



ADMINISTRATIVE RULES OF MONTANA



17.40.208 CERTIFIED OPERATOR IN CHARGE OF SYSTEM; EXCEPTIONS

- (1) Every water or wastewater treatment system must have an individual in responsible charge at the system site or on call at all times who can respond in a timely manner to threats to public or environmental health.
- (2) Except as provided in this rule, the individual in responsible charge of a system must be a fully certified operator for that class or a more complex class of system.
- (3) An operator with a temporary certificate or an operator-in-training certificate may be the operator in responsible charge of a system upon:
 - (a) written request to the department by the system owner and verification by the owner that the system is unable to employ a fully certified operator; and
 - (b) a finding by the department that the operator has the basic knowledge necessary to operate the system and that public health will be protected. The department shall base its decision on:
 - (i) the results of any on-site inspection of the system;
 - (ii) review of the plans and specifications of the system;
 - (iii) review of the operator's records, experience and training; and
 - (iv) examination of any other reasonably available and relevant information.

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

Implementing statute(s): 37-42-104, 37-42-302, 37-42-305, MCA

History: NEW, 1981 MAR p. 1787, Eff. 12/18/81; TRANS, from DHES, 1996 MAR p. 1499; AMD, 1997 MAR p. 545, Eff. 3/25/97; AMD, 2002 MAR p. 3148, Eff. 11/15/02; AMD, 2012 MAR p. 886, Eff. 4/27/12.