the classification of wastewater treatment facilities.

002 All applicants for a Class I ~~and or~~ Class L operator's certificate shall have at least one year of wastewater treatment facility work experience. Completion of a high school education or the equivalent may be substituted for the one year of work experience.~~meet the following education or experience requirement:~~

~~002.01 One year of work experience in a wastewater treatment facility;~~

~~002.02 Completion of high school education or the equivalent may be substituted for one year of work experience.~~

003 All applicants for a Class II operator's certificate shall have two years of wastewater treatment facility work experience.~~meet the following education or experience requirement:~~

~~003.01 Two years of work experience in a wastewater treatment facility;~~

~~003.02~~003.01 Completion of a high school education or the equivalent may be substituted for one year of work experience.;

~~003.03~~003.02 Completion of two years of college or technical school or equivalent education in a curriculum related to wastewater facility operation and design may be substituted for two years of work experience.

004 All applicants for a Class III or Class IV operator's certificate shall have four years of wastewater treatment facility work experience with at least two years of experience at a Class III or IV facility.~~meet the following education or experience requirement:~~

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~~004.01 Four years of work experience in a wastewater treatment facility with at least two years experience in a Class III or IV facility;~~

~~004.02~~004.01 Completion of a four year college degree majoring in environmental engineering, environmental sciences, or the equivalent (-as determined by the ~~director~~ Department) may be substituted for three years of work experience;

~~004.03~~004.02 Completion of two years of college or technical school or equivalent education related to the wastewater facility operation and design may be substituted for two years of work experience.

Enabling Legislation: Neb. Rev. Stat. §81-15,130(1)(2)(3)(4) and §81-15,131.

Legal Citation: Title 197, Ch. 6, Nebraska Department of Environmental Quality.

APPENDIX A

ENTIRE APPENDIX A TO BE REPLACED – SEE NEW APPENDIX A

Municipal/Commercial Wastewater Treatment Plant Point Rating System Wastewater Treatment Plant Point Rating System (Non-Industrial/Municipal) Wastewater Treatment Plant Point Rating System (Non-Industrial/Municipal) Wastewater Treatment Plant Point Rating System (Non-Industrial/Municipal)

A wastewater system with only collection, lift stations, and chlorination is considered a collection system and not a wastewater treatment plant. Each unit process should have points assigned only once.

Item	Points	Your Plant
Size (2 point minimum to 20 point maximum)		
Maximum population equivalent (PE) or part served, peak day (1 point minimum to 10 point maximum)	1 pt per 10,000 or part	
Design flow average day or peak month's part flow average day, whichever is larger (1 point minimum to 10 point maximum)	1 pt per MGD or part	
Variation in raw waste (0 point minimum to 6 point maximum)¹		
Variations do not exceed those normally or typically expected	0	
Recurring deviations or excessive variations of 100 to 200% in strength and/or flow	2	
Recurring deviations or excessive variations of more than 200% in strength and/or flow	4	
Raw wastes subject to toxic waste discharges	6	
Impact of septage or truck-hauled waste (0 point minimum to 4 point maximum)		
Preliminary treatment		
Plant pumping of main flow	3	
Screening, comminution	3	
Grit removal	3	
Equalization	1	
Primary Treatment		
Clarifiers	5	
Imhoff tanks or similar	5	
Secondary Treatment		
Fixed-film reactor	10	
Activated sludge	15	
Stabilization ponds without aeration	5	
Stabilization ponds with aeration	8	
Tertiary Treatment		
Polishing ponds for advanced waste treatment	2	
Chemical/physical advanced waste treatment w/o secondary	15	
Chemical/physical advanced waste treatment following secondary	10	
Biological or chemical/biological advanced waste treatment	12	
Nitrification by designed extended aeration only	2	
Ion exchange for advanced waste treatment	10	
Reverse osmosis, electrodialysis and other membrane filtration techniques	15	
Advanced waste treatment chemical recovery, carbon regeneration	4	
Media filtration	5	
Additional Treatment Processes		
Chemical additions (2 points each for a maximum of 6 points)	6	
Dissolved air flotation (for other than sludge thickening)	8	
Intermittent sand filter	2	
Recirculating intermittent sand filter	3	
Microscreens	5	
Generation of oxygen	5	

Solids Handling		
Solids stabilization	5	
Gravity thickening	2	
Mechanical dewatering	8	
Anaerobic digestion of solids	10	
Utilization of digester gas for heating or cogeneration	5	
Aerobic digestion of solids	6	
Evaporative sludge drying	2	
Solids reduction (including incineration, wet oxidation)	12	
On-site landfill for solids	2	
Solids composting	10	
Land application of biosolids by contractor	2	
Land application of biosolids under direction of facility operator in direct responsible charge	10	
Disinfection (0 point minimum to 10 point maximum)		
Chlorination or ultraviolet irradiation	5	
Ozonation	10	
Effluent discharge (0 point minimum to 10 point maximum)		
Mechanical post aeration	2	
Direct recycle and reuse	6	
Land treatment and disposal (surface or subsurface)	4	
Instrumentation (0 point minimum to 6 point maximum)³		
Use of SCADA or similar instrumentation systems to provide data w/ no process operation	0	
Use of SCADA or similar instrumentation systems to provide data w/ limited process operation	2	
Use of SCADA or similar instrumentation systems to provide data w/ moderate process operation	4	
Use of SCADA or similar instrumentation systems to provide data w/ extensive or total process operation	6	
Laboratory control (0 point minimum to 15 point maximum)²		
Bacteriological/biological (0 point minimum to 5 point maximum)		
..Lab work done outside the plant	0	
..Membrane filter procedures	3	
..Use of fermentation tubes or any dilution method; fecal coliform determination	5	
Chemical/physical (0 point minimum to 10 point maximum)		
I.Lab work done outside the plant	0	
II.Push-button or visual methods for simple tests such as pH, settleable solids	3	
III.Additional procedures such as DO, COD, BOD, gas analysis, titrations, solids, volatile content	5	
IV.More advanced determinations such as specific constituents; nutrients, total oils, phenols	7	
V.Highly sophisticated instrumentation such as atomic absorption, gas chromatography	10	
	Total Points	

1 The key concept is frequency and/or intensity of deviation or excessive variation from normal or typical fluctuations; such deviation can be in terms of strength, toxicity, shock loads, I/I, with points from 0 to 6.

2 The key concept is to credit laboratory analyses done on-site by plant personnel under the direction of the operator in direct responsible charge with points from 0 to 15.

3. Supervisory Control and Data Acquisition (SCADA) system.

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Ver. Dec. 2009

Point Rating System for Municipal, Commercial, or Compatible Industrial Wastewater Treatment Plants

A system with only collection, lift stations, and chlorination is considered a collection system and not a wastewater treatment system or plant. Each unit process should have points assigned only once.

Item Description	Assigned Points	Rating Points
Size (2 point minimum to 20 point maximum)		
Maximum population equivalent (PE) or part served, peak day (1 point minimum to 10 point maximum)	1 point per 10,000 population or part	
Design flow average day or peak month's part flow average day, whichever is larger (1 point minimum to 10 point maximum)	1 pt per MGD or part	
Variation in raw waste (0 point minimum to 6 point maximum)¹		
Variations do not exceed those normally or typically expected	0	
Recurring deviations or excessive variations of 100 to 200% in strength and/or flow	2	
Recurring deviations or excessive variations of more than 200% in strength and/or flow	4	
Raw wastes subject to toxic waste discharges	6	
Impact of septage or truck-hauled waste (0 point minimum to 4 point maximum)		
Preliminary treatment		
Plant pumping of main flow	3	
Screening, comminuting	3	
Grit removal	3	
Equalization	1	
Primary Treatment		
Clarifiers	5	
Imhoff tanks or similar	5	
Secondary Treatment		
Fixed-film reactor	10	
Activated sludge	15	
Stabilization ponds without aeration	5	
Stabilization ponds with aeration	8	
Tertiary Treatment		
Polishing ponds for advanced waste treatment	2	
Chemical/physical advanced waste treatment without secondary	15	
Chemical/physical advanced waste treatment following secondary	10	
Biological or chemical/biological advanced waste treatment	12	
Nitrification by designed extended aeration only	2	
Ion exchange for advanced waste treatment	10	
Reverse osmosis, electrodialysis and other membrane filtration techniques	15	
Advanced waste treatment chemical recovery, carbon regeneration	4	
Media filtration	5	
Additional Treatment Processes		
Chemical additions (2 points each for a maximum of 6 points)	6	
Dissolved air flotation (for other than sludge thickening)	8	
Intermittent sand filter	2	
Recirculating intermittent sand filter	3	
Microscreens	5	
Generation of oxygen	5	

Solids Handling		
Solids stabilization	5	
Gravity thickening	2	
Mechanical dewatering	8	
Anaerobic digestion of solids	10	
Utilization of digester gas for heating or cogeneration	5	
Aerobic digestion of solids	6	
Evaporative sludge drying	2	
Solids reduction (including incineration, wet oxidation)	12	
On-site landfill for solids	2	
Solids composting	10	
Land application of biosolids by contractor	2	
Land application of biosolids under direction of facility operator in direct responsible charge	10	
Disinfection (0 point minimum to 10 point maximum)		
Chlorination or ultraviolet irradiation	5	
Ozonation	10	
Effluent discharge (0 point minimum to 10 point maximum)		
Mechanical post aeration	2	
Direct recycle and reuse	6	
Land treatment and disposal (surface or subsurface)	4	
Instrumentation (0 point minimum to 6 point maximum)²		
Use of SCADA or similar instrumentation systems to provide data with no process operation	0	
Use of SCADA or similar instrumentation systems to provide data with limited process operation	2	
Use of SCADA or similar instrumentation systems to provide data with moderate process operation	4	
Use of SCADA or similar instrumentation systems to provide data with extensive or total process operation	6	
Laboratory control (0 point minimum to 15 point maximum)³		
Bacteriological/biological (0 point minimum to 5 point maximum)		
Lab work done outside the plant	0	
Membrane filter procedures	3	
Use of fermentation tubes or any dilution method; fecal coliform determination	5	
Chemical/physical (0 point minimum to 10 point maximum)		
I. Lab work done outside the plant	0	
II. Push-button or visual methods for simple tests such as pH, settleable solids	3	
III. Additional procedures such as DO, COD, BOD, gas analysis, titrations, solids, volatile content	5	
IV. More advanced determinations such as specific constituents; nutrients, total oils, phenols	7	
V. Highly sophisticated instrumentation such as atomic absorption, gas chromatography	10	
TOTAL RATING POINTS FOR THIS TREATMENT PLANT		*****

1. The key concept is frequency and/or intensity of deviation or excessive variation from normal or typical fluctuations; such deviation can be in terms of strength, toxicity, shock loads, I/I, with points from 0 to 6.
2. Supervisory Control and Data Acquisition (SCADA) system.
3. The key concept is to credit laboratory analyses done on-site by plant personnel under the direction of the operator in direct responsible charge with points from 0 to 15.

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APPENDIX B TO BE REPLACED – SEE NEW APPENDIX B

APPENDIX B

Industrial Wastewater Treatment Plant Point Rating System

A wastewater system with only collection, lift stations, and chlorination is considered a collection system and not a wastewater treatment plant. Each unit process should have points assigned only once.

<u>Item</u>	<u>Points</u>	<u>Your Plant</u>
<u>Size (1 point minimum to 10 point maximum)</u>		
<u>Design flow average day or peak month's flow average day, whichever is larger</u> <u>(1 point minimum to 10 point maximum)</u>	<u>1 pt/MGD</u> <u>or part</u>	
<u>Preliminary Treatment</u>		
<u>Grease removal</u>	<u>3</u>	
<u>Plant pumping of main flow</u>	<u>3</u>	
<u>Screening, comminution, microscreens</u>	<u>3</u>	
<u>Grit removal</u>	<u>3</u>	
<u>Equalization</u>	<u>1</u>	
<u>Sedimentation/clarification</u>	<u>5</u>	
<u>Primary Treatment</u>		
<u>Dissolved air flotation</u>	<u>3</u>	
<u>Coagulation/flocculation</u>	<u>5</u>	
<u>Secondary Treatment</u>		
<u>Bio-filtration with secondary clarifiers</u>	<u>10</u>	
<u>Activated sludge w/ secondary clarifiers (including extended aeration, oxidation ditches)</u>	<u>15</u>	
<u>Stabilization ponds without aeration</u>	<u>5</u>	
<u>Stabilization ponds with aeration</u>	<u>8</u>	
<u>Tertiary Treatment</u>		
<u>Ion exchange for advanced waste treatment</u>	<u>10</u>	
<u>Reverse osmosis, electro dialysis and other membrane filtration techniques</u>	<u>15</u>	
<u>Chemical recovery, carbon regeneration</u>	<u>4</u>	
<u>Polishing ponds for advanced waste treatment</u>	<u>2</u>	
<u>Chemical/physical advanced waste treatment w/o secondary</u>	<u>15</u>	
<u>Chemical/physical advanced waste treatment following secondary</u>	<u>10</u>	
<u>Biological or chemical/biological advanced waste treatment</u>	<u>12</u>	
<u>Additional Treatment Processes</u>		
<u>pH adjustment</u>	<u>1</u>	
<u>Oil separation</u>	<u>3</u>	
<u>Chemical pretreatment (except chlorination, enzymes)</u>	<u>4</u>	
<u>Filtration</u>	<u>6</u>	
<u>Air stripping</u>	<u>5</u>	
<u>Solids Handling</u>		
<u>Solids conditioning</u>	<u>2</u>	
<u>Solids thickening</u>	<u>5</u>	
<u>Anaerobic digestion of solids</u>	<u>10</u>	
<u>Aerobic digestion of solids</u>	<u>6</u>	

Evaporative sludge drying	2	
Irrigation of solids	5	
Mechanical dewatering	8	
Solids reduction (including incineration, wet oxidation)	12	
On-site landfill for solids	2	
Solids composting	10	
Disinfection (0 point minimum to 10 point maximum)		
No disinfection	0	
Chlorination or comparable	5	
On-site generation of disinfectant	5	
Effluent Discharge (0 point minimum to 21 point maximum)		
Post aeration	4	
Receiving stream sensitivity (0 point minimum to 6 point maximum)¹		
I."Effluent limited segment" in US EPA terminology; secondary treatment is adequate	0	
II.More than secondary treatment is required	2	
III."Water quality limited segment" in US EPA terminology; stream conditions are very critical (dry run, for example) and a very high degree of treatment is required	3	
IV.Direct recycle and reuse	6	
Land disposal, evaporation	2	
Subsurface disposal	4	
Biological or chemical scrubbers for odor control	5	
Instrumentation (0 point minimum to 6 point maximum)³		
The use of SCADA or similar instrumentation systems to provide data with no process operation	0	
The use of SCADA or similar instrumentation systems to provide data with limited process operation	2	
The use of SCADA or similar instrumentation systems to provide data with moderate process operation	4	
The use of SCADA or similar instrumentation systems to provide data with extensive or total process operation	6	
Laboratory control (0 point minimum to 20 point maximum)²		
Bacteriological/biological (0 point minimum to 10 point maximum)		
V.Lab work done outside the plant	0	
VI.Membrane filter procedures	3	
VII.Use of fermentation tubes or any dilution method; fecal coliform determination	5	
VIII.Biological identification	7	
IX.Viral studies or similarly complex work conducted on-site	10	
Chemical/physical (0 point minimum to 10 point maximum)		
X.Lab work done outside the plant	0	
XI.Push-button or visual methods for simple tests (pH, settleable solids)	3	
XII.Additional procedures (DO, COD, BOD gas analysis, titrations, solids, volatile content)	5	
XIII.More advanced determinations (specific constituents; nutrients, total oils, phenols)	7	
XIV.Highly sophisticated instrumentation (atomic absorption, gas chromatography)	10	
Your Plant Total		

1. The key concept is the degree of dilution provided under low flow conditions with points from 0 to 6.

2. The key concept is to credit laboratory analyses done on-site by plant personnel under direct responsible charge with points from 0 to 20.

3. Supervisory Control and Data Acquisition (SCADA) system.

Point Rating System for Industrial Wastewater Treatment Plants

A system with only collection, lift stations, and chlorination is considered a collection system and not a wastewater treatment plant. Each unit process should have points assigned only once.

Item Description	Assigned Points	Rating Points
Size (1 point minimum to 10 point maximum)		
Design flow average day or peak month's flow average day, whichever is larger (1 point minimum to 10 point maximum)	1 pt per MGD or part	
Preliminary Treatment		
Grease removal	3	
Plant pumping of main flow	3	
Screening, comminution, microscreens	3	
Grit removal	3	
Equalization	1	
Sedimentation/clarification	5	
Primary Treatment		
Dissolved air flotation	3	
Coagulation/flocculation	5	
Secondary Treatment		
Bio-filtration with secondary clarifiers	10	
Activated sludge w/ secondary clarifiers (including extended aeration, oxidation ditches)	15	
Stabilization ponds without aeration	5	
Stabilization ponds with aeration	8	
Tertiary Treatment		
Ion exchange for advanced waste treatment	10	
Reverse osmosis, electrodialysis and other membrane filtration techniques	15	
Chemical recovery, carbon regeneration	4	
Polishing ponds for advanced waste treatment	2	
Chemical/physical advanced waste treatment without secondary	15	
Chemical/physical advanced waste treatment following secondary	10	
Biological or chemical/biological advanced waste treatment	12	
Additional Treatment Processes		
pH adjustment	1	
Oil separation	3	
Chemical pretreatment (except chlorination, enzymes)	4	
Filtration	6	
Air stripping	5	
Solids Handling		
Solids conditioning	2	
Solids thickening	5	
Anaerobic digestion of solids	10	
Aerobic digestion of solids	6	

Evaporative sludge drying	2	
Irrigation of solids	5	
Mechanical dewatering	8	
Solids reduction (including incineration, wet oxidation)	12	
On-site landfill for solids	2	
Solids composting	10	
Disinfection (0 point minimum to 10 point maximum)		
No disinfection	0	
Chlorination or comparable	5	
On-site generation of disinfectant	5	
Effluent Discharge (0 point minimum to 21 point maximum)		
Post aeration	4	
Receiving stream sensitivity (0 point minimum to 6 point maximum) ¹		
I. "Effluent limited segment" in US EPA terminology; secondary treatment is adequate	0	
II. More than secondary treatment is required	2	
III. "Water quality limited segment" in US EPA terminology; stream conditions are very critical (dry run, for example) and a very high degree of treatment is required	3	
IV. Direct recycle and reuse	6	
Land disposal, evaporation	2	
Subsurface disposal	4	
Biological or chemical scrubbers for odor control	5	
Instrumentation (0 point minimum to 6 point maximum)²		
Use of SCADA or similar instrumentation systems to provide data with no process operation	0	
Use of SCADA or similar instrumentation systems to provide data with limited process operation	2	
Use of SCADA or similar instrumentation systems to provide data with moderate process operation	4	
Use of SCADA or similar instrumentation systems to provide data with extensive or total process operation	6	
Laboratory control (0 point minimum to 20 point maximum)³		
Bacteriological/biological (0 point minimum to 10 point maximum)		
V. Lab work done outside the plant	0	
VI. Membrane filter procedures	3	
VII. Use of fermentation tubes or any dilution method; fecal coliform determination	5	
VIII. Biological identification	7	
IX. Viral studies or similarly complex work conducted on-site	10	
Chemical/physical (0 point minimum to 10 point maximum)		
X. Lab work done outside the plant	0	
XI. Push-button or visual methods for simple tests (pH, settleable solids)	3	
XII. Additional procedures (DO, COD, BOD gas analysis, titrations, solids, volatile content)	5	
XIII. More advanced determinations (specific constituents; nutrients, total oils, phenols)	7	
XIV. Highly sophisticated instrumentation (atomic absorption, gas chromatography)	10	
TOTAL RATING POINTS FOR THIS TREATMENT PLANT		***** _____

1. The key concept is the degree of dilution provided under low flow conditions with points from 0 to 6.
2. Supervisory Control and Data Acquisition (SCADA) system.
3. The key concept is to credit laboratory analyses done on-site by plant personnel under direct responsible charge with points from 0 to 20.

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APPENDIX C

FEE SCHEDULE

~~As of September 3, 2002~~

Application for Certification and Examination	\$ 150 <u>200</u>
Application for Reciprocity	\$ 150 <u>200</u>
Two Year Renewal of Certificate	\$ 150 <u>200</u>
One Year Temporary Certificate	\$ 125 <u>175</u>
Retesting	\$ 125 <u>150</u>
Alternative Test	\$ 150 <u>250</u>
Training Courses	Set Prior to Course
Non-Non -Discharging Four Year Registration Exemption	\$ 100 <u>125</u>

NOTE: All fees apply on effective date. All fees are Non-refundable.