



## COLORADO

Water & Wastewater Facility  
Operators Certification Board

Department of Public Health & Environment

### NOTICE OF PUBLIC RULEMAKING HEARING

BEFORE THE

### WATER AND WASTEWATER FACILITY OPERATORS CERTIFICATION BOARD

#### SUBJECT:

For consideration of proposed revisions to Regulation No. 100, "Water and Wastewater Facility Operators Certification Requirements" (5 CCR 1003-2). The revisions to Regulation No. 100 proposed by the Water Quality Control Division, along with proposed Statement of Basis, Statutory Authority and Purpose, are attached to this notice as Exhibit 1. Proposed new language is shown with double-underlining and proposed deletions are shown with strikeouts.

#### HEARING SCHEDULE:

DATE: Tuesday, November 27, 2018  
TIME: 9:00 a.m.  
PLACE: Florence Sabin Conference Room  
Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246

#### WRITTEN AND ORAL COMMENTS:

The Operators Certification Board encourages all interested persons to provide their opinions or recommendations regarding the matters to be addressed in this rulemaking hearing. Oral comments on the proposed rule will be received at the hearing. Depending on the number of people wishing to speak, a time limit for oral comments may be established.

Written comments from the division must be received by November 14, 2018. Anyone providing written comments should deliver an electronic copy to [cdphe.wwfocb@state.co.us](mailto:cdphe.wwfocb@state.co.us). All written comments will be available to the public on the board's website.

#### SPECIFIC STATUTORY AUTHORITY:

The provisions of C.R.S. 25-9-101 through 25-9-110 provide the specific statutory authority for consideration of the regulatory provisions proposed by this notice. Should the Operators Certification Board adopt the regulatory language as proposed in this notice or alternative provisions, it will also adopt, in compliance with section 24-4-103(4) C.R.S., an appropriate Statement of Basis, Specific Statutory Authority, and Purpose.

Dated this 9th day of October 2018 at Denver, Colorado.

WATER AND WASTEWATER FACILITY OPERATORS CERTIFICATION BOARD

A handwritten signature in dark ink, appearing to read "Trisha Oeth", written in a cursive style. The signature is positioned above a horizontal line.

Trisha Oeth, Administrator

# EXHIBIT 1

## DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

### Water and Wastewater Facility Operators Certification Board

#### REGULATION NO. 100 - WATER AND WASTEWATER FACILITY OPERATORS CERTIFICATION REQUIREMENTS

##### 5 CCR 1003-2

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#### 100.16 FEES

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100.16.2 Exam fees

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(b) The exam fee is \$100 for each ~~electronic exam, and \$65 for each paper exam.~~

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#### 100.56 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: NOVEMBER 27, 2018 RULEMAKING; EFFECTIVE MARCH 1, 2019

Provisions of section 25-9-104, C.R.S. provide the specific statutory authority for the adoption amendments to the established regulatory provisions of Regulation 100 governing the requirements for water and wastewater facility operators (5 CCR 1003-2). The Board hereby adopts, in compliance with section 24-4-103(4), C.R.S., the following statement of basis and purpose.

#### **BASIS AND PURPOSE**

The board held a rulemaking hearing on November 27, 2018 and determined to revise section 100.16.2(b) to establish that the examination fee for both paper and electronic exams will be \$100. Fees for paper exams had been \$35 less than fees for electronic exams. In this rulemaking the board, in effect, raised the fee for paper exams to ensure a consistent rate for all test-takers. In September 2018, the board adopted revisions requiring all examinations to be administered electronically unless special arrangements were made. To ensure there is no financial incentive for applicants to request paper exams, the board decided to remove the distinction between paper and electronic exams.