



ADMINISTRATIVE RULES OF MONTANA



17.40.213 CONTINUING EDUCATION REQUIREMENTS

- (1) Each fully-certified operator and certified operator-in-training (hereafter collectively called "certified operators") shall earn a continuing education credit or credits, as specified in this rule, during each two-year period commencing on July 1 of each even-numbered year as follows:
 - (a) The department shall count continuing education credits taken by a certified operator in the month of June of each even-numbered year toward satisfying the operator's continuing education requirements for the next continuing education two-year period only.
 - (b) A certified operator shall submit all continuing education credit report forms to the department by June 15 of each even-numbered year. If the department has not received continuing education credit report forms showing that an operator earned sufficient credits to entitle the operator to renew a certificate during a continuing education two-year period by June 15 of an even-numbered year, the department shall, by July 1 of that even-numbered year, mail to the operator, and every system for which the operator is designated as an operator under ARM Title 17, chapter 38, subchapter 2, a notice suspending the certificate of the operator until the department receives a credit report form showing that sufficient credits were earned by May 31 of the even-numbered year. If the department receives, within 30 days after the notice of suspension was mailed, a report form showing that a suspended operator earned sufficient credits during a continuing education two-year period, and all other requirements for renewal have been met, the department shall lift the suspension and renew the certificate. The department shall revoke any certificate that remains suspended for a period of more than 30 days. However, the department, before this revocation, shall notify the certificate holder by certified mail at the address on the issued certificate of its intention to revoke, at least ten days before the time set for action to be taken by the department on the certificate.
 - (c) A Class 1 fully-certified operator shall earn two credits for a water certification and two credits for a wastewater certification held by the operator.
 - (d) A Class 1 certified operator-in-training shall earn one credit for a water certification and one credit for a wastewater certification held by the operator.
 - (e) A Class 2, 3, or 4 fully-certified operator shall earn one credit for a water certification and one credit for a wastewater certification held by the operator.
 - (f) A Class 2, 3, or 4 certified operator-in-training shall earn 1/2 credit for a water certification and 1/2 credit for a wastewater certification held by the operator.
 - (g) A Class 5 fully-certified operator shall earn 0.4 credits for a water certification held by the operator for water treatment or water distribution.

- (h) A Class 5 certified operator-in-training shall earn 0.2 credits for a water certification held by the operator.
- (2) A credit consists of ten contact hours, and 1/2 credit consists of five contact hours. A contact hour is defined as a 60-minute participation in an approved course.
 - (a) To determine the number of credits to be awarded to a certified operator for teaching a course, 0.1 credit per actual hour of instruction shall be awarded in addition to the credits earned for attending that course.
- (3) Newly certified operators (previously uncertified) who are certified from January 1 of an odd-numbered year to June 30 of the following even-numbered year are not required to earn the credit applicable to each certificate until the next two-year period.
- (4) If a certified operator upgrades a certificate or becomes newly certified during the period from January 1 of an odd-numbered year to June 30 of the following even-numbered year and that upgrade increases the credit requirement, the operator shall during that same two-year period earn the lower credit requirement but is not required to meet the higher credit requirement until the next two-year period commences.
- (5) Only a certified operator who fulfills the credit requirements before the end of each two-year period may obtain renewal of a certificate. Except as provided in (1) and (13), the certificate of an operator who does not fulfill the credit requirements expires on June 30 of the applicable two-year period and the person may receive a new certificate on submission of an application, payment of the appropriate application and examination fees, and passage of the appropriate examination.
- (6) All subject matter for which credit will be granted must be relevant to the operation, maintenance, or safety of water treatment systems, water distribution systems, wastewater treatment systems, or industrial wastewater treatment systems as classified in ARM 17.40.202. Eligible topics may include subjects regarding operation and maintenance of systems and machinery, electrical systems, hydraulics, chemical treatment, biological testing, disinfection, or use of mathematics and chemistry where applicable.
 - (a) A safety course qualifies for full credits if it is specific to any type of water supply or wastewater treatment system operation; other safety courses that contain topics that are generally applicable to water or wastewater treatment system qualify for half credit.
 - (b) The department shall maintain a list of topics that, although not specific to water or wastewater treatment system operation, are generally applicable and are approved for half credit.
- (7) There are three types of education offerings that qualify for continuing education credit:
 - (a) training courses offered by the department;
 - (b) courses or conferences specifically approved for credit by the department; and
 - (c) training courses or conferences offered by training providers approved by the department pursuant to ARM 17.40.215.
- (8) In addition to the requirements in (6), the subject matter of the educational offering must be relevant to the particular class(es) of certificates to which the credit is being applied. A certified operator may receive credit only for courses approved for the type of certification(s) held by that operator.

- (9) A correspondence course that is approved by the department may be used to earn credit. However, the provider must issue proof of completion to the department before credit may be awarded.
- (10) Certified operators holding both water and wastewater certificates may earn credits toward the continuing education requirements of both certificates (i.e., dual credits) by attending a course which has been approved for both classes of certificates.
- (11) Facility-based training is eligible for credits only if the training meets all other requirements of this subchapter for continuing education credits.
- (12) Vendor shows approved by the department under this rule qualify for credit. A maximum amount of 0.05 credits per vendor show will be allowed for participation in a department-approved vendor show. The certified operator will be required to provide evidence of attendance at the approved vendor show to validate participation for credit.
- (13) The department may, in individual cases involving hardship or extenuating circumstances, grant an extension of time of up to one year to fulfill the minimum credit requirements. Hardship or extenuating circumstances include documented health-related confinement or other circumstances beyond the control of the certified operator which prevent attendance at the required activities. All requests for extensions must be made prior to June 30 of the even-numbered year in which the credit is required to be submitted for registration.
- (14) It is the certified operator's responsibility to notify the department on the appropriate form of the credit earned during the period. The credit earned during the period must be included with the application for renewal.
- (15) The continuing education credit requirements of this rule are waived for one continuing education two-year period for a certified operator during periods when the person is a government employee working as an operator and assigned to duty outside of the United States.
- (16) The department shall temporarily inactivate the certificate of a certified operator who is on active military duty if the operator notifies the department in writing of the change in status and requests inactivation.
- (17) The department shall reactivate the certificate temporarily inactivated under (16) upon the return of the operator to the continental United States if the operator:
 - (a) requests in writing that the department reactivate the certificate(s); and
 - (b) pays to the department the renewal fee for the year the operator returns.
- (18) After a certificate has been reactivated under (17), the certified operator shall meet the continuing education credit requirements for the current continuing education two-year period by the June 30 deadline or within 18 months of the operator's return, whichever is longer.

Authorizing statute(s): 37-42-202, MCA

Implementing statute(s): 37-42-304, 37-42-305, 37-42-306, 37-42-307, 37-42-308, MCA

History: NEW, 1986 MAR p. 1078, Eff. 6/27/86; AMD, 1991 MAR p. 1276, Eff. 7/26/91; TRANS, from DHES, 1996 MAR p. 1499; AMD, 1997 MAR p. 545, Eff. 3/25/97; AMD, 1998 MAR p. 2966, Eff. 11/6/98; AMD, 2002 MAR p. 3148, Eff. 11/15/02; AMD, 2004 MAR p. 1619, Eff. 5/7/04; AMD, 2015 MAR p. 2144, Eff. 12/11/15.