401 KAR 11:020. Standards of professional conduct for certified operators.

RELATES TO: KRS 223.160-220, 224.73-110, EO 2009-538
STATUTORY AUTHORITY: KRS 224.10-100, 224.10-110, 224.73-110, EO 2009-538
NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-110 authorizes the cabinet to promulgate administrative regulations concerning the certification of water and wastewater operators. EO 2009-538, effective June 12, 2009, establishes the new Energy and Environment Cabinet. This administrative regulation establishes standards for the performance of certified water and wastewater operator duties.

Section 1. Standards of Professional Conduct. (1) In order to safeguard the life, health, and welfare of the public and the environment and to establish and maintain a high standard of integrity in the certified operator profession, the following standards of professional conduct apply to persons certified in accordance with 401 KAR Chapter 11:

(a) A certified operator shall, during the performance of operational duties, protect the safety, health, and welfare of the public and the environment;

(b) A certified operator shall use reasonable care and judgment in the performance of operational duties;

(c) If a certified operator's judgment is overruled by an employer under circumstances in which the safety, health, and welfare of the public or the environment are endangered, the certified operator shall inform the employer of the possible consequences;

(d) A certified operator shall be objective, truthful, and complete in applications, reports, statements, and testimony provided to the cabinet; and

(e) A certified operator shall ensure the integrity of the samples that the operator collects, prepares, or analyzes so that results shall be a true representation of water quality.

(2) Proof of certification. While on duty, a certified operator shall carry the cabinet-issued wallet card showing the operator's current certification status.

(3) Maintenance of records. If information related to the operator's employment or mailing address changes from that provided in the application for certification, the certified operator shall provide written notification to the cabinet within thirty (30) days. (35 Ky.R. 475; Am. 1212; 1747; eff. 3-6-2009; 36 Ky.R. 452; 1051; eff. 2-5-2010.)