

Missouri Department of Natural Resources OPERATOR CERTIFICATION SECTION



Red Tape Reduction and Resulting Rule Amendments

Under Executive Order 17-03, also known as Red Tape Reduction, all state agencies worked to reduce

regulations and other government processes that unnecessarily burden individuals and businesses while doing little to protect or improve public health, safety, or our natural resources. The Missouri Department of Natural Resources reviewed every one of its rules and amended many to streamline the language and remove obsolete requirements, while maintaining a commitment to limit regulation to what is necessary to protect Missouri's environment, implement statutory mandates and maintain state control of programs. The department developed the following amendments to rules with these goals in mind.

As we enter the final stages, we wanted to let you know about some of the major changes, citation modifications, and updates that have occurred. The list that follows is not all-inclusive as the department also made additional less substantive changes. To review current rule text, visit sos.mo.gov/adrules/csr/current/10csr/10csr. All amended rules became effective Feb. 28, 2019.

Over the coming months, visit the department's website at www.dnr.mo.gov to obtain forms, applications or publications, many of which the department has updated to reflect recent rule changes.

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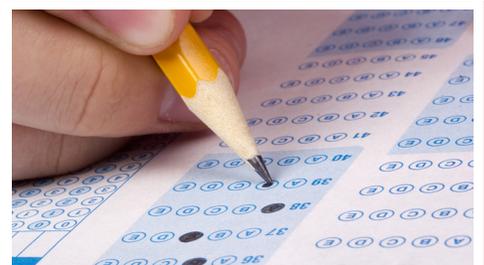
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New Exam Applications

Operator certification exam applications have been updated and now include links for credit card payments. For improved security, please dispose of any current printed copies of the exam applications and use the new updated application. Old applications may not be accepted.



Drinking Water Rule Changes

Chapter 3 – 10 CSR 60-3.010

- Incorporates the “*Standards for Non-Community Public Water Supplies, 1982*” by reference.
- Removes language that allows plans and specifications for transient noncommunity wells to be submitted at the department’s discretion. This will require engineering plans and specifications to be submitted for all public wells.
- Clarifies that subdivisions are required to obtain construction authorization prior to construction but are not required to obtain a permit to dispense until the subdivision meets the definition of a community or non community water system.
- Adds construction authorization exemptions for maintenance and repair items and for subdivisions where each lot is served by a dedicated well.

DRINKING WATER MONITORING CHANGES

To review current rule text, visit sos.mo.gov/adrules/csr/current/10csr/10csr. All amended rules became effective Feb. 28, 2019.

Chapter 4 – 10 CSR 60-4.080 Changes to the operational monitoring chart include:

- Fluoride –Monitoring is still required on a daily frequency at the entry point. Daily monitoring results must be available upon request. The frequency of monitoring fluoride at a representative point in the distribution system has been reduced from monthly to quarterly.
- Hardness –Systems adding softening for aesthetic purposes must monitor as necessary for control; daily monitoring if system has clarification or lime softening; for softening installed to meet maximum contaminant levels (MCLs) system must monitor Monday-Friday, excluding federal holidays unless not serving water to the public.
- Iron – Monitor as necessary for control.
- pH and Temperature–Surface water, GUI and compliance monitoring systems must monitor as necessary for control.
- Phosphate – Any system adding must monitor as necessary for control.
- Turbidity –Continuous monitoring of individual filters for surface water and GUI systems.
- Disinfectant residual – reduced monitoring for systems that voluntarily chlorinate (not required to chlorinate) from daily to Monday-Friday excluding Federal holidays and days not serving water to the public.

Chapter 10 – 10 CSR 60-10.010

- Allow the submittal of engineering reports at the same time as plans and specifications under certain circumstances.
- Allows owner-supervised programs to include waterlines with a pipe diameter smaller than 4 inches.

Chapter 11 – 10 CSR 60-11.010

- Allows the installation of backflow prevention assemblies approved by the American Society of Sanitary Engineers in Missouri.

Chapter 14 – 10 CSR 60-14.010

- Removes a restriction for drinking water treatment systems to allow all systems to be classified according to current criteria rather than remain classified using criteria from previous versions of the rule.
- Changes to Table 1 - add a size and complexity for ground water systems performing lime softening to be a Level B treatment system.

- Changes to Table 2 - include the removal of several items that will cause some DS-II systems to be re-classified to DS-I systems.
- Adds a statement that an individual is not certified with an expired certificate.

Clean Water Rules

Chapter 4 - 10 CSR 20-4.030 – Grants for Sewer Districts & Certain Small Municipal Sewer Systems

- Removed language related to the Missouri Water and Wastewater Review Committee as the language no longer applies.
- Clarified how median household income (MHI) will be determined – by most recent decennial census or by an income survey conducted by a state or federal agency.
- Removed grant anticipation loan language that is no longer relative
- Clarified eligibility requirements and reduced grant period timelines from three years to two years.
- Changed to increase design life after initiation of operations.
- Clarified construction costs and specifically that noted house laterals are not eligible
- Clarified grant reimbursement term if facilities are sold (20-year straight-line depreciation to 30 years.)

Chapter 4 - 10 CSR 20-4.040 – State Revolving Fund General Assistance Regulation (Clean Water SRF)

- Section 2 subsection F – modified language will read “the date when the first major constructed component is capable of being used for its intended purpose.”
- Added language related to the Water Resources Reform and Development Act.
- Added language regarding median household income determinations.
- Added federally required Davis-Bacon Wage requirements language.
- Added language related to American Iron and Steel.
- Added language to extend amortization scheduled.
- Clarified Clean Water State Revolving Fund requirements.
- Changed the application deadline for intended use plans and clarified application fees.
- Removed references related to the American Recovery and Reinvestment Act.

Chapter 4 - 10 CSR 20-4.041 – Direct Loan Program (Small Borrower Loans)

- Added Environmental Improvement Energy Resources Authority (EIERA) to sections of the rule that discuss authority.
- Added clarifying language on funding allocations for state direct loans, target interest rate policy, consulting engineers, services that may be required by recipients, contracted trustees or paying agents.
- Language was added regarding increasing the loan repayment timeframe to 20-30 years.

Chapter 4 - 10 CSR 20-4.050 – Environmental Review

- Section 5, subsection A language modified related to the director determining that a proposed project may be excluded from an informal environmental review.
- Adds language for categorical exclusions for new underground sewer lines or conveyance structures.
- Adds language allowing the department to accept environmental determinations from other agencies if the determination is less than five years old.
- Clarifies contents of an environmental information document and requirements for a recipient to host a public meeting on proposed projects.
- Language changed from hosting public hearings to only hosting public meetings.
- Removes requirements for recipients to submit three copies of environmental documents and removes the requirement to provide notice of public meetings to all interested parties.
- Removes the applicant’s requirement to publish the categorical exclusion determination in a local newspaper.
- New underground sewer lines or conveyance structures can qualify for a categorical exclusion.

Chapter 4 - 10 CSR 20-4.061 – Storm Water Grant and Loan Program

- Section 5, subsection B, paragraph 12 is removed, as the department no longer administers grant anticipation loans.
- Added requirements for recovering a portion of a grant if the facility is sold or transferred.
- Clarified acceptable debt instruments language.
- Updated language related to grant payment procedures.

Chapter 6 - 10 CSR 20-6.010 – Construction and Operating Permits

- Revised definition of continuing authority to clarify responsibility for permit compliance.
- Revised definition of availability with regard to demonstrating that connection to a higher authority is not available.
- Added procedures for becoming a Level II continuing authority.
- Language contained in the construction permit section of the rule contains significant changes, including a long list of construction permitting exemptions (e.g. no construction permit required for industrial facilities unless they are constructing an earthen basin, and no construction permit required for sewer extensions less than a thousand feet.)
- Removed the restriction that construction permits could only be extended once and that construction permits will be issued for a default period of two years.
- Added operating permit requirements for ownership transfers, as well as, clarification that closure plans are required for all facilities when operations cease.
- Revised Section 1 to include an exemption for facilities testing new pipelines or tanks by hydrostatic means. The exemption is for facilities that meet the minimum requirement of a thousand gallons or meet the requirements in Section 14. This revision removes a conflict between 10 CSR 20-6.010 and 10 CSR 20-6.011.
- The exemption noted above makes it possible for more facilities to potentially qualify as it was broadened to include all new pipelines or tanks, not just petroleum-based ones. The requirement to notify the department 30-days before testing occurs and the filing fee and application have been removed.
- Added application requirements of variances, including provisional variances.

Chapter 6 - 10 CSR 20-6.020 – Public Participation, Hearing and Notice to Governmental Agencies

- Updated text regarding notice to other governmental agencies to reference federal regulation.
- Updated appeal language to reference the Administrative Hearing Commission.

Chapter 6 - 10 CSR 20-6.090 – Class III Mineral Resources Injection/Production Well Operating Permits

- Revised requirements on information needed to obtain an operating permit and changed progress reports to an itemized format.
- Removed time periods for submitting an application because those are established in 644.051 RSMo., and 10 CSR 20-6.010.

Chapter 6 - 10 CSR 20-6.200 – Storm Water Regulations

- No Exposure Certifications were removed from the exemption portion of the rule
- Replaced the Phase I Municipal Separate Storm Sewer Systems, or MS4, application requirements.
- Language was added for Phase II MS4 operating permits to contain the minimum requirements established in 40 CFR 122.34.
- Language regarding Phase II MS4 waivers has been corrected to indicate that waivers could be for MS4s with a population under the established criteria as cited in 40 CFR 122.32(c).
- Changes to definitions were made to MS4 by removing the statement establishing that a municipality is responsible for all storm sewer systems regardless if they did not own or operate the system.
- The requirement for land disturbance applications was removed as it is already established in federal regulation.
- Replaced the application requirements with renewal language for Phase I MS4s.

- Added reference to federal regulation 40 CFR 122.34.
- Replaced the requirement to sample stormwater with language that general permits are to have conditions to meet any application technology or water quality-based standard.
- Removed language related to the department approving any city or county government's land disturbance program.

Chapter 6 - 10 CSR 20-6.300 – Concentrated Animal Feeding Operation

- Removed the timeframe for a new permit application.
- Removed language related to submittal of an operation's nutrient management plan with the permit renewal because it is already established in federal regulation 40 CFR 122.21.
- Removed language regarding buffer distance and neighbor notices because both are established in 640.710, RSMo., and 640.715, RSMo., respectively.
- Removed annual report language because it is in federal regulation, 40 CFR 122.42(e)(4).

Chapter 7 - 10 CSR 20-7.015 – Effluent Regulations

- Increased monitoring frequency for facilities that have design flows greater than 1 million gallons per day from quarterly to monthly, and adds influent monitoring for all facilities greater than 100,000 gallons per day.
- Testing for total nitrogen has changed to reflect the speciation of nitrogen compounds – as a result, ammonia, total kjeldahl nitrogen and nitrate plus nitrite is now required.
- Language was added to toxic unit-chronic to include inhibitions of up to 25 percent of test organisms.
- Effluent monitoring language was updated to provide consistency throughout the rule for the allowance of grab samples for recirculating media filters.
- Analytical methods for the monitoring of wastewater must be conducted in accordance with methods approved by federal regulations.
- Numeric short-term effluent limitations for E. coli have been removed and replaced with a narrative derivation of five times the respective water quality standards for whole body contact A and B waters, and secondary contact recreation waters.
- Remove the use of specific flow fractions of a facility's discharge to determine monitoring frequencies.
- Added language to include the use of adaptive management approaches when implementing total maximum daily loads in permits.

Chapter 8 underwent extensive revision and redesign. The rule amendment removed redundant information, operational criteria, design criteria for obsolete technology and provisions not directly protective of human health or water quality. The department will retain many of the removed design components and incorporate them into a draft guidance document. This will provide a broader flexibility to achieve good design without the need to seek deviations from the department. The revised rules now only mandate minimum design standards. For treatment technologies for which the department has no design standards, design engineers may rely on published technical documents, including the stand-alone guidance under development by the department. A list of technologies that are new to Chapter 8 rules include: boring and tunneling for piping; grease interceptors; septic tank design as part of a central system; recirculating media filters, sequencing batch reactors; membrane bioreactors; moving bed bioreactors; cloth and disc filters; dechlorination; ultraviolet disinfection; retrofit lagoons with covers; land application of wastewater; surface irrigation; low pressure pipe subsurface adsorption; drip dispersal subsurface adsorption; polishing reactors.

Chapter 8 - 10 CSR 20-8.125 – Alternative Sewer Systems – This new rule includes:

- Alternative sewers were not addressed in existing regulation, this rule will allow for more flexibility in collection system options for communities.
- Grinder pumps and septic tank effluent pumping, STEP systems, are examples of alternative sewers.

WASTEWATER OPERATIONAL MONITORING CHANGES

To review current rule text, visit sos.mo.gov/adrules/csr/current/10csr/10csr. All amended rules became effective Feb. 28, 2019.

Chapter 9 - 10 CSR 20-9.010 – Wastewater Treatment Systems Operation

- Replaced the reference to National Pollutant Discharge Elimination System permits with Missouri State Operating permits.
- Revised a paragraph to clarify that operational monitoring reports shall be submitted along with discharge monitoring reports.
- Clarified rule applicability by removing the reference to 25 or more service connections.
- Added text for “Monday through Friday” to each area that requires daily monitoring.
- Removed the requirements to record general weather conditions and cloud cover.
- Divided minimum operational monitoring for lagoon systems into two broad categories, one to cover discharge lagoons with twice per week monitoring frequency and the second to cover non-discharging lagoons with reduced operational monitoring of twice per month.
- Added temperature as a monitoring parameter for the aeration basins at mechanical plants.
- Replaced the parameter of non-filterable residue, or NFR, with the term total suspended solids, or TSS, and deleted the phrase sample reaeration basin for contact stabilization.
- Changed operational monitoring for facilities that have digesters by rewording it for consistency with other language and removing the qualifier that temperature be monitored, if heated.
- Added twice per year operational monitoring for recirculating filter media beds
- Clarifies that laboratory procedures shall be performed in accordance with 10 CSR 20-7.015, Effluent Regulations.

Chapter 9 - 10 CSR 20-9.020 – Certification of Wastewater Treatment Systems

- Replaced the word “supervisor” with “chief operator” and removed reference to superintendent, foreman, crew chief, and shift supervisor.
- Added the definition of a wastewater collection system.
- Removed the reference to 50 or more service connections to clarify rule applicability.
- New language was added to read “new employees that are not yet certified wastewater treatment operators cannot make process control decisions and will be directly supervised by a certified operator or chief operator.”
- There are many changes to the point system used to classify systems. The amendments added several technologies not previously represented and modernized the text. Changes include, but not limited to:
 - o Added STEP systems that are operated by the permittee.
 - o Added flow equalization.
 - o Added sequencing batch reactors, membrane bioreactors and contact stabilization.
 - o Consolidated the criteria for advanced lagoon treatment into two categories: Advanced lagoon treatment aerobic cells, anaerobic cells, covers or fixed films as being worth 10 points and biological; physical or chemical worth 12 points.
- Added language that the owner is to notify the department if the chief operator changes, and adds condition that allow interim operators on a temporary basis until a properly certified chief operator is hired and provides for exemption during periods of emergency or disaster.

Chapter 9 - 10 CSR 20-9.030 – Certification of Wastewater Operators

- Removed the obsolete definition for certificate of examination.
- Updated language related to appeals to reference the Administrative Hearing Commission and corrected statutory reference.

- Corrected a conflict with 644.053 RSMo related to the fee for exam applications.
- Added language that any examinee who fails a certification examination three times and has not successfully completed a department-approved multi-day training course approved for wastewater treatment within the previous twelve months must do so prior to any further re-examination at that level.
- Revised language to allow examinees to reschedule an exam twice within one year of the application date.
- Clarified language for actual operating experience and equivalent experience for the purpose of calculating work experience.
- Reduced the total amount of experience necessary to qualify for each level of certification by six months in Table 1.
- Clarified that operation of potable water treatment facilities and wastewater collection systems will be given equivalent credit.
- Extended the limit for individuals to obtain necessary operational experience from 12 months to 18 months.
- Replaced the minimum age for certification from 16 years to 18 years
- Added language related to denial and suspension actions that could be taken in addition to revocation.

Chapter 14 - 10 CSR 20-14.010 – Classification of Concentrated Animal Feeding Operation Waste Management Systems

- Changed the rule to allow CAFO operators to submit exam applications 30 days in advance of the requested exam date rather than within 60 days of cumulative employment at a CAFO.
- Clarified that persons performing the duties of a CAFO operator shall be certified
- Removed the requirement that a CAFO owner must notify the department if a CAFO trainee fails to successfully complete the required training and pass the exam within 18-months of employment.
- Added the requirement that owners of CAFOs shall furnish initial employment dates to the department upon request to demonstrate trainees complete training and pass the examination within 18 months of employment.

Chapter 14 - 10 CSR 20-14.020 – Certification of Concentrated Animal Feeding Operation Waste Management System Operators

- Updated appeal language to reference the Administrative Hearing Commission and 621.250 RSMo.
- Allows for a reduced exam fee of \$20 compared to the initial exam fee of \$45 for subsequent exams for the same certification level if the applicant fails the initial exam.
- Extended the ability to reschedule an exam twice rather than once within a year of the application date.
- Removed references to distinguish between wet and dry CAFO systems.
- Reduced the minimum length of entry-level CAFO training courses from 30 contact hours to 24 hours.
- Reduced the amount of experience necessary for a Level A CAFO certification from four years to three years, and adjusted the maximum amount of equivalent experience from 2 years to 1.5 years.
- Reduced the amount of experience necessary for a Level B CAFO certification from one year to 6 months, all of which may be equivalent experience.
- Modified the types of degrees and equivalent experience applied certification requirements and increased the amount of equivalent experience from six months to one year for individual related college courses.
- Added a qualifier that individuals must attend at least 80% of a multi-day course to receive credit.
- Added language that applicants must complete the required precertification training prior to certification rather than before examination.
- Reduced minimum renewal training hours during a three-year period from 24-hours to 12-hours.
- Added language to give the department the ability to deny a certificate to an applicant, in addition to being able to suspend or revoke a certificate.

These are only some of the major changes that have occurred. To review current rule text, visit sos.mo.gov/adrules/csr/current/10csr/10csr. To obtain the most up-to-date forms, applications or publications, visit the department's website at dnr.mo.gov.

Need Your Password to Log In?

Certified operators are encouraged to access training reports by visiting the department's website at dnr.mo.gov/operator. To log in, the password is the last four digits of your social security number.

You can check training hours, renew certificates online, view and update contact information for public drinking water systems, including the chief operator, sample collector and administrative contact.

For more information, contact the department's Operator Certification Section at 800-361-4827 or 573-751-1600.

Where Can I Find Training?

The list of approved training changes frequently. Visit us at dnr.mo.gov/env/wpp/opcert/oprtrain.htm for an up-to-date list of approved operator certification courses.