

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 321
SENATE BILL 412

AN ACT TO AMEND CERTIFICATION REQUIREMENTS FOR WATER
TREATMENT FACILITY OPERATORS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90A-25(a) reads as rewritten:

"(a) ~~An applicant, upon meeting satisfactorily the appropriate requirements shall be issued a suitable certificate by the Board of Certification designating the level of his competency. Certificates shall be permanent unless revoked for cause or replaced by one of a higher grade.~~ The Board shall issue a certificate to an applicant who meets the requirements for certification and pays the required fee. The certificate shall state the grade of certification appropriate for the classification of water treatment facilities the applicant is qualified to operate."

Sec. 2. Chapter 90A of the General Statutes is amended by adding a new section to read:

"§ 90A-25.1. Renewal of certificate.

A certificate expires on December 31 of the year in which it is issued or renewed. The Board, with the advice and assistance of the Secretary of Environment, Health, and Natural Resources, may establish minimum continuing education requirements that an applicant must meet to renew a certificate. The Board shall renew a certificate if the applicant meets the continuing education requirements imposed as a condition for renewal, pays the required renewal fee plus any renewal fees in arrears, and, if the application is late, pays the late penalty."

Sec. 3. G.S. 90A-26 reads as rewritten:

"§ 90A-26. Revocation or suspension of certificate.

The Board of Certification, in accordance with the procedure set forth in Chapter 150B of the General Statutes of North Carolina, ~~may singly or in combination, may issue a reprimand to, to an operator, or revoke or suspend suspend or revoke the certificate of an operator operator, when it is found it finds any of the following:~~

- (1) ~~that the~~ The operator has practiced fraud or ~~deception; deception.~~
- (2) ~~that~~ The operator failed to use reasonable care, judgment, or the application of his knowledge knowledge, or ability was not used in the performance of his duties; or an operator's duties.
- (3) ~~that the~~ The operator is incompetent or unable to properly perform his the duties. duties of an operator.
- (4) The operator has failed to comply with the requirements for certification or renewal of certification."

Sec. 4. G.S. 90A-27 reads as rewritten:

"§ 90A-27. Application fee.

(a) ~~The Board of Certification, in establishing procedures for receiving applications for certification, shall impose fees, or schedules of fees, adequate to meet the anticipated costs of administering the classification and certification programs.~~

(b) ~~In establishing procedures for receiving renewal applications, the Board of Certification may establish fees or a schedule of fees, adequate to meet the anticipated costs of renewal of certification, not to exceed fifty dollars (\$50.00) per license.~~

The Board may establish a schedule of fees for the issuance or renewal of a certificate to cover the costs of administering the certification programs. The fee for issuing or renewing a certificate may not exceed fifty dollars (\$50.00). The Board may impose a penalty not to exceed thirty dollars (\$30.00) for the late renewal of a certificate."

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of June, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives