

Title 15 - Mississippi Department of Health

Part 20: Bureau of Public Water Supply

Subpart 72: Public Water Supply

**Chapter 2. REGULATION GOVERNING THE CERTIFICATION OF MUNICIPAL
AND DOMESTIC WATER SYSTEM OPERATORS**

Subchapter 1. General Provisions

Rule 2.1.2. Definitions

1. **Available** shall mean a certified waterworks operator or his/her designee employed by the water system holding a waterworks operator certification equivalent to or higher than the class of the public water system. The water system must be able to contact the certified operator or his/her designee at all times by telephone, pager or other reliable mode of communication acceptable to the Bureau of Public Water Supply to address system needs and problems as they occur.
2. **Board** shall mean the Mississippi State Board of Health.
3. **Bureau** shall mean the Bureau of Public Water Supply of the Mississippi State Department of Health.
4. **Community Water System** shall mean any water system serving piped water for human consumption to fifteen (15) or more individual service connections used year-round by consumers or regularly serving at least twenty-five (25) or more individual consumers year-round, including, but not limited to, any collection, pretreatment, treatment, storage and/or distribution facilities or equipment used primarily as part of, or in connection with such system, regardless of whether or not such components are under the ownership or control of the operator of such system.
6. **Department** shall mean the Mississippi State Department of Health.
7. **Director** shall mean the director of the Bureau of Public Water Supply or his designated representative.
8. **Distribution System** shall mean all water mains, repumping facilities, and appurtenances past treatment.
9. **Non-transient non-community water system** shall mean a public water system that is not a community water system and that regularly serves at least twenty-five (25) of the same persons.
10. **Operator** shall mean the designated certified waterworks operator who directly supervises and is personally responsible for the daily operation and maintenance of a community or non-transient non-community public water system.

11. **Person** shall mean the state or other agency or institution thereof, any municipality, political subdivision, public or private corporation, individual, partnership, association or other entity, and includes any officer or governing or managing body of any municipality, political subdivision, or public or private corporation, or the United States or any officer or employee thereof.
12. **Responsible Charge** shall mean a waterworks operator, holding a Bureau issued waterworks operator certification at a class equivalent to or higher than the class of the water system, who is officially designated by the owner or responsible official of the water system as the operator responsible for making all decisions regarding the daily operational activities of the public water system including all components of the water system such as treatment plants, water wells, distribution systems, etc. Under special circumstances, the Director may authorize a water system(s) to have more than one operator in responsible charge.
13. **Restricted Certification** shall mean a certified waterworks operator that is given a temporary certification in order to operate a public water system that has received a change in classification or a sudden loss of their certified operator. Operators with this type of Certification are restricted to a specific public water supply temporarily until such time as the operator attends a water operator short course within three years of receiving the Restricted Certification and passes the written examination required by the Bureau. This Restricted Certification is only provided for a period of three years. The Director may extend the restricted period of time of the certification due to the experience requirements of system classification.

SOURCE: Miss. Code Ann. §21-27-203

- Rule 2.1.3. **Certificates.** Effective July 1, 1987, all municipal and domestic community water systems must be operated by persons who are certified by the Bureau of Public Water Supply as qualified to operate such facilities. Effective July 1, 1998, all non-transient non-community public water systems must be operated by persons who are certified by the Bureau to operate such facilities.
1. Certificates of competency will be issued by the Bureau only after the applicant has passed the appropriate examination and has met the minimum requirements as specified in Subchapters 3 & 4.
 2. Certifications issued in accordance with section 21-27-213 (Grandfather Clause) of the Municipal and Domestic Water and Wastewater System Operator's Certification Act of 1986, shall be valid only for the particular public water system operated by the applicant at the time the certification was issued, and then only so long as the system remains active in the same or lower classification and the operator completes the continuing education requirement found in Rule 2.6.2. (2).
 3. Certifications shall be valid for three (3) years from the date of issuance, unless suspended or revoked for cause.

4. In the event of temporary loss of an operator, notice shall be immediately given to the Bureau. Continued operation of such system, without a certified operator, may proceed on an interim basis for a period not to exceed one hundred eighty (180) days, except for good cause shown upon written petition to the Director or designated representative.
5. Reciprocal certification may be issued in a comparable classification to an operator who holds a valid certification in any state, territory, or possession of the United States, provided the applicant's current certification is comparable to the class being applied for and the state from which the operator is requesting reciprocity utilizes a formal examination process. Any operator requesting reciprocal certification may request a waiver from the Director if they hold a valid certification in any state, territory or possession of the United States that does not utilize a formal examination process.
6. Any person allowed to actually make physical changes on a public water system that impact water quality or quantity must hold a waterworks operator's license issued by the Bureau at a class equivalent to or higher than the class of the public water system or be under the supervision of the certified waterworks operator for that system.

SOURCE: Miss. Code Ann. §§21-27-205 and 21-27-211

Subchapter 2. Classification of Public Water Systems & Operator in Responsible Charge

Rule 2.2.1. Classes of Water Systems. Water systems shall be classified in accordance with the criteria outlined below. Special systems which do not fall within these guidelines shall be considered as individual cases and be classified by the Bureau. All public water systems shall be under the direct supervision of a Bureau certified waterworks operator who is designated by the owner or responsible official of the system as the operator in responsible charge of the water system. In those situations, where a public water system contracts with a private operating company to operate the public water system, the responsible official of the public water system may authorize the private company to designate an operator employed by the company as the operator in responsible charge of the water system. In either case, the water system shall identify, by means of the Public Water Supply Annual Report submitted each year to the Bureau, the certified operator in responsible charge of the public water system.

1. **Class E.** Water systems that purchase water only and do not provide additional treatment. This classification shall also apply to waterworks operators whose only job responsibility is the operation and maintenance of the distribution system(s). The certified operator in responsible charge or his/her designee shall be available twenty-four (24) hours a day to address system needs and problems as they occur.
2. **Class D.** Water systems with no treatment other than chlorination and/or fluoridation or direct chemical feed such as polyphosphate. The certified operator in responsible charge or his/her designee shall be available twenty-four (24) hours per day to address system needs and problems as they occur.

3. **Class C.** Water systems with aeration, pH adjustment, corrosion control or closed pressure filtration treatment facilities including zeolite softening or iron removal. The certified operator in responsible charge or his/her designee shall be available twenty-four (24) hours per day to address system needs and problems as they occur.
4. **Class B.** Water systems with two (2) or more Class C treatment facilities of different types, with iron or manganese removal facilities breaking pressure or requiring flocculation and/or sedimentation, a system utilizing membrane filtration, or ion exchange treatment. The certified operator in responsible charge or his/her designee shall be available twenty-four (24) hours per day to address system needs and problems as they occur.
5. **Class A.** Systems with surface water treatment, groundwater under the direct influence of surface water, lime softening, or coagulation and filtration for the removal of constituents other than iron or manganese. A certified class A operator shall be onsite whenever the treatment plant for a Class A public water system treating surface water is in operation. The certified operator in responsible charge shall be available twenty-four (24) hours per day to address system needs and problems as they occur.

SOURCE: Miss. Code Ann. §21-27-205

Subchapter 3. Waterworks Operator Qualifications.

- Rule 2.3.1. **Class A.** The applicant must have at least a bachelor's degree in engineering or applied sciences from an accredited college or university, at least one year of experience in a Class A or B water treatment plant, and pass the written examination required by the Bureau. Or alternatively, an applicant must be a graduate of an accredited high school or possess an equivalent (GED), have at least six (6) years of experience in a Class A or B water plant, and pass the written examination required by the Bureau. In both applicant cases, at least one (1) year of working experience must be in a Class A plant.

SOURCE: Miss. Code Ann. §21-27-205

- Rule 2.3.2. **Class B.** The applicant must have graduated from an accredited high school or possess a General Equivalency Diploma (GED), have at least three (3) years of experience in the operation of a Class A, B, or C water treatment plant, of which one (1) year of working experience must be in a Class A or B water treatment plant. The applicant must also pass the written examination required by the Bureau.

SOURCE: Miss. Code Ann. §21-27-205

- Rule 2.3.3. **Class C.** The applicant must have graduated from an accredited high school or possess a General Equivalency Diploma (GED), have at least two (2) years of working experience in the operation a Class A, B, C, or D water treatment plant of which one (1) year of working experience must be in a Class A, B, or C water

treatment plant. The applicant must also pass the written examination required by the Bureau.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.3.4. **Class D.** The applicant must have graduated from an accredited high school or possess a General Equivalency Diploma (GED), have at least one (1) year of working experience in operation of the same class facility as being applied for or a higher level. The applicant must also pass the written examination required by the Bureau.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.3.5. **Class E.** The applicant must have graduated from an accredited high school, or possess a General Equivalency Diploma (GED), have at least one (1) year of working experience in the operation of the same class facility as being applied for or a higher level. The applicant must also pass the written examination required by the Bureau.

SOURCE: Miss. Code Ann. §21-27-205

Subchapter 4. General Qualifications for all Certified Waterworks Operators

Rule 2.4.1. One (1) year of the required working experience must be earned under the direct supervision of a certified waterworks operator who holds a valid certification issued by the Bureau at a class equivalent to or higher than that for which certification is being requested. The year of working experience must be obtained in a public water system of a class equivalent to or higher than that for which certification is being applied. The supervising operator must sign a certification statement verifying the successful completion of the required period of supervision. Under special circumstances, the Director may waive the requirements of this section based upon written evidence of good cause.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.4.2. To be eligible to serve as the designated certified waterworks operator for a community or non-transient non-community public water system, an operator's primary residence must be no more than fifty (50) miles from the system. Under special circumstances, the responsible official of the water system may appeal to the Director in writing for a waiver of the fifty (50) mile requirement.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.4.3. An operator whose certification has been expired for twenty-four (24) months or less shall be eligible to receive a new waterworks operator certification at a level no higher than the certification previously issued by the Bureau if he/she successfully passes the written examination required by the Bureau. To be eligible to retake the examination, the operator must comply with the provisions of Rule 2.6.1(5) of this regulation. The provisions of Rule 2.4.1 of this regulation shall be waived for applications received under this section. An operator whose certification has been

expired more than twenty-four (24) months must successfully pass the written examination required by the Bureau and comply fully with the provisions of Rule 2.4.1.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.4.4. Operators who have completed special vocational training, such as special schools, correspondence courses, etc., may be given credit for some portion of the deficiency in their experience. Except that such courses cannot be substituted for the required one (1) year of supervised working experience. Approval of credits shall be at the discretion of the Director. Credit for experience shall be awarded using the following criteria:

1. Eight (8) weeks of classroom instruction will be equivalent to one-year experience.
2. Special vocational training programs that have combinations of classroom instruction and on-the-job training will be evaluated by first separating classroom instruction from on-the-job training. Credit for working experience will be given for experience on the basis of the previous criteria.
3. Applicants with a four (4) year college degree will receive the equivalent of two (2) years of experience. Applicants with an associate's degree will receive the equivalent of a one (1) year of experience. Credit for each year of college successfully completed in engineering, biological sciences, mathematics, chemistry, physics, or environmental sciences will be considered on a case-by-case basis at the discretion of the Director. Twenty-four (24) semester hours completed in the above courses are equal to one (1) year of experience, with a maximum credit of two (2) years.
4. Special education training or experience which does not fall within these guidelines may be considered by the Director.

SOURCE: Miss. Code Ann. §21-27-205

Subchapter 5. Application and Fees

Rule 2.5.1. Filing Application

1. Applicants seeking certification as a certified waterworks operator shall file an application with the Bureau.
2. The Bureau will review the application and supporting documents, determine the eligibility of the applicant, and issue a certification when the applicant meets the minimum requirements of the class requested.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.5.2. Fees

1. A fee of fifty dollars (\$50.00) shall be charged for an initial certification in any classification and must be paid to the Bureau prior to issuance of the certification.
2. A fee of thirty dollars (\$30.00) shall be charged for the renewal of an active certification and must be paid to the Bureau prior to the renewal of the certification.
3. All application fees must be received within fifteen (15) calendar days of being invoiced by the Bureau. Application fees received after fifteen days will be returned to the applicant and the applicant must reapply to the Bureau for certification or renewal. No application or fee will be accepted thirty (30) days after the expiration of a certification and the applicant must restart the certification process as outlined in Rule 2.4.3.

SOURCE: Miss. Code Ann. §21-27-207

Subchapter 6. Examinations

Rule 2.6.1. Written Examinations

1. The Bureau shall prepare written examinations to be used in determining knowledge, ability, and judgment of operators.
2. Examinations shall be held at places and times set by the Bureau.
3. An individual who passes an examination must be certified within three (3) years following the date the examination was taken. Otherwise, the individual will be required to pass another written examination in order to be certified.
4. Examination papers will not be returned to the individuals.
5. To be eligible to take a written examination, an individual must satisfactorily demonstrate to the Bureau that he/she has attended a Bureau sponsored waterworks operator short course within the previous twelve (12) months.

SOURCE: Miss. Code Ann. §21-27-215

Rule 2.6.2. Renewal of Waterworks Operator Certificate

1. Certifications may be renewed without examination. An application for renewal of a waterworks operator certification must be physically received by the Bureau within thirty (30) calendar days following the date the certification expires. This application must be accompanied by proof of completion of the continuing education requirements found in Rule 2.6.2(2). Upon approval of the renewal application, the applicant will be invoiced for the renewal fee. The Bureau must receive the fee prior to renewing the waterworks operator certification. Operators

who file renewal applications more than thirty (30) calendar days after expiration of their certification will be denied the renewal of their certificate and must pass the appropriate written examination and reapply for certification. To be eligible to retake the examination, the operator must comply with the provisions of Rule 2.6.1(5) of this regulation.

2. Operators who have been continuously certified by the Bureau less than nine (9) years are required to obtain at least forty-eight (48) hours of related continuing education units (CEUs) per three (3) year renewal period with at least twelve (12) hours of these CEUs in Bureau approved “Regulation and Compliance” training topics.

At the beginning of the 10th year as a certified operator or operators who have been continuously certified by the Bureau for more than nine (9) years are required to obtain at least twenty-four (24) hours of related CEUs in the three (3) year renewal period with at least twelve (12) hours of these CEUs in Bureau approved “Regulation and Compliance” training topics. All continuing education requirements must be met prior to the expiration date of the certification. These CEUs may only be obtained by attending training sessions approved by the Bureau. Approval shall be strictly at the discretion of the Bureau. Training will be evaluated by the Bureau on an hour for hour basis for continuing education credit.

SOURCE: Miss. Code Ann. §21-27-207

- Rule 2.6.3. Mississippi Department of Environmental Quality approved wastewater training programs will be awarded CEU credit by the Bureau at the rate of (1) water CEU hour for every 2 wastewater CEU hours earned. The ability to receive CEU credit for wastewater hours will end January 1, 2021.

SOURCE: Miss. Code Ann. §21-27-207

- Rule 2.6.4. Each certified operator is responsible for maintaining all necessary records to document the completion of the required hours of continuing education. Original documentation of the completion of the required continuing education must be submitted with the application for renewal of the operator’s certification. Copies of CEU certificates will not be accepted. Additionally, the Bureau reserves the right to audit the record of CEUs obtained for any operator certification up for renewal.

- Rule 2.6.5. Restricted certifications issued by the Bureau are non-renewable. In order to obtain a non-restricted waterworks operator certification, the operator shall attend a Bureau sponsored short course during the three (3) year restricted certification period. The operator must also pass the appropriate written examination at the level of classification of the water system. This requirement may be waived by the Director at his/her discretion.

SOURCE: Miss. Code Ann. §21-27-207

Subchapter 7. Record Keeping, Reporting and Job Performance

Rule 2.7.1. **Record Keeping and Reporting Requirements**

1. Each certified waterworks operator and responsible official shall sign the certification statement on the Public Water Supply Annual Report for each public water system for which he/she is the designated certified waterworks operator in responsible charge of the public water system as required by Mississippi State Law. If a public water system fails to provide a completed Public Water System Annual Report to the Bureau within forty-five (45) days of this Report being mailed to the water system by the Bureau, the Bureau shall officially declare the public water system to be without a certified waterworks operator and the water system shall be in violation of this regulation and Mississippi State law.
2. The water system shall maintain a Public Water System Operations Record documenting activities completed on the public water system by the certified waterworks operator of record or his/her designee. This Record must be available for inspection by Bureau staff. The Public Water System Operations Record is the property of the public water system and must remain as part of the official records of the Public Water System.

SOURCE: Miss. Code Ann. §21-27-207

- Rule 2.7.2. **Job Performance:** Each certified waterworks operator shall abide by the current edition of the Job Performance Guidelines booklet published by the Bureau of Public Water Supply. This booklet presents the minimum duties and responsibilities for Bureau certified waterworks operators and employees under their supervision in the State of Mississippi.

SOURCE: Miss. Code Ann. §21-27-207

- Rule 2.7.3. **Presence of Certified Waterworks Operator during Sanitary Surveys and Inspections:** The certified waterworks operator for a public water system shall be present for the conduct of sanitary surveys and inspections by Bureau staff when requested by Bureau staff and when provided at least twenty-four (24) hours' notice of the survey or inspection. Under special circumstances, this requirement may be waived by the Director provided the certified operator arranges for someone to represent him/her during the survey or inspection.

SOURCE: Miss. Code Ann. §21-27-207

- Rule 2.7.4. **Waterworks Operator Certification Waiver:** The Director may waive any part or parts of this regulation if the Director determines that such waiver will not potentially jeopardize public health.

SOURCE: Miss. Code Ann. §21-27-207

Subchapter 8. Suspension or Revocation of Certification

- Rule 2.8.1. A waterworks operator certification may be revoked or suspended by the Department for just cause. Causes include, but are not limited to, the following:
1. Fraud or deception;
 2. An act or acts of conduct, including, but not limited to the arrest or conviction for a felony or misdemeanor, occurring on or off the job;
 3. Violation of any provision of the “Mississippi Municipal and Domestic Water and Wastewater System Operators’ Certification Law of 1986,” or any rule or regulation of the Department promulgated there under;
 4. Violation of any provision of the Federal Safe Drinking Water Act or the Mississippi Safe Drinking Water Act; or any rule or regulation, federal or state, promulgated under these laws;
 5. Failure to file any official reports required by the Department;
 6. Failure to maintain all official records required by the Department;
 7. Failure to respond to any official correspondence from the Department;
 8. Failure to obey a lawful order of the Director or any duly appointed Administrative Hearing Officer of the Department;
 9. Failure to exercise reasonable care or judgment in the operation of a public water supply or in the performance of official duties; to include, but not limited to, misfeasance, malfeasance or nonfeasance;
 10. Failure to comply with the terms of a suspension of certification issued by the Department.

SOURCE: Miss. Code Ann. §21-27-219

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**Chapter 2. REGULATION GOVERNING THE CERTIFICATION OF MUNICIPAL
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6. **Department** shall mean the Mississippi State Department of Health.
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10. **Operator** shall mean the designated certified waterworks operator who directly supervises and is personally responsible for the daily operation and maintenance of a community or non-transient non-community public water system.
11. **Person** shall mean the state or other agency or institution thereof, any municipality, political subdivision, public or private corporation, individual, partnership, association or other entity, and includes any officer or governing or managing body of any municipality, political subdivision, or public or private corporation, or the United States or any officer or employee thereof.
12. **Responsible Charge** shall mean a waterworks operator, holding a Bureau issued waterworks operator certification at a class equivalent to or higher than the class of the water system, who is officially designated by the owner or responsible official of the water system as the operator responsible for making all decisions regarding the daily operational activities of the public water system including all components of the water system such as treatment plants, water wells, distribution systems, etc. Under special circumstances, the Director may authorize a water system(s) to have more than one operator in responsible charge.
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of receiving the Restricted Certification and passes the written examination required by the Bureau. This Restricted Certification is only provided for a period of three years. The Director may extend the restricted period of time of the certification due to the experience requirements of system classification.

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 5. Reciprocal certification may be issued in a comparable classification to an operator who holds a valid certification in any state, territory, or possession of the United States, provided the applicant's current certification is comparable to the class being applied for and the state from which the operator is requesting reciprocity utilizes a formal examination process. Any operator requesting reciprocal certification may request a waiver from the Director if they hold a valid certification in any state, territory or possession of the United States that does not utilize a formal examination process.
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Rule 2.3.2. **Class B.** The applicant must have graduated from an accredited high school or possess a General Equivalency Diploma (GED), have at least three (3) years of experience in the operation of a Class A, B, or C water treatment plant, of which one (1) year of working experience must be in a Class A or B water treatment plant. The applicant must also pass the written examination required by the Bureau.

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Rule 2.3.3. **Class C.** The applicant must have graduated from an accredited high school or possess a General Equivalency Diploma (GED), have at least two (2) years of working experience in the operation a Class A, B, C, or D water treatment plant of which one (1) year of working experience must be in a Class A, B, or C water treatment plant. The applicant must also pass the written examination required by the Bureau.

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Rule 2.3.4. **Class D.** The applicant must have graduated from an accredited high school or possess a General Equivalency Diploma (GED), have at least one (1) year of working experience in operation of the same class facility as being applied for or a higher level. The applicant must also pass the written examination required by the Bureau.

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Rule 2.3.5. **Class E.** The applicant must have graduated from an accredited high school, or possess a General Equivalency Diploma (GED), have at least one (1) year of working experience in the operation of the same class facility as being applied for or a higher level. The applicant must also pass the written examination required by the Bureau.

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Rule 2.4.2. To be eligible to serve as the designated certified waterworks operator for a community or non-transient non-community public water system, an operator's primary residence must be no more than fifty (50) miles from the system. Under special circumstances, the responsible official of the water system may appeal to the Director in writing for a waiver of the fifty (50) mile requirement.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.4.3. An operator whose certification has been expired for twenty-four (24) months or less shall be eligible to receive a new waterworks operator certification at a level no higher than the certification previously issued by the Bureau if he/she successfully passes the written examination required by the Bureau. To be eligible to retake the examination, the operator must comply with the provisions of Rule 2.6.1(5) of this regulation. The provisions of Rule 2.4.1 of this regulation shall be waived for applications received under this section. An operator whose certification has been expired more than twenty-four (24) months must successfully pass the written examination required by the Bureau and comply fully with the provisions of Rule 2.4.1.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.4.4. Operators who have completed special vocational training, such as special schools, correspondence courses, etc., may be given credit for some portion of the deficiency in their experience. Except that such courses cannot be substituted for the required one (1) year of supervised working experience. Approval of credits shall be at the discretion of the Director. Credit for experience shall be awarded using the following criteria:

1. Eight (8) weeks of classroom instruction will be equivalent to one-year experience.
2. Special vocational training programs that have combinations of classroom instruction and on-the-job training will be evaluated by first separating classroom instruction from on-the-job training. Credit for working experience will be given for experience on the

basis of the ~~two (2)~~ previous criteria. ~~The total credit awarded for the program will be the sum of the two (2) parts.~~

3. Applicants with a four (4) year college degree will receive the equivalent of two (2) years of experience. Applicants with an associate's degree will receive the equivalent of a one (1) year of experience. Credit for each year of college successfully completed in engineering, biological sciences, mathematics, chemistry, physics, or environmental sciences will be considered on a case-by-case basis at the discretion of the Director. Twenty-four (24) semester hours completed in the above courses are equal to one (1) year of experience, with a maximum credit of two (2) years.
4. Special education training or experience which does not fall within these guidelines may be considered by the Director.

SOURCE: Miss. Code Ann. §21-27-205

Subchapter 5. Application and Fees

Rule 2.5.1. Filing Application

1. Applicants seeking certification as a certified waterworks operator shall file an application with the Bureau.
2. The Bureau will review the application and supporting documents, determine the eligibility of the applicant, and issue a certification when the applicant meets the minimum requirements of the class requested.

SOURCE: Miss. Code Ann. §21-27-205

Rule 2.5.2. Fees

1. A fee of fifty dollars (\$50.00) shall be charged for an initial certification in any classification and must be paid to the Bureau prior to issuance of the certification.
2. A fee of thirty dollars (\$30.00) shall be charged for the renewal of an active certification and must be paid to the Bureau prior to the renewal of the certification.
3. All application fees must be received within fifteen (15) calendar days of being invoiced by the Bureau. Application fees received after fifteen days will be returned to the applicant and the applicant must reapply to the Bureau for certification or renewal. No application or fee will be accepted thirty (30) days after the expiration of a certification and the applicant must restart the certification process as outlined in Rule 2.4.3.

SOURCE: Miss. Code Ann. §21-27-207

Subchapter 6. Examinations

Rule 2.6.1. Written Examinations

1. The Bureau shall prepare written examinations to be used in determining knowledge, ability, and judgment of operators.
2. Examinations shall be held at places and times set by the Bureau.
3. An individual who passes an examination must be certified within three (3) years following the date the examination was taken. Otherwise, the individual will be required to pass another written examination in order to be certified.
4. Examination papers will not be returned to the individuals.
5. To be eligible to take a written examination, an individual must satisfactorily demonstrate to the Bureau that he/she has attended a Bureau sponsored waterworks operator short course within the previous twelve (12) months.
6. ~~A waiver of attendance to a Bureau-sponsored waterworks operator short course may be granted by the Director under special circumstances cited via written petition by the grantee.~~

SOURCE: Miss. Code Ann. §21-27-215

Rule 2.6.2. Renewal of Waterworks Operator Certificate

1. Certifications may be renewed without examination. An application for renewal of a waterworks operator certification must be physically received by the Bureau within thirty (30) calendar days following the date the certification expires. This application must be accompanied by proof of completion of the continuing education requirements found in Rule 2.6.2(2). Upon approval of the renewal application, the applicant will be invoiced for the renewal fee. The Bureau must receive the fee prior to renewing the waterworks operator certification. Operators who file renewal applications more than thirty (30) calendar days after expiration of their certification will be denied the renewal of their certificate and must pass the appropriate written examination and reapply for certification. To be eligible to retake the examination, the operator must comply with the provisions of Rule 2.6.1(5) of this regulation.
2. Operators who have been continuously certified by the Bureau less than nine (9) years are required to obtain at least forty-eight (48) hours of related continuing education units (CEUs) per three (3) year renewal period with at least twelve (12) hours of these CEUs in Bureau approved "Regulation and Compliance" training topics.

At the beginning of the 10th year as a certified operator or operators who have been continuously certified by the Bureau for more than nine (9) years are required to

obtain at least twenty-four (24) hours of related CEUs in the three (3) year renewal period with at least twelve (12) hours of these CEUs in Bureau approved “Regulation and Compliance” training topics. All continuing education requirements must be met prior to the expiration date of the certification. These CEUs may only be obtained by attending training sessions approved by the Bureau. Approval shall be strictly at the discretion of the Bureau. Training will be evaluated by the Bureau on an hour for hour basis for continuing education credit.

SOURCE: Miss. Code Ann. §21-27-207

Rule 2.6.3. Mississippi Department of Environmental Quality approved wastewater training programs will be awarded CEU credit by the Bureau at the rate of (1) water CEU hour for every 2 wastewater CEU hours earned. The ability to receive CEU credit for wastewater hours will end January 1, 2021.

SOURCE: Miss. Code Ann. §21-27-207

Rule 2.6.4. Each certified operator is responsible for maintaining all necessary records to document the completion of the required hours of continuing education. Original documentation of the completion of the required continuing education must be submitted with the application for renewal of the operator’s certification. Copies of CEU certificates will not be accepted. Additionally, the Bureau reserves the right to audit the record of CEUs obtained for any operator certification up for renewal.

Rule 2.6.5. Restricted certifications issued by the Bureau ~~after May 2000~~, are non-renewable. In order to obtain a non-restricted waterworks operator certification, the operator shall attend a Bureau sponsored short course during the three (3) year restricted certification period. The operator must also pass the appropriate written examination at the level of classification of the water system. This requirement may be waived by the Director at his/her discretion.

SOURCE: Miss. Code Ann. §21-27-207

Subchapter 7. Record Keeping, Reporting and Job Performance

Rule 2.7.1. Record Keeping and Reporting Requirements

1. Each certified waterworks operator and responsible official shall sign the certification statement on the Public Water Supply Annual Report for each public water system for which he/she is the designated certified waterworks operator in responsible charge of the public water system as required by Mississippi State Law. If a public water system fails to provide a completed Public Water System Annual Report to the Bureau within forty-five (45) days of this Report being mailed to the water system by the Bureau, the Bureau shall officially declare the public water system to be without a certified waterworks operator and the water system shall be in violation of this regulation and Mississippi State law.

2. The water system shall maintain a Public Water System Operations Record documenting activities completed on the public water system by the certified waterworks operator of record or his/her designee. This ~~log-book~~ record must be available for inspection by Bureau staff. The Public Water System Operations Record is the property of the public water system and must remain as part of the official records of the Public Water System.

SOURCE: Miss. Code Ann. §21-27-207

- Rule 2.7.2. **Job Performance:** Each certified waterworks operator shall abide by the current edition of the Job Performance Guidelines booklet published by the Bureau of Public Water Supply. This booklet presents the minimum duties and responsibilities for Bureau certified waterworks operators and employees under their supervision in the State of Mississippi.

SOURCE: Miss. Code Ann. §21-27-207

- Rule 2.7.3. **Presence of Certified Waterworks Operator during Sanitary Surveys and Inspections:** The certified waterworks operator for a public water system shall be present for the conduct of sanitary surveys and inspections by Bureau staff when requested by Bureau staff and when provided at least twenty-four (24) hours' notice of the survey or inspection. Under special circumstances, this requirement may be waived by the Director provided the certified operator arranges for someone to represent him/her during the survey or inspection.

SOURCE: Miss. Code Ann. §21-27-207

- Rule 2.7.4. **Waterworks Operator Certification Waiver:** The Director may waive any part or parts of this regulation if the Director determines that such waiver will not potentially jeopardize public health.

SOURCE: Miss. Code Ann. §21-27-207

Subchapter 8. Suspension or Revocation of Certification

- Rule 2.8.1. A waterworks operator certification may be revoked or suspended by the Department for just cause. Causes include, but are not limited to, the following:
1. Fraud or deception;
 2. An act or acts of conduct, including, but not limited to the arrest or conviction for a felony or misdemeanor, occurring on or off the job;
 3. Violation of any provision of the "Mississippi Municipal and Domestic Water and Wastewater System Operators' Certification Law of 1986," or any rule or regulation of the Department promulgated there under;

4. Violation of any provision of the Federal Safe Drinking Water Act or the Mississippi Safe Drinking Water Act; or any rule or regulation, federal or state, promulgated under these laws;
5. Failure to file any official reports required by the Department;
6. Failure to maintain all official records required by the Department;
7. Failure to respond to any official correspondence from the Department;
8. Failure to obey a lawful order of the Director or any duly appointed Administrative Hearing Officer of the Department;
9. Failure to exercise reasonable care or judgment in the operation of a public water supply or in the performance of official duties; to include, but not limited to, misfeasance, malfeasance or nonfeasance;
10. Failure to comply with the terms of a suspension of certification issued by the Department.

SOURCE: Miss. Code Ann. §21-27-219