



**West Virginia Department of Health and Human Resources**

**MANUAL OF ENVIRONMENTAL HEALTH PROCEDURES**

Section	Drinking Water	Date	May 29, 2001	Procedure #	DW-40		
Subject	Use of Suspension as an Option for Revocation of Public Water Supply Operator Certification			Page	1	of	1

Section 10. of the [Public Water Supply Operator Regulations, 64 CSR 04](#), details the grounds for which the Director may revoke or suspend a public water supply operator’s certification.

Suspension will offer the operator the opportunity to review his or her noncompliant activity, correct inappropriate operation habits, and thereby retain the water treatment certification. The Director will maintain the authority to revoke certification when seriousness of the violation merits revocation or if prior suspension fails to correct the noncompliant activity.

The following points will also be considered to determine the use of certification suspension rather than revocation:

1. The nature of the noncompliant activity,
2. The plant size, complexity of treatment, water source, etc.
  - a. The intent of the operator:
  - b. Was the action taken due to lack of understanding of regulatory requirements?
3. Was there willful disregard to regulatory requirements?
4. Has the operator received prior warning for noncompliance to this regulation?
5. Has the operator been under previous suspension and for what reason?

The length of the suspension may range from 30 days to 1 year dependent on the nature of the violation. Suspension will be at the discretion of the director and may be given in lieu of certification revocation. Of course, operators displaying willful disregard for the Public Water Supply Operator Regulations will be subject to immediate and automatic revocation of operator certification without the option of suspension.

References            [64 CSR 04, Public Water Systems Operator Regulations](#)

History                Replaces DW-40 dated February 15, 1996

Attachments