

**PROSPECTIVE ANALYSIS**

**BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS**

IDAPA 25.05.01

**Rule 328 Requirements for Class I Operator License**

**Proposed Rule:** The proposed rule changes the requirement from "one year" of on-site operating experience to 1600 hours. Sixteen hundred hours is fewer than a year, which makes the requirement less stringent. Additionally, since many surrounding states express the requirement in terms of hours, this rule helps to align Idaho with other jurisdictions.

**Current Rule:** To qualify, an applicant must have a high school diploma or GED; and one year of acceptable relevant on-site experience at a Class I or higher system or successfully complete a one-year apprenticeship program. The applicant must also pass the relevant Class I examination.

**Legal Authority:** Idaho Code 54-2406 gives the Board the authority to adopt license requirements. Discretionary.

**Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?**

The proposed rule attempts to make the requirements less stringent, provide clarity, and align Idaho with surrounding states.

**What evidence is there that the rule, as proposed, will solve the problem?**

Many of our surrounding states express experience in hours.

**Federal Law Comparison (where applicable)**

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

**State Law Comparison**

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
<b>Alaska</b>	<p>Alaska requires 12 years of education and one year of operator experience. The applicant must pass a department approved examination, which is valid for three years. Alaska defines one years as a total of 1,950 or more hours worked during a period of 12 consecutive months as one year of experience. Hours may be prorated. Education may be substituted for up to 50 percent of the experience requirement. The Department may waive education experience for Class I.</p> <p><a href="https://dec.alaska.gov/water/operator-certification/eligibility-determination/">https://dec.alaska.gov/water/operator-certification/eligibility-determination/</a></p>	N/A
<b>Montana</b>	<p>Montana's Class IV operator is the lowest classification of certification. A Class IV operator is required to pass the certification examination for the operator's classification and possess one year of experience in a facility of that classification. A person who passed the examination but lacks the experience is issued a certificate as a "Certified Operator-In-Training." When the experience requirement is fulfilled and verified, the department issues a "Certified Operator" certificate.</p> <p><a href="https://rules.mt.gov/gateway/RuleNo.asp?RN=17%2E40%2E207">https://rules.mt.gov/gateway/RuleNo.asp?RN=17%2E40%2E207</a></p>	N/A

<p><b>Nevada</b></p>	<p>For both drinking and wastewater, an applicant for Grades I and II must have a high school diploma, GED, or equivalent. The applicant must pass the certification exam and have 6 months of experience at a Distribution-I or Treatment-I facility. One half of the required experience may be fulfilled by college level courses in engineering, or in physical, chemical, or biological sciences. Experience and relevant training may substitute the high school diploma or GED requirement.</p> <p><a href="https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec626">https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec626</a></p>	<p>Nevada only requires six months of experience.</p>
<p><b>Oregon</b></p>	<p>For drinking water-</p> <p>An applicant must have 12 months of experience and education, consisting of a 12-month certificate or Associate's degree in an authority-approved water and environmental technology program. One year of experience is equal to 12 months of full-time employment with 100 percent of the individual's time dedicated to activities directly relating to the certification for which they are applying. Operating experience at a water treatment plant or distribution system is considered qualifying experience for certification up to one classification level higher than that of the water system facility where the experience was earned.</p> <p><a href="https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466">https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466</a></p> <p>(click on link for pdf attachment to Table 46)</p> <p>For wastewater-</p> <p>An applicant must have a high school diploma or GED and 12 months of operating experience at a Class I or higher Wastewater Treatment System. Six months operating experience may be substituted if the applicant holds an Associates of Science degree in water or wastewater technology. The applicant must also successfully pass the Wastewater Treatment Grade I examination.</p>	<p>N/A</p>

	<a href="https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466">https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466</a>	
<b>South Dakota</b>	<p>An applicant must have the following education and experience requirements:  Completion of high school or the equivalent;  One year of experience, without substitution, in a Class I or higher facility; and  Passing of the appropriate Class I examination.</p> <p><a href="https://sdlegislature.gov/Rules/Administrative/27229">https://sdlegislature.gov/Rules/Administrative/27229</a></p>	N/A
<b>Utah</b>	<p>For wastewater-</p> <p>Utah has a "qualification points" system. Points allocated for relevant education and experience must meet the minimum requirements for each grade. All substitutions are year for year equivalents. A college "year" is considered 45 quarter hours or 30 semester hours of credit.</p> <p>Grade I certification requires a minimum of 13 points, obtained as follows:</p> <p>High school diploma or equivalency (12 points), or highest grade completed (one point per grade, up to 12 points); AND</p> <p>One year of operating experience (one point per year).</p> <p>Experience may be substituted for all or any part of the education requirements, on a one-to-one basis. Education may not be substituted for experience.</p> <p><a href="https://adminrules.utah.gov/public/rule/R317-10/Current%20Rules?searchText=undefined">https://adminrules.utah.gov/public/rule/R317-10/Current%20Rules?searchText=undefined</a></p> <p>For drinking water-</p> <p>Grade I certification requirements are: a high school degree or GED and one year of experience. Experience may not be substituted with education.</p>	N/A

	<a href="https://adminrules.utah.gov/public/rule/R309-300/Current%20Rules?searchText=undefined">https://adminrules.utah.gov/public/rule/R309-300/Current%20Rules?searchText=undefined</a>	
<b>Washington</b>	<p>A Level 1 water treatment plant operator must have 12 years of education and 12 months experience operating in a water treatment plant.</p> <p>A Level 1 water distribution operator must have 12 years of education and six months operating experience in a water treatment plant or distribution system.</p> <p><a href="https://app.leg.wa.gov/WAC/default.aspx?cite=246-292-060">https://app.leg.wa.gov/WAC/default.aspx?cite=246-292-060</a></p>	A distribution operator in Washington is only required to have six months of experience.
<b>Wyoming</b>	<p>All Level 1 certifications require the following education and experience:</p> <p>At least six (6) months of operational experience at a facility in the area of the certification. Other pertinent experience may be used to substitute for operational experience.</p> <p>Demonstration that the operator has completed at least thirty-five (35) hours of pertinent continuing education.</p> <p>Level 1 Water Treatment operators may also operate Level 1 Water Distribution facilities and Well Systems. Level 1 Wastewater Treatment operators may also operate Level 1 Wastewater Collection facilities and Lagoon Systems.</p> <p><a href="https://deq.wyoming.gov/water-quality/">https://deq.wyoming.gov/water-quality/</a></p>	Only six months of experience is required for all Level I certifications.

**If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:**

**Anticipated impact of the proposed rule on various stakeholders:**

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	
Impact to Idaho businesses, with special consideration for small businesses	
Impact to any local government in Idaho	

**Rule 330 Requirements for a Class II Operator License**

**Proposed Rule:** The proposed rule changes the requirement from "three years" of on-site operating experience to 4800 hours. These hours total fewer than a full calendar year of full time employment, which makes the requirement less stringent. Additionally, since many surrounding states express the requirement in terms of hours, this rule helps to align Idaho with other jurisdictions.

**Current Rule:** Idaho requires an applicant for a Class II license to have a high school diploma or GED, and document three years of acceptable relevant on-site operating experience at a Class I or higher system, or successfully complete an approved apprenticeship program, and pass the Class II examination.

**Legal Authority:** Many of our surrounding states express experience in hours.

**Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?**

The proposed rule attempts to make the requirements less stringent, provide clarity, and align Idaho with surrounding states.

**What evidence is there that the rule, as proposed, will solve the problem?**

Many of our surrounding states express experience in hours.

**Federal Law Comparison (where applicable)**

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

**State Law Comparison**

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
<b>Alaska</b>	<p>Alaska requires 12 years of education and three years of operator experience. The applicant must pass a department approved examination, which is valid for three years. Alaska defines one years as a total of 1,950 or more hours worked during a period of 12 consecutive months as one year of experience.</p> <p><a href="https://dec.alaska.gov/water/operator-certification/eligibility-determination/">https://dec.alaska.gov/water/operator-certification/eligibility-determination/</a></p>	N/A
<b>Montana</b>	<p>Montana's Class III operator is similar to Idaho's Class II certification. A Class III operator is required to pass the certification examination for the operator's classification and possess one and a half year's of experience in a facility of that classification. A person who passed the examination but lacks the experience is issued a certificate as a</p>	N/A

	<p>"Certified Operator-In-Training." When the experience requirement is fulfilled and verified, the department issues a "Certified Operator" certificate.</p> <p><a href="https://rules.mt.gov/gateway/RuleNo.asp?RN=17%2E40%2E207">https://rules.mt.gov/gateway/RuleNo.asp?RN=17%2E40%2E207</a></p>	
<b>Nevada</b>	<p>For both drinking and wastewater, an applicant for Grades I and II must have a high school diploma, GED, or equivalent. For Grade II, the applicant must pass the certification exam and have one year of experience at a Distribution-II or Treatment-II facility. One half of the required experience may be fulfilled by college level courses in engineering, or in physical, chemical, or biological sciences. Experience and relevant training may substitute the high school diploma or GED requirement.</p> <p><a href="https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec626">https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec626</a></p>	N/A
<b>Oregon</b>	<p>For drinking water-</p> <p>An applicant must have 36 months of experience or 24 months of experience and 12 months of education in an authority-approved water and environmental technology program. Operational decision making experience is not required for this classification.</p> <p>"Operating Experience" means knowledge gained through the direct performance of duties, tasks, and responsibilities at a drinking water system or in a related field. One year of experience is equal to 12 months of full-time employment with 100 percent of the individual's time dedicated to activities directly relating to the certification for which they are applying. Operating experience at a water treatment plant or distribution system is considered qualifying experience for certification up to one classification level higher than that of the water system facility where the experience was earned.</p> <p><a href="https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466">https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466</a></p> <p>(click on link for pdf attachment to Table 46)</p>	N/A



	<p>For wastewater-</p> <p>An applicant must have a high school diploma or GED and three years of experience at a Class I or higher wastewater treatment system or two years at a Class I or higher wastewater treatment system and one year of post high school education. The applicant must also pass the Wastewater Treatment Grade II examination.</p> <p><a href="https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466">https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466</a></p>	
<b>South Dakota</b>	<p>All applicants for a Class II certification must have the following qualifications for education and experience:</p> <p>Completion of high school or the equivalent;  Three years of experience in a Class I or higher facility or two years in a Class II or higher facility; and  Passing of the appropriate Class II examination.</p> <p><a href="https://sdlegislature.gov/Rules/Administrative/27230">https://sdlegislature.gov/Rules/Administrative/27230</a></p>	N/A
<b>Utah</b>	<p>For wastewater-</p> <p>Utah has a "qualification points" system. Points allocated for relevant education and experience must meet the minimum requirements for each grade. All substitutions are year for year equivalents. A college "year" is considered 45 quarter hours or 30 semester hours of credit.</p> <p>Grade II certification requires a minimum of 14 points, obtained as follows:</p> <p>High school diploma or equivalency (12 points), or highest grade completed (one point per grade, up to 12 points); AND  Two years of operating experience (one point per year).</p>	For wastewater, two years of operating experience is required in Utah.

	<p>Experience may be substituted for all or any part of the education requirements, on a one-to-one basis. Up to one year of education may be substituted for operating experience requirements.</p> <p><a href="https://adminrules.utah.gov/public/rule/R317-10/Current%20Rules?searchText=undefined">https://adminrules.utah.gov/public/rule/R317-10/Current%20Rules?searchText=undefined</a></p> <p>For drinking water-</p> <p>Grade II certification requirements are: a high school degree or GED and/or Associate's Degree one year of experience. An applicant without a high school degree must have three years of experience. Experience may not be substituted with education.</p> <p><a href="https://adminrules.utah.gov/public/rule/R309-300/Current%20Rules?searchText=undefined">https://adminrules.utah.gov/public/rule/R309-300/Current%20Rules?searchText=undefined</a></p>	
<b>Washington</b>	<p>A Level 2 water treatment plant operator must have 12 years of education; and 18 months experience operating in a water treatment plant, and 18 months additional water-related experience. Relevant education may substitute for the additional water related experience.</p> <p>A Level 2 water distribution operator must have 12 years of education and; 12 months operating experience in a water treatment plant or distribution system, and 24 months additional water related experience. Relevant education may substitute for additional water related experience.</p> <p><a href="https://app.leg.wa.gov/WAC/default.aspx?cite=246-292-060">https://app.leg.wa.gov/WAC/default.aspx?cite=246-292-060</a></p>	Washington's experience requirement differs in that it allows for "additional water related experience."
<b>Wyoming</b>	All Level 2 certifications require the following education and experience:	Less experience is required in Wyoming.

	<p>At least twelve (12) months of operational experience at a facility at or above Level 1 in the area of the certification. Other pertinent experience may be used to substitute for operational experience.</p> <p>Demonstration that the operator has completed at least seventy (70) hours of pertinent continuing education.</p> <p><a href="https://deq.wyoming.gov/water-quality/">https://deq.wyoming.gov/water-quality/</a></p>	
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**If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:**

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**Anticipated impact of the proposed rule on various stakeholders:**

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	
Impact to Idaho businesses, with special consideration for small businesses	
Impact to any local government in Idaho	

### **Rule 335 Requirements for Class III Operator License**

**Proposed Rule:** The proposed rule changes the requirement from "four years" of on-site operating experience to 6400 hours. These hours total fewer than a full calendar year of full-time employment, which makes the requirement less stringent. Additionally, since many surrounding states express the requirement in terms of hours, this rule helps to align Idaho with other jurisdictions.

**Current Rule:** To qualify for a Class III Operator License in Idaho, an applicant must have a high school diploma or GED and two years of post-high school education in the environmental control field, engineering, or related science. An Approved Apprenticeship Program may substitute the two years post-high school education requirement. In addition, the applicant must have four years of acceptable relevant on-site experience at a Class III or higher system, which includes two years of responsible charge experience of a major segment of a system in the same or next lower class of a Class I or higher system for collection or distribution, or a Class II or higher system for treatment. The applicant must also pass the Class III examination. A year is defined as 1600 hours.

**Legal Authority:** Idaho Code 54-2406 gives the Board the authority to adopt license requirements. Discretionary.

#### **Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?**

The proposed rule attempts to make the requirements less stringent, provide clarity, and align Idaho with surrounding states.

#### **What evidence is there that the rule, as proposed, will solve the problem?**

Many of our surrounding states express experience in hours.

#### **Federal Law Comparison (where applicable)**

<b>Summary of Law (include direct link)</b>	<b>How is the proposed Idaho rule more stringent? (if applicable)</b>
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N/A	
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**State Law Comparison**

<b>State</b>	<b>Summary of Law (include direct link)</b>	<b>How is the proposed Idaho rule more stringent? (if applicable)</b>
<b>Alaska</b>	<p>The education requirement for this license type in Alaska depends upon whether the applicant is doing water treatment. Alaska requires 14 years of education and four years of operator experience for wastewater treatment and water treatment. For wastewater collection and water distribution, the required number of years of education is 13 years, but the operator experience requirements are the same. Additionally, the applicant must pass a department approved examination, which is valid for three years. Alaska defines one years as a total of 1,950 or more hours worked during a period of 12 consecutive months as one year of experience.</p> <p><a href="https://dec.alaska.gov/water/operator-certification/eligibility-determination/">https://dec.alaska.gov/water/operator-certification/eligibility-determination/</a></p>	N/A
<b>Montana</b>	<p>Montana's Class II operator is similar to Idaho's Class III certification. A Class II operator is required to pass the certification examination for the operator's classification and possess one and a half year's of experience in a facility of that classification. A person who passed the examination but lacks the experience is issued a certificate as a "Certified Operator-In-Training." When the experience requirement is fulfilled and verified, the department issues a "Certified Operator" certificate.</p>	Fewer years of experience are required in Montana.

	<p>There is not a post-secondary education requirement. However, two days of education in post-secondary engineering training or the equivalent may be substituted for each day of experience, up to 1/2 of the experience requirement.</p> <p><a href="https://rules.mt.gov/gateway/RuleNo.asp?RN=17%2E40%2E207">https://rules.mt.gov/gateway/RuleNo.asp?RN=17%2E40%2E207</a></p>	
<b>Nevada</b>	<p>For both drinking and wastewater, an applicant for Grade III must have two post-secondary courses of instruction. The applicant must pass the certification exam. For distribution, the applicant must have two years of experience with one year of distribution experience. For treatment, and applicant must have two years' experience with one year of treatment.</p> <p>The system classification must be in a water system of that classification.</p> <p><a href="https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec626">https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec626</a></p>	Fewer years of experience are required in Nevada.
<b>Oregon</b>	<p>For drinking water-</p> <p>An applicant must have one of the following education and experience requirement combinations:</p> <p>96 months of experience and 30 months of operational decision making experience;  60 months of experience and 12 months of education in an Authority-approved water and technology program and 30 months of operational decision making experience;  48 months of experience and 24 months of education in an Authority-approved water and technology program and 24 months of operational decision making experience;  OR  36 months of experience and 36 months of education in an Authority-approved water and technology program and 18 months of operational decision making experience.</p> <p>"Operating Experience" means knowledge gained through the direct performance of duties, tasks, and responsibilities at a drinking water system or in a related field.</p>	N/A

"Operational Decision Making" means the act of making decisions about alternatives in the performance of a water treatment plant or distribution system relating to water quality or water quantity that may affect public health.

One year of experience is equal to 12 months of full-time employment with 100 percent of the individual's time dedicated to activities directly relating to the certification for which they are applying. Operating experience at a water treatment plant or distribution system is considered qualifying experience for certification up to one classification level higher than that of the water system facility where the experience was earned.

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466>

(click on link for pdf attachment to Table 46)

For wastewater-

The applicant must have a high school diploma and GED and the following experience:

- (I) Eight years' acceptable operating experience, of which half must have been at a Class II or higher Wastewater Treatment System; or
- (II) Five years' experience, of which half must have been at a Class II or higher Wastewater Treatment System, and one year of post-high school education; or
- (III) Four years' experience, of which half must have been at a Class II or higher Wastewater Treatment System, and two years post-high school education; or
- (IV) Three years' experience, of which half must have been at a Class II or higher Wastewater Treatment System, and three years of post-high school education.

The applicant must also pass the Wastewater Treatment Grade III examination.

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466>

<p><b>South Dakota</b></p>	<p>All applicants for a Class III certification must have the following qualifications for education and experience:</p> <p>Completion of high school or the equivalent and six years of experience including at least three years of experience in a Class II or higher facility; OR  Completion of two years of college or vocational school education majoring in engineering, environmental sciences, or related fields and four years of experience including at least two years of experience in a Class II or higher facility; AND  Passing of the appropriate Class III examination.  <a href="https://sdlegislature.gov/Rules/Administrative/27231">https://sdlegislature.gov/Rules/Administrative/27231</a></p>	<p>Fewer years of experience are required in South Dakota.</p>
<p><b>Utah</b></p>	<p>For wastewater-</p> <p>Utah has a "qualification points" system. Points allocated for relevant education and experience must meet the minimum requirements for each grade. All substitutions are year for year equivalents. A college "year" is considered 45 quarter hours or 30 semester hours of credit.</p> <p>Grade III certification requires a minimum of 16 points, obtained as follows:</p> <p>High school diploma or equivalency (12 points), or highest grade completed (one point per grade, up to 12 points); AND  Four years of operating experience (one point per year).</p> <p>Experience may be substituted for all or any part of the education requirements, on a one-to-one basis. Up to two years of additional education may be substituted for an equivalent amount of operating experience. Relevant and specialized operator training may be substituted for the education requirement, where 25 CEU's is equivalent to one year of education.</p>	<p>N/A</p>



	<p><a href="https://adminrules.utah.gov/public/rule/R317-10/Current%20Rules?searchText=undefined">https://adminrules.utah.gov/public/rule/R317-10/Current%20Rules?searchText=undefined</a></p> <p>For drinking water-</p> <p>The following combinations of experience and education apply to Grade III certification:</p> <p>Associates or Bachelor's Degree, one year of Responsible Charge experience and two years of total experience; OR  High School degree, two years of Responsible Charge experience and four years of total experience; OR  No high school degree, three years of Responsible Charge experience and six years of total experience.</p> <p>Education may be substituted for experience up to 50 percent.</p> <p><a href="https://adminrules.utah.gov/public/rule/R309-300/Current%20Rules?searchText=undefined">https://adminrules.utah.gov/public/rule/R309-300/Current%20Rules?searchText=undefined</a></p>	
<p><b>Washington</b></p>	<p>A Level 3 water treatment plant operator must have 14 years of education; and 24 months experience operating in a Class II or higher water treatment plant, and 24 months additional water-related experience. Relevant education may substitute for the additional water related experience.</p> <p>A Level 3 water distribution operator must have 14 years of education and; 12 months operating experience in a water treatment plant or distribution system, and 36 months additional water related experience. Relevant education may substitute for additional water related experience.</p> <p><a href="https://app.leg.wa.gov/WAC/default.aspx?cite=246-292-060">https://app.leg.wa.gov/WAC/default.aspx?cite=246-292-060</a></p>	<p>N/A</p>

<p><b>Wyoming</b></p>	<p>All Level 3 certifications require the following education and experience:</p> <p>At least twenty-four (24) months of operational experience at a facility at or above Level 1 in the area of the certification. Other pertinent experience may be used to substitute for operational experience.</p> <p>At least twelve (12) months of operational experience at a facility at or above Level 2 or higher facility in the area of the certification. Other pertinent experience may be used to substitute for operational experience.</p> <p>Demonstration that the operator has completed at least three hundred (300) hours of pertinent continuing education.</p> <p><a href="https://deq.wyoming.gov/water-quality/">https://deq.wyoming.gov/water-quality/</a></p>	<p>Fewer years of experience are required in Wyoming.</p>
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**If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:**

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**Anticipated impact of the proposed rule on various stakeholders:**

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	

Impact to Idaho businesses, with special consideration for small businesses	
Impact to any local government in Idaho	

**Rule 330 Requirements for a Class IV Operator License**

**Proposed Rule:** The proposed rule changes the requirement from "four years" of on-site operating experience to 6400 hours. These hours total fewer than a full calendar year of full-time employment, which makes the requirement less stringent. Additionally, since many surrounding states express the requirement in terms of hours, this rule helps to align Idaho with other jurisdictions.

**Current Rule:** Idaho requires an applicant for a Class IV license to have a high-school diploma or GED and four years of post-high school education in the environmental control field, engineering or related science. The applicant must document four (4) years of acceptable relevant on-site operating experience, including two years of responsible charge of a major segment of a system in the same or next lower class, at a Class I or higher facility.

**Legal Authority:** Idaho Code 54-2406 gives the Board the authority to adopt license requirements. Discretionary.

**Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?**

The proposed rule attempts to make the requirements less stringent, provide clarity, and align Idaho with surrounding states.

**What evidence is there that the rule, as proposed, will solve the problem?**

Many of our surrounding states express experience in hours.

**Federal Law Comparison (where applicable)**

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

**State Law Comparison**

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
<b>Alaska</b>	<p>For wastewater collection and water distribution, 13 years of education and six years of operator experience is required. For wastewater treatment and water treatment, sixteen years of education and four years of operator experience is required. The applicant must pass a department approved examination, which is valid for three years. Alaska defines one years as a total of 1,950 or more hours worked during a period of 12 consecutive months as one year of experience.</p> <p><a href="https://dec.alaska.gov/water/operator-certification/eligibility-determination/">https://dec.alaska.gov/water/operator-certification/eligibility-determination/</a></p>	N/A
<b>Montana</b>	<p>Montana's Class I operator is similar to Idaho's Class IV certification. A Class I operator is required to pass the certification examination for the operator's classification and possess two and a half year's of experience in a facility of that classification. A person who passed the examination but lacks the experience is issued a certificate as a "Certified Operator-In-Training." When the experience requirement is fulfilled and verified, the department issues a "Certified Operator" certificate.</p>	Fewer years of experience are required in Montana.

	<p>There is not a post-secondary education requirement. However, two days of education in post-secondary engineering training or the equivalent may be substituted for each day of experience, up to 1/2 of the experience requirement.</p> <p><a href="https://rules.mt.gov/gateway/RuleNo.asp?RN=17%2E40%2E207">https://rules.mt.gov/gateway/RuleNo.asp?RN=17%2E40%2E207</a></p>	
<b>Nevada</b>	<p>For Grade IV certification, an applicant must have four post-secondary courses of instruction. For distribution, an applicant must have four years of experience with one year distribution experience. For treatment, an applicant must have four years of experience with one year of treatment experience.</p> <p>The system classification must be in a water system of that classification.</p> <p><a href="https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec626">https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec626</a></p>	Nevada does not require Responsible Charge experience.
<b>Oregon</b>	<p>For drinking water-</p> <p>An applicant must have one of the following education and experience requirement combinations:</p> <p>120 months of experience and 36 months of operational decision making experience;  84 months of experience and 12 months of education in an Authority-approved water and technology program and 30 months of operational decision making experience;  72 months of experience and 24 months of education in an Authority-approved water and technology program and 30 months of operational decision making experience;  60 months of experience and 36 months of education in an Authority-approved water and technology program and 30 months of operational decision making experience;  OR  48 months of experience and 48 months of education in an Authority-approved water and technology program and 24 months of operational decision making experience.</p>	N/A

"Operating Experience" means knowledge gained through the direct performance of duties, tasks, and responsibilities at a drinking water system or in a related field. "Operational Decision Making" means the act of making decisions about alternatives in the performance of a water treatment plant or distribution system relating to water quality or water quantity that may affect public health.

One year of experience is equal to 12 months of full-time employment with 100 percent of the individual's time dedicated to activities directly relating to the certification for which they are applying. Operating experience at a water treatment plant or distribution system is considered qualifying experience for certification up to one classification level higher than that of the water system facility where the experience was earned.

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466>

(click on link for pdf attachment to Table 46)

For wastewater-

An applicant must have a high school diploma or GED and a minimum of one year of post-high school education. An applicant must have the following experience requirements:

- (I) Ten years' acceptable operating experience, of which half must have been at a Class III or higher Wastewater Collection System; or
- (II) Eight years' experience, of which half must have been at a Class III or higher Wastewater Collection System, and one year of post-high school education; or
- (III) Six years' experience, of which half must have been at a Class III or higher Wastewater Collection System, and two years post-high school education; or
- (IV) Five years' experience, of which half must have been at a Class III or higher Wastewater Collection System, and three years of post-high school education; or
- (V) Four years' experience, of which half must have been at a Class III or higher Wastewater Collection System, and four years post-high school education.

	<p>The applicant must also pass the Wastewater Collection Grade IV examination.</p> <p><a href="https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466">https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1466</a></p>	
<b>South Dakota</b>	<p>All applicants for a Class IV certification must have the following qualifications for education and experience:</p> <p>Completion of high school or the equivalent and eight years of experience including at least four years of experience in a Class III or higher facility; OR</p> <p>Completion of a four year degree at a college or vocational school majoring in environmental engineering, environmental sciences, or related fields and four years of experience including at least two years of experience in a Class III or higher facility; AND</p> <p>Passing of the appropriate Class IV examination.</p> <p><a href="https://sdlegislature.gov/Rules/Administrative/27232">https://sdlegislature.gov/Rules/Administrative/27232</a></p>	<p>South Dakota does not require Responsible Charge experience.</p>
<b>Utah</b>	<p>For wastewater-</p> <p>Utah has a "qualification points" system. Points allocated for relevant education and experience must meet the minimum requirements for each grade. All substitutions are year for year equivalents. A college "year" is considered 45 quarter hours or 30 semester hours of credit.</p> <p>Grade IV certification requires a minimum of 18 points, obtained as follows:</p> <p>High school diploma or equivalency (12 points), or highest grade completed (one point per grade, up to 12 points); AND</p> <p>Six years of operating experience (one point per year).</p>	<p>N/A</p>

	<p>Up to two years of additional education may be substituted for an equivalent amount of operating experience. Relevant and specialized operator training may be substituted for the education requirement, where 25 CEU's is equivalent to one year of education.</p> <p><a href="https://adminrules.utah.gov/public/rule/R317-10/Current%20Rules?searchText=undefined">https://adminrules.utah.gov/public/rule/R317-10/Current%20Rules?searchText=undefined</a></p> <p>For drinking water-</p> <p>For drinking water-</p> <p>The following combinations of experience and education apply to Grade IV certification:</p> <p>Bachelor's Degree, two years of Responsible Charge experience and four years of total experience; OR  Associate's Degree, two years of Responsible Charge Experience and four years of total experience; OR  High School degree, four years of Responsible Charge experience and eight years of total experience; OR  No high school degree, five years of Responsible Charge experience and ten years of total experience.</p> <p>Education may be substituted for experience up to 50 percent.</p> <p><a href="https://adminrules.utah.gov/public/rule/R309-300/Current%20Rules?searchText=undefined">https://adminrules.utah.gov/public/rule/R309-300/Current%20Rules?searchText=undefined</a></p>	
<p><b>Washington</b></p>	<p>A Level IV water treatment plant operator must have 16 years of education; and 24 months experience operating in a Class III or higher water treatment plant, and 24 months additional water-related experience. Relevant education may substitute for the additional water related experience.</p>	<p>n/A</p>



	<p>A Level IV water distribution operator must have 16 years of education and; 12 months operating experience in a water treatment plant or distribution system, and 36 months additional water related experience. Relevant education may substitute for additional water related experience.</p> <p><a href="https://app.leg.wa.gov/WAC/default.aspx?cite=246-292-060">https://app.leg.wa.gov/WAC/default.aspx?cite=246-292-060</a></p>	
<p><b>Wyoming</b></p>	<p>All Level 4 certifications require the following education and experience:</p> <p>At least thirty-six (36) months of operational experience at a facility at or above Level 1 in the area of the certification. Other pertinent experience may be used to substitute for operational experience.</p> <p>At least twenty-four (24) months of plant operational experience at a facility at or above Level 3 or higher facility in the area of the certification. Other pertinent experience may be used to substitute for operational experience.</p> <p>Demonstration that the operator has completed at least four hundred (400) hours of pertinent continuing education.</p> <p><a href="https://deq.wyoming.gov/water-quality/">https://deq.wyoming.gov/water-quality/</a></p>	<p>Fewer years of experience are required and Wyoming does not require Responsible Charge experience.</p>

**If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:**

**Anticipated impact of the proposed rule on various stakeholders:**

<b>Category</b>	<b>Potential Impact</b>
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	
Impact to Idaho businesses, with special consideration for small businesses	
Impact to any local government in Idaho	