

15A NCAC 08G .0602 TEMPORARY CERTIFICATES

(a) Temporary certificates, of any type and grade, may be issued by the Commission to the operator of a water pollution control system, for a period not to exceed one year, due to:

- (1) the vacancy of the Operator in Responsible Charge (ORC) or the Back-up Operator in Responsible Charge (Back-up ORC);
- (2) the suspension or revocation of the certification of the Operator in Responsible Charge (ORC) or the Back-up Operator in Responsible Charge (Back-up ORC);
- (3) a change in the classification of the system due to a permit modification or the completion of an upgrade or expansion; or
- (4) a modification to Commission rules.

(b) Temporary Certificates shall only be issued for the Operator in Responsible Charge (ORC) or the Back-up Operator in Responsible Charge (Back-up ORC) of the system specified on the application.

(c) All applications for a temporary certificate must:

- (1) be submitted by the owner of the system for the applicant;
- (2) be accompanied by the required fee; and
- (3) include a letter from the owner that contains:
 - (A) an explanation for the need of a temporary certificate for the applicant;
 - (B) an explanation of all of the efforts that were made to employ an operator who possessed the required certification;
 - (C) a statement designating the applicant as either the Operator in Responsible Charge (ORC) or Back-up Operator in Responsible Charge (Back-up ORC) of the system; and
 - (D) a plan that describes the actions that:
 - (i) the applicant will pursue in order to attempt to obtain permanent certification during the effective period of the temporary certificate; and
 - (ii) the owner of the system will be pursuing in the event that the applicant fails to obtain permanent certification during the effective period of the temporary certificate.

(d) Applicants for a temporary certificate must:

- (1) Either:
 - (A) for biological or collection system grade II or higher operator certification, possess a valid certificate of the same type as the system and that is no more than one grade lower than the classification of the system when applying as an Operator in Responsible Charge (ORC) and no more than two grades lower than the classification of the system when applying as a Back-up Operator in Responsible Charge (Back-up ORC); or
 - (B) for a Grade I biological, Grade I Physical/Chemical, Grade I Collection, Surface Irrigation, Land Application, or Subsurface Water Pollution Control System; have a minimum of three months of actual experience in the operation of the type of system for which a temporary certificate is being applied if the temporary certificate is requested.
- (2) be eligible for permanent certification prior to the expiration date of the temporary certificate;
- (3) not have made three previous unsuccessful attempts to make a passing score on the same type and grade examination as the temporary certificate; and
- (4) have never relinquished, nor had revoked, any water pollution control operator certificate issued by the Commission.

(e) Applicants who obtain a temporary certificate by providing false information to the Commission shall be subject to disciplinary action(s) as set forth in Section .0800 of this Subchapter.

*History Note: Authority G.S. 90A-40; 90A-42;
Eff. April 1, 1999;
Amended Eff. December 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 26, 2015.*