

## Chapter 23

(Senate Bill 115)

AN ACT concerning

### Environment – Waterworks and Wastewater Works Certified Operators

FOR the purpose of authorizing certain waterworks, wastewater works, and industrial wastewater works to be under the supervision of a certified operator instead of a certified superintendent under certain circumstances; and generally relating to the supervision of a waterworks, a wastewater works, and an industrial wastewater works.

BY repealing and reenacting, with amendments,  
 Article – Environment  
 Section 12–402 and 12–501  
 Annotated Code of Maryland  
 (2007 Replacement Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### Article – Environment

12–402.

(a) [Each] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH** waterworks, wastewater works, and industrial wastewater works shall be under the supervision of a superintendent who is certified in the appropriate classification.

(b) **A WATERWORKS, A WASTEWATER WORKS, AND AN INDUSTRIAL WASTEWATER WORKS MAY HAVE A CERTIFIED OPERATOR SERVE IN RESPONSIBLE CHARGE INSTEAD OF A CERTIFIED SUPERINTENDENT IF APPROVED BY THE DEPARTMENT AND IF THE FACILITY:**

- (1) **SERVES FEWER THAN 500 PERSONS;**
  - (2) **HAS MINIMAL TREATMENT REQUIREMENTS AS DETERMINED BY THE DEPARTMENT; AND**
  - (3) **EMPLOYS NO MORE THAN TWO OPERATORS.**
- (c) The Department shall enforce this section.

12-501.

(a) A person or municipal or private corporation may not operate a waterworks, wastewater works, or industrial wastewater works unless the facility is under the responsible charge of a certified superintendent **OR CERTIFIED OPERATOR AS PROVIDED UNDER § 12-402 OF THIS TITLE.**

(b) After July 1, 1982, a person or municipal or private corporation may not operate a waterworks or wastewater works unless all operators in the waterworks or wastewater works are certified operators.

(c) After July 1, 1982, a person or municipal or private corporation may not operate an industrial wastewater works unless all industrial operators in the industrial wastewater works are certified industrial operators.

(d) The Department shall enforce this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

**Approved by the Governor, April 10, 2012.**