



DIVISION OF ENVIRONMENTAL QUALITY

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PROPOSED AMENDMENT TO 8 CAR pt. 22: “LICENSING OF WASTEWATER TREATMENT OPERATORS.”

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PURPOSE AND AUTHORITY

The Department of Energy and Environment, Division of Environmental Quality (“DEQ”), proposes this rulemaking regarding 8 CAR pt. 22: “Licensing of Wastewater Treatment Operators.” This rulemaking is necessary to amend the current rule to apply new requirements set forth in Act 294 of 2025, and to update the provisions of the rule. The Arkansas Pollution Control and Ecology Commission (“Commission”) has general rulemaking authority through Ark. Code Ann. § 8-1-203(b)(1)(A), and specific authority to promulgate amendments to this rule through Ark. Code Ann. § 8-5-205(b)(1) and (2)(A).

BACKGROUND

8 CAR pt. 22, “Licensing of Wastewater Treatment Operators,” regulates the licensing of wastewater treatment operators, and the classification of wastewater treatment plants. The rule includes licenses for municipal wastewater treatment operators, technical operators, special operators, and industrial wastewater treatment operators. The rule includes classification of licenses and license fees, as well as training requirements for each classification. The treatment plant classifications are established based upon classification factor rating points. The classification of the treatment plant determines the qualification and training requirements for the operators. The rule also includes administrative requirements for licensing including examinations, renewal of licenses, and revocation of licenses.

THE PROPOSED RULE AMENDMENTS

The proposed rulemaking regarding 8 CAR pt. 22, “Licensing of Wastewater Treatment Operators,” amends the 8 CAR § 22-201 to conform to new requirements for the licensing board which were established in Act 294 of 2025. The proposed amendments also update the definitions by adding a definition of “director” and “sewer sludge,” and also update the rules to extend the license for apprenticeships and modify the requirements for all classes of operators and technical licenses. The proposed amendments also modify training requirements for industrial wastewater operators, testing requirements for all licenses, and reporting requirements for operators. The classification factor rating points for wastewater treatment plants are amended to include rating points for modern components of wastewater treatment plants for appropriate classification. The amendments also add requirements for lapsed and provisional licenses based upon Arkansas Code Sections 17-1-107 and 108, and administrative requirements regarding re-examination after the suspension of a license. The rule is further amended to better organize the sections, make stylistic

and grammatical corrections, and to conform to the Code of Arkansas Rules.

NECESSITY OF RULE AMENDMENTS

The amendments to 8 CAR pt. 22, “Licensing of Wastewater Treatment Operators,” are necessary to make the rule consistent with Act 294 of 2025, and to update and modernize the rule requirements for all operator and technical licenses.