

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
State Department of Health

FILING OF ADMINISTRATIVE REGULATIONS

References are to sections in W. Va. Adm. Reg. 16-1, Ser. II

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Cleaning of Septic Tanks, Cesspools, Privies, and Governing
the Sanitation of Organized Camps.

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS
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Chapter 16-1
Series II
(1964)

Subject: West Virginia State Board of Health Regulations Governing the
Cleaning of Septic Tanks, Cesspools, Privies, and Governing
the Sanitation of Organized Camps.

Section 1. General

1.01. Scope.--These regulations establish general rules for cleaning
septic tanks, cesspools, privies, and governing the sanitation of organized
camps.

1.02. Authority.--These regulations are issued under authority of
West Virginia Code, Chapter 16-1, Article 1, Section 3.

1.03. Effective Date.--These regulations were promulgated on May
17, 1962, and became effective July 1, 1962.

1.04. Filing Date.--These regulations were filed in the Office of
the Secretary of State on May 18, 1962.

1.05. Certification.--These regulations were certified authentic by
the Secretary of State by certification number _____.

Section 2. Cleaning of Septic Tanks, Cesspools, and Privies

2.01. Registration and Reports.--No person, persons, firm or corpor-
ation shall engage in the business of cleaning out septic tanks, sewage
cesspools, or privies and the disposal of the contents thereof in the
State of West Virginia without registering with the local health department
having jurisdiction in the area where such work, or any part thereof, is
performed.

The owner and/or operator shall furnish the local health department reports or records with respect to work done within the health department's jurisdiction upon request. Registration shall be made annually on or before July 1.

2.02. Equipment.--Equipment, implements, and containers used in the work shall comply with requirements as set forth in this regulation and is subject to examination at any reasonable time by the health officer, or his authorized representative.

2.03. Sanitary Equipment Required.--Equipment, used in the work, shall be properly constructed and maintained at all times so as not to be offensive in any manner.

(a) Tanks shall be fully enclosed, leak-proof, fly-proof, and operated to prevent spillage during waste collection, transportation and disposal.

(b) Tanks shall be conspicuously and permanently labeled "FOR SEWAGE ONLY" near the outlet valve and shall be used only for the transportation of sewage, sewage sludge, and like materials.

(c) Tank capacity in gallons shall be conspicuously labeled on the side of the tank.

(d) The carrier tanks shall be securely fastened to the bed of the truck so there will be no chance of its shifting or rolling and thus cause spilling of its contents.

(e) The tank itself shall be of sufficient gauge metal preferable 10-12 gauge or equivalent to withstand the treatment to which it will be subjected. Tank construction shall permit proper cleaning both inside and outside. Painting of the tank is recommended.

(f) The tank shall have sufficient capacity to readily hold the accumulations of the average individual home septic tank.

- (g) The tank should have a manhole in the top of sufficient size to provide for easy access for flushing and cleaning. This may be in combination with or separate from the filling connection.
- (h) The tank shall have the outlet so located that the entire contents of the tank may be drained. The outlet shall be of at least 3 inches in diameter and shall have a non-leaking valve of a non-clog type for draining.
- (i) The outlet of the tank shall be adapted for a standard hose connection to the pump for recirculating the contents of the tank if required prior to emptying or for pumping to site of disposal if gravity draining is not feasible. If pumping from the tank, an air inlet will be necessary to prevent collapsing the tank.
- (j) The pump shall be of the non-clog self-priming type and be capable of handling septic tank sludge.
- (k) The use of potable water under pressure to prime pumps or to operate aspirators is prohibited.
- (l) The pump and base shall be of such construction that it can be easily handled and used for the purpose intended.
- (m) The hose shall be of sufficient lengths for recirculating the contents of the tank and for other purposes for which it is intended. Storage of hose on the truck shall prevent draining and dripping from same.
- (n) The hose connections should be of the fire hose or similar type so as to provide easy connections.
- (o) Necessary hand tools should include: Picks and shovels, also sand and cement for repairs to septic tank top. Provision shall be

made for carrying as permanent equipment chlorinated lime or other comparable satisfactory disinfectant for disinfection of septic tank area and of sludge disposal area.

(p) All vehicles used in these operations shall carry in a conspicuous place the name and address of the firm or operator under which the business is conducted. All lettering shall be at least 2 inches in height.

2.04. Disposal of Wastes.--Wastes removed from septic tanks, cesspools, and privies shall be considered noxious and dangerous to the public health and must be disposed of in a manner which will prevent the spread of disease and avoid nuisance conditions. The general method of disposal used by the firm shall be stated on the application for registration.

(a) Said wastes shall be disposed of by burial with a final compact earth cover of 36 inches; by discharge into a public sewer manhole as designated by the local health department or by discharge at an acceptable point in a sewage treatment plant. The written permission of a responsible official of the governmental body owning or operating a disposal facility shall be required for disposal into such facility.

(b) Special written permission must be secured from the local health department for the use of any waste disposal method not specifically mentioned in this regulation.

(c) Wastes shall not be disposed of by discharge into a stream or other body of water, on to the surface of the ground, into a mine opening or limestone cavern or sinkhole. Wastes shall not be buried near a well or other source of water supply, nor close to a public thoroughfare.

(d) Wastes shall not be buried on private or public property without the written permission of the owner or responsible agent.

(e) The septic tank after being cleaned shall be restored to its original condition.

(f) Operator shall keep a record of all jobs accomplished and disposal points of sludge to be available for the local health department's inspection.

2.05. Exemptions.--The provisions of this act shall not apply to a municipality or other governmental body, firm or individual person who cleans or maintains his own facility except that a sanitary method of waste transportation shall be used, and disposal shall comply with Section 2.04.

2.06. Penalty.--Any person violating any provision of this regulation shall be punishable by a fine of not more than \$200 or by imprisonment for not more than 30 days, or both as provided in Chapter 16, Article 1, Section 20 of the Laws of West Virginia.

Section 3. Regulations Governing the Sanitation of Organized Camps

3.01. Definitions.--The following definitions shall apply in the interpretation and enforcement of these regulations:

- (a) Health Officer - The State Director of Health or his authorized representative.
- (b) Person - Individuals, firms, corporations, associations, municipalities, institutions, county or state owned or controlled property.
- (c) Permit - A written document issued by the Health Officer giving a designated person permission to operate a specified organized camp.
- (d) Operator - A person who has been granted a written permit, in accordance with these regulations, to operate a specified organized camp.
- (e) Toilet Facilities - Any water closet, privy, or urinal, and the room, or rooms, provided for installation of these units.

(f) Organized Camp - Any area, place, parcel, or tract of land on which facilities are established or maintained to provide an outdoor group living experience for children or adults, or where one or more permanent or semi-permanent structures are established or maintained as living or sleeping quarters for children or adults, and operated for educational, social, recreational, religious instruction or activity, physical education or health, or vacation purposes either gratuitously or for compensation, provided, that this definition shall not be construed to include a hunting, fishing, or other camp privately owned and used exclusively for the personal pleasure of the owner.

3.02. Notice of Construction.--Any person who is contemplating the construction, alteration, or conversion for occupancy or use of an organized camp, or any portion or facility thereof, or to convert a property for use as an organized camp, shall give notice in writing of his intent to do so to the Health Officer at least 15 days prior to such construction, alteration, or conversion. Said notice shall give the name of the city, town, or village, and the county in which the property is located, a description of the proposed construction, alteration, or conversion and the name and mailing address of the person giving the notice. Upon receipt of such notice, the Health Officer shall furnish the persons giving notice a copy of these regulations and copies of any other State law or regulations he deems necessary.

3.03. Application for a Permit to Operate.--

(a) Application for a permit to operate an organized camp shall be made to the health officer at least 15 days before the proposed operation of such organized camp is effected and such application shall be in writing, signed by the applicant, and shall contain such information as may be requested by the health officer to enable him to determine that the establishment and its operation will comply with the regulations governing the sanitation of organized camps.

(b) In the event of an intended change of ownership of an organized camp, a written application for a permit to operate shall be made to the health officer by the persons concerned at least 15 days before the proposed change is effected.

3.04. Permits.--

(a) No persons directly or indirectly shall conduct, control, manage, operate, or maintain an organized camp in the State of West Virginia without first making an application for, and receiving, a valid permit from the health officer for operation of said organized camp.

(b) Each person operating or maintaining an organized camp upon the date these regulations become effective shall obtain a permit to operate an organized camp and within one year thereafter in order to obtain or retain a permit must comply in full with all the provisions of these regulations. Provided, that the health officer upon positive proof of necessity made in writing by the persons concerned may, if he deems necessary, extend the time for compliance.

(c) Organized camps constructed after the date these regulations become effective shall comply in full with these regulations.

(d) Only persons who comply with the provisions of these regulations shall be entitled to receive and retain a permit.

(e) Permits shall be issued each January 1 by the health officer, or prior to the opening of the organized camps if said organized camp does not operate the entire calendar year. Such permit shall not be transferrable or assignable and shall automatically become invalid upon a change of ownership or upon suspension or revocation. The permit for the operation of the organized camp shall be conspicuously posted in the office of the organized camp and said permit shall be readily available to the health officer.

(f) A permit may be suspended, or revoked by the Health officer, if he finds that the organized camp for which the permit is issued is maintained, operated, or occupied in violation of these regulations, or any law, ordinance or regulation applicable to such establishment, or in violation of the conditions stated in the permit. A new permit shall not be issued until the health officer is satisfied that the organized camp will be operated and maintained in compliance with these regulations.

(g) A permit may be permanently revoked upon repeated violations of these regulations by the operator after said operator has been granted an opportunity for a hearing.

3.05. Inspection.--

(a) The Health Officer shall inspect each organized camp at least once prior to the opening of the organized camp and at least once while said organized camp is in actual operation. If the Health Officer discovers the violation of any item of these regulations, he shall make a second inspection after such time as he deems necessary for the violation to be remedied, and the second inspection shall be used in determining compliance with the requirements of these regulations. Any consecutive violation of the same item, or items, of these regulations shall result in immediate suspension of the permit to operate.

(b) One copy of the inspection sheet shall be posted upon an inside wall of the organized camp office and such report shall not be defaced or removed by any person except the Health Officer. A copy of the inspection report shall be filed with the records of the health department.

(c) The operator of the organized camp shall upon request of the Health Officer permit access to all parts of the establishment and shall furnish information necessary to make the inspection complete.

(d) The Health Officer shall have the authority to inspect and examine the register containing a record of all persons using the facilities at an organized camp.

3.06. Location, Space and Layout, Housing.---

(a) Each organized camp shall be located on a well graded and drained site and so located that its drainage will not endanger a private or public water supply.

(b) Premises shall be kept free of accumulations of refuse, rubbish and debris.

(c) All organized camps shall be so located, maintained and operated as to be conducive to the health of their occupants, and not to endanger the health of the public or to create a nuisance.

(d) Each tent, cabin, or other structure used for living or sleeping quarters shall have windows or openings equal to at least one-tenth (1/10) of the floor area for admission of light, said windows or openings shall be capable of adjustment for purpose of ventilation.

(e) All permanent located cabins, or other structures used for living or sleeping purposes shall be provided with floors which are smooth, easily cleanable, and in good repair. Tents used as permanent living or sleeping quarters shall be placed on platforms or floors elevated at least one foot above the ground surface. Concrete pads may be used in lieu of platforms or floors.

- (f) Each living or sleeping unit shall contain a minimum of 400 cubic feet of air space per person, or 40 square feet of floor space per occupant.
- (g) Structures used as sleeping quarters shall be designed to provide a minimum of three (3) feet between beds; both laterally and end to end. Beds shall be placed so that heads of sleepers are at least six (6) feet apart, and if double-decked beds are used, there shall be not less than 27 inches between the lower mattress and the bottom of the upper bed.
- (h) All tents, cabins, or other structures used as living or sleeping quarters shall provide shelter to the occupants against the elements. All tents, cabins, or other structures used for camp purposes shall be constructed and maintained in a safe condition, kept clean, and in good repair.
- (i) All articles of bedding and furniture shall be kept clean and in good repair. All mattresses shall be provided with mattress pads or mattress covers.
- (j) Linen, if provided by the organized camp, shall be changed at least once weekly, more often if needed, and clean linen provided. Linens shall be freshly laundered before being furnished to occupants.
- (k) Storage area or areas shall be provided for the storage of excess clothing, luggage, or similar articles.

3.07. Water Supply.--

- (a) An accessible, safe, and potable supply of running water under pressure shall be available at all times in each organized camp.
- (b) All water supplies serving an organized camp shall be installed, constructed, maintained, and operated in compliance with West Virginia

State Department of Health standards. All organized camp operators shall have on file a bacteriological report from the West Virginia State Hygienic Laboratory or other laboratory approved by the West Virginia State Hygienic Laboratory stating that the water samples collected from said camp have been of safe, sanitary quality.

(c) Water samples shall be collected and submitted to the West Virginia State Hygienic Laboratory or other laboratory approved by the West Virginia State Hygienic Laboratory at least 15 days prior to the opening of the camp and at least once while the organized camp is in actual operation, and after any alteration or repairs are made to the water supply system.

(d) Connection shall be made to an approved public water supply system whenever such approved public water supply system is available.

(e) The water supply system serving any organized camp shall not be connected with non-potable or questionable water supply nor be subjected to the hazards of backflow or back siphonage.

(f) Underground stop and waste cocks are prohibited and shall not be installed on any water supply connection.

(g) Water storage reservoirs shall be water tight and constructed of impervious materials; all overflow pipes and vents shall be effectively screened and shall have a positive outlet.

(h) No dipping vessels or cups for common use shall be permitted in or on any organized camp.

(i) Drinking fountains, if provided, shall be constructed of impervious material, shall have an angle-jet nozzle protected by a non-oxidizing guard above the overflow rim of the bowl. Drinking fountains shall be equipped with a pressure regulating valve and shall be maintained in a sanitary manner.

(j) Where portable drinking water containers or coolers are used, they shall be of easily cleanable construction, securely closed, and so constructed and arranged that water can only be withdrawn from the container by a water tap or faucet. Provided that pitchers, water jugs, or similar receptacles without water taps or faucets may be used if such containers are easily cleanable, of approved construction and in good repair, and the water contained therein is protected against contamination and is withdrawn only by pouring. All portable water containers shall be kept in a clean and sanitary condition, thoroughly cleaned and sanitized before use, and stored and handled in a sanitary manner.

(k) Water cooling equipment, if used, shall be of a type in which ice does not come into contact with the water.

(l) All ice shall be procured from a source approved by the health officer and shall be stored and handled in such a manner as to prevent contamination. Where ice is manufactured on the premises, the ice-making machine shall be of approved construction, located in a protected place, and said ice made, stored and handled under sanitary conditions. Water used to wash ice shall comply with the safety standards of item (b), Section 3.07.

3.08. Toilet, Lavatory and Bathing Facilities.---

(a) Each organized camp shall be provided with toilet and bathing facilities. Toilet and bathing facilities shall not contain less than two (2) toilets, one (1) shower, and one (1) lavatory for females. Toilet and bathing facilities shall not contain less than two (2) toilets, one (1) shower, one (1) urinal, and one (1) lavatory for males. Toilet facilities for each sex shall be provided in the quantity and ratio listed in the following table:

No. of Persons	Toilets		Urinals No. of Persons	Lavatories			Showers or Bathtubs No. of Persons			
	Male	Female		No. of Persons	Male	Female				
1-15	1	1	1-30	1	1-15	1	2	1-7	1	
16-30	2	2	31-60	2	16-30	2	3	8-15	2	
31-50	3	4	61-100	3	31-50	3	4	16-25	3	
51-75	4	6	101-150	4	51-75	4	5	26-35	4	
76-100	6	8		4	76-100	6	7	36-45	5	
101-150	8	10			101-125	7	9	46-55	6	
Over 150 add one (1) fixture for each 25 males and each 20 females.			Over 150 add one (1) fixture for each add- itional 50 males.		Over 150 add one (1) fixture for each 20 males & 15 females.			Over 55 and not over 200 add one (1) fixture for each ten persons. Over 200 persons add one (1) fixture for each 20 persons.		

(b) Lavatory facilities shall include hot and cold running water under pressure, soap, and individual sanitary towels. Provided that if centrally located toilet and bathing facilities containing hot and cold running water under pressure, soap, and individual sanitary towels are provided, then with the written approval of the Health Officer lavatories with only cold running water under pressure shall be permitted in those areas where it is impractical to lay hot water lines from centrally located toilet and bathing facilities to said areas or to install water heating equipment.

(c) Bathing facilities shall include hot and cold running water under pressure.

(d) All toilet and bathing rooms shall be well ventilated either by means of a window or by means of a vent extending to the outside of the building. The equivalent of artificial ventilation shall be acceptable.

- (e) The floors, walls, ceilings, and fixtures, in toilets and bathing rooms shall be constructed of non-absorbent washable materials and shall be kept clean and in good repair.
- (f) No door or other opening in the toilet room shall open from or into any room in which food is prepared, cooked, or stored, or into any room in which eating and drinking utensils or equipment is washed or stored.
- (g) Commodes and urinals shall be cleaned daily or more frequently if needed.
- (h) All toilet and bathing rooms shall be of permanent construction and well lighted.
- (i) Walls and ceilings shall be finished in a light color and shall be repainted or refinished as often as necessary.
- (j) Mats, grids, and walk ways made of wood or other absorptive material shall not be permitted in toilet or bathing rooms. Provided that single service bath mats may be permitted in bathing areas.
- (k) Toilet or bathing rooms shall not be used for miscellaneous storage.
- (l) Toilet and bathing facilities for males and females, if in the same building, shall be separated by a solid, sound-resistant wall.
- (m) Water closets and bathing facilities shall not be located in the same compartment. Water closets and urinals shall not be located in any room used for sleeping.
- (n) Plumbing fixtures when connected to a sanitary drainage system shall be provided with water-sealed traps. Readily accessible cleanouts shall be placed in all sewer and waste lines installed after the date these regulations become effective, and in the existing sewer and waste line when extensive alterations are made.

(o) Vent pipe shall be installed and maintained so that no drainage of sewage from any fixture may be deposited in or conveyed through said vent pipe. All plumbing installed shall conform to all State and local plumbing code requirements and ordinances and the laws and regulations of the West Virginia State Department of Health. The report of the Coordinating Committee for a National Plumbing Code may be used as a standard. Material used in drainage and venting systems shall be cast iron or as approved by the Health Officer or as recommended by the National Plumbing Code.

(p) Any plumbing fixture that is in need of repair, or becomes insanitary, shall be promptly repaired or removed and replaced with a sanitary fixture.

(q) When flush-type toilets are not provided, properly constructed and maintained pit privies shall be provided for each sex in the same quantity and ratio as toilets listed in 3.08, item (a).

(r) All privies shall be prima facie considered to be sanitary when the same has been constructed and is being maintained in accordance with the plans, specifications, and instructions issued by the State Department of Health, or which has been approved in writing by the Director of Health or his authorized representative.

(s) All privies shall be so constructed and maintained as to prevent access of flies, animals, or rodents to the contents thereof, to prevent fly-breeding nuisances, and to prevent the polluting of any water supply.

(t) Privies and/or urinals shall:

1. Be kept in a clean and inoffensive condition and in good repair at all times.

2. Be located at least one hundred (100) feet from any kitchen, dining room, or other place where food is prepared and stored.
3. Handwashing facilities including hot and cold running water under pressure, soap, and individual sanitary towels, shall be provided in close proximity to the privies and urinals, and shall be provided in the number and ratio as listed in Section 3.08, item (a) of these regulations. Provided that centrally located toilet and bathing facilities with hot and cold running water under pressure, soap, and individual sanitary towels are provided, then with the written approval of the Health Officer, lavatories with only cold running water under pressure shall be permitted in those areas where it is impractical to lay hot water lines from centrally located toilet and bathing facilities to said areas or to install water heating equipment.
4. Artificial illumination shall be provided at each privy during the hours of darkness.

3.09. Sewage and Liquid Waste Disposal.--

(a) No sewage or liquid waste disposal system, or systems, shall be installed or established at any organized camp site unless the same is installed or established in compliance with plans, specifications, and instructions issued by the West Virginia State Department of Health, or which have been approved in writing by the State Director of Health. Plans and specifications for new sewage and liquid waste disposal facilities or for alterations and changes in existing facilities shall be submitted to the West Virginia State Department of Health for approval prior to construction or alterations.

- (b) All sewage and liquid waste shall be disposed of in a municipal sewerage system whenever said municipal sewerage system is available.
- (c) No sewage, waste water, or other liquid waste shall be deposited on the surface of the ground.
- (d) Water and sewer lines shall not be installed in the same trench except with the written permission of the State Director of Health.
- (e) Sewage disposal systems shall not be permitted to create a nuisance nor to endanger the safety of any domestic water supply.
- (f) Sewers within fifty feet radius of a source of water shall be of cast iron with water-tight joints. For other situations, refer to Division of Sanitary Engineering Bulletin, SW-252.

3.10. Heating and Fuel.--

- (a) All gas or oil fired heating equipment shall be of an approved type. A model or sample of every such heating device, except hot plates and cooking ranges, shall have been tested and approved by a nationally recognized standard or nationally recognized testing laboratory and such equipment shall have attached thereto an insignia of approval by such standard or testing laboratory.
- (b) All gas or oil fired heating equipment, except hot plates and cooking ranges, shall be equipped with a 100 per cent safety cutoff pilot.
- (c) The construction and installation of gas or oil fired heating equipment shall be such that all noxious flue gases shall be discharged through the flue outlet. Venting practices shall be in conformity with the standards of the National Board of Fire Underwriters and the National Fire Protection Association.

- (d) Unvented gas or oil fired heating equipment shall not be used.
- (e) All vented gas or oil fired heating equipment shall have a draft hood or equivalent construction.
- (f) Vents shall be installed as nearly vertical as possible and shall be equipped with a rain cap.
- (g) Vent height shall be a minimum of two (2) feet higher than any obstruction within a fifteen (15) radius of the vent pipe.
- (h) Vent pipes shall be of sheet metal construction or other approved material and shall be of no less than the diameter of the vent outlet of the gas or oil fired equipment but in no case less than three (3) inches in internal diameter.
- (i) Every joint of vent pipe shall be securely fastened into position by supporting hangers or brackets and each joint shall be secured together with metal screws, rivets, or similar means.
- (j) Connections to gas or oil fired heating equipment shall be made only of rigid or semi-rigid metallic pipe or tubing.
- (k) Open faced gas or oil fired heating equipment shall be prohibited.
- (l) Gas or oil fired water heaters, cooking ranges, and hot plate burners shall not be used as substitutes for room heating equipment.
- (m) Liquefied petroleum gas for cooking or heating purposes shall not be permitted to be used in any organized camp unless the containers are properly connected by copper or other suitable metallic tubing.
- (n) Liquefied petroleum gas containers shall be securely fastened in place and protected from the weather.
- (o) No liquefied petroleum gas container shall be located within any building of any organized camp or within five (5) feet of a door thereof.

3.11. Refuse Disposal.---

- (a) The storage, collection, and disposal of refuse shall be so conducted as to avoid the creation of health hazards, rodent harborages and insect breeding areas, and accidents.
- (b) All refuse shall be stored in durable, fly-tight, water-tight, and rodent-proof containers with tight fitting covers. Containers and covers shall be maintained in a clean condition and in good repair.
- (c) Refuse shall be properly disposed of at least twice weekly or as frequently as may be necessary to prevent the overflowing of available containers or creating a nuisance. Containers shall be thoroughly cleaned and sanitized before being reused.
- (d) Concrete platforms, racks, or holders shall be provided for all refuse containers; and such concrete platforms, racks, or holders shall be so designed as to prevent containers from being tipped, minimize spillage and container deterioration, and facilitate cleaning around them.
- (e) All refuse shall be collected in and transported to the refuse disposal area in covered vehicles or covered containers.
- (f) Where suitable refuse disposal facilities are not provided by municipal or private agencies, the refuse shall be disposed of by one of the following methods:
1. Burning in a properly constructed incinerator. Incinerators shall be of the type approved by the State Department of Health.
 2. Removing from premises and depositing in a pit, covered at once with 8-12 inches of compacted earth. The top 24 inches of filling in said pit shall be entirely of compacted earth. A cribbed pit with fly and rodent-tight charging doors may be substituted for earth covering.

3. Garbage grinders may be used, provided that the sewage disposal shall be constructed or operated only with the written approval of the Health Officer.

3.12. Insect and Rodent Control.---

(a) Doors, windows, and other exterior openings of permanent structures shall be effectively screened to prevent the entrance of insects, unless other approved means of excluding insects are provided.

Screen doors shall open outward and shall be self-closing.

(b) Insect and rodent control measures, as directed by the Health Officer, shall be applied in each organized camp.

(c) Suitable measures, as directed by the Health Officer, shall be taken by the organized camp operator to control obnoxious weeds.

3.13. Fire Prevention.---

(a) Fire fighting equipment of the type and quantity approved by the State Fire Marshall's Office shall be available for use in fighting fires. All firefighting equipment shall be maintained in good operating condition and so located that it is readily available at all times.

(b) The operator of the organized camp shall be properly informed in fire prevention and the proper use of such firefighting equipment.

(c) All buildings or structures shall be maintained and used in accordance with the provisions of the State Fire Marshall's Office and local ordinances relative to fire prevention.

(d) All buildings in which people eat, sleep, or congregate, shall be provided with ready exits for use in case of fire. All such means of egress shall conform to rules of the State Fire Marshall's Office.

(e) All electrical installations and wiring shall be maintained in good repair and shall comply with all local and state electrical codes and ordinances and/or the National Electric Underwriters Association Code.

(f) All permanently connected extension cords or electrical wiring on the ground shall be prohibited.

3.14 Swimming Pools and Bathing Beaches.---

(a) Swimming pools and bathing beaches used in connection with an organized camp shall be constructed, maintained, and operated in accordance with the West Virginia State Board of Health Regulations Governing the Sanitation of Bathing Places.

(b) The area used for swimming shall be clearly marked in accordance with American Red Cross standards, or their equivalent, for nonswimmers, beginners, and swimmers. All persons shall be confined to the limits of the areas for which they have been classified.

(c) A method of checking swimmers shall be enforced and shall consist of one of the following methods:

1. The check system.
2. The buddy system.
3. The colored cap system.
4. An adaptation of one or three.

(d) Lifesaving equipment as designated by the West Virginia State Board of Health Regulations Governing the Sanitation of Bathing Places shall be readily available at the swimming pool or bathing beach.

(e) The person actively in charge of the swimming pool or bathing beach shall have a current water safety instructor's certificate from the American Red Cross or an organization having equivalent standards.

(f) At least one qualified lifeguard shall be on duty in the immediate swimming area at all times when swimming is permitted.

(g) No domestic animals or pets shall be permitted in the swimming pool.

3.15. Restriction of Animals and Pets.---

(a) No dogs, cats, or other domestic animals shall be permitted to run at large or to commit any nuisance within the limits of the organized camp premises.

(b) All dogs or cats owned or under the supervision of an occupant of an organized camp, shall be inoculated against rabies in compliance with the laws of this State.

(c) Horses or other animals maintained for organized camp use shall not be permanently quartered within 500 feet of any sleeping or living quarter, kitchen or dining hall.

(d) Temporary shelters, corrals, tie-rails, or hitching posts shall not be located within 200 feet of any kitchen, dining hall, or other place where food is prepared, cooked, or served.

(e) Manure shall not be permitted to remain for more than twelve (12) hours at any temporary shelter, corral, tie-rail, or hitching post.

(f) All manure from barns, stables or any other animal shelter, shall be removed from the premises at least once every four (4) days.

(g) Fly repellents and other similar precautions shall be used to prevent such areas from becoming an attractant for or breeding places for flies.

(h) Drainage from stables and temporary quarters shall be disposed of in such manner as to prevent the contamination or pollution of any surface or underground water supply.

3.16. Food Service.--Whenever a restaurant, dining room, or other building at an organized camp is provided and operated for the serving of food and/or drink, it shall be constructed, maintained, and operated in compliance with the West Virginia State Board of Health Regulations Governing the Sanitation of Eating and Drinking Establishments.

3.17. Milk Supply.--All milk and fluid milk products furnished to the occupants of an organized camp shall be in compliance with the West Virginia State Board of Health Milk Regulations.

3.18. Communicable Diseases, Health, and Safety.--

(a) The operator shall notify the Health Officer immediately of any known or suspected case of communicable disease.

(b) In case of a disease diagnosed as quarantinable by a qualified physician, the operator shall not permit the departure of that person or the removal of clothing or other articles that have been exposed to the infection without the approval of the Health Officer.

(c) The operator shall inform himself of the State Laws and Regulations relative to the reporting and control of communicable disease and shall comply in full with said laws and regulations.

(d) No person known to be infected with a disease in a communicable form or to be a carrier of such disease shall be employed in the operation or maintenance of an organized camp.

(e) In the event of an outbreak of a highly infectious disease in an organized camp, such place, or places, shall upon the order of the Health Officer, or other qualified health official, be immediately closed to the public.

(f) Whenever a suspected case of communicable disease occurs, the patient shall be isolated pending diagnosis.

- (g) Outbreaks of intestinal disorders shall immediately be reported to the Health Officer.
- (h) Each organized camp shall maintain a well-equipped infirmary and isolation quarters and shall make arrangements necessary to insure that medical aid is readily available.
- (i) A physician or registered nurse licensed to practice in this State shall be on the camp staff, or the organized camp operator shall have made arrangements prior to the opening of the organized camp to have the services of said physician or nurse readily available.
- (j) Every tent, cabin, or other structure shall be thoroughly cleaned and disinfected after being occupied by anyone known to be suffering from any communicable disease.
- (k) Each organized camp shall have ready access to a telephone or other type of communication. Transportation shall be readily available at all times for use in case of emergency.
- (l) There shall be a definite system of health supervision of the campers, including such times when campers are away from camp on out-of camp activity.
- (m) All organized camp staff members shall have fundamental knowledge of procedures to follow in the event of health emergencies.
- (n) When deemed necessary by the Health Officer, or the camp management, a medical examination by a licensed physician and a medical history shall be required for all staff members and campers prior to going to camp.
- (o) Preventative inoculations as recommended by the West Virginia State Department of Health shall be required of all staff members and campers before going to camp.

(p) First-aid facilities approved by the Health Officer shall be maintained and readily available at all times for emergency treatment of injured persons.

(q) A person having approved first-aid training shall accompany groups away from the organized camp on out-of-door camp activities.

(r) Each organized camp shall carry on a continuous program of safety education for its campers and staff members.

(s) Tools and power tools shall be used by campers only under qualified supervision.

(t) Where riflery and archery are included in the organized camp program, firearms and archery equipment shall be used and stored under qualified supervision.

(u) Sink holes, pits, abandoned excavations, or similar hazards shall be guarded or posted to reduce the possibility of accidents.

3.19. Registration of Occupants.--

(a) The operator of an organized camp shall maintain a register containing a record of all persons permitted to use the facilities at the organized camp.

(b) The register shall be available to the Health Officer and such register shall be preserved for a period of twelve months.

(c) The register shall contain:

1. The name and address of all occupants permitted to use the facilities at the organized camp.
2. The dates of arrival and departure of each occupant using the facilities at the organized camp.

3.20. Alterations and Additions.--The alterations, additions, or changes in the construction of any organized camp or its facilities is

prohibited unless such alterations, additions, or changes have been approved in writing by the Health Officer.

3.21. Auxiliary Buildings.--Any auxiliary building established or maintained on the premises shall be constructed, operated, and maintained in compliance with applicable health laws and regulations governing such establishments.

3.22. Supervision.--Each organized camp when in operation shall maintain at all times at least one competent attendant or caretaker whose duties shall be to maintain the facilities and equipment in a clean, orderly, and sanitary condition.

3.23. Posting of Regulations.--Copies of these regulations as furnished by the Health Officer shall be posted at all times in a conspicuous place in the office of the organized camp.

3.24. Miscellaneous Laws and Regulations.--In addition to the requirements set forth in these regulations, all buildings and facilities shall be established, constructed, and maintained in compliance with all existing state and local statutes, codes, ordinances, and regulations.

3.25. Repeal of Former Regulations.--All regulations previously adopted by the Public Health Council or the State Board of Health, which are in conflict with the provisions of these regulations, are hereby repealed.

3.26. Constitutionality.--If any provision of any regulation of these regulations is declared unconstitutional or the application thereof to any person or circumstance is held invalid, the validity and constitutionality of the remainder of such regulation shall not be affected thereby.

3.27. Penalties.--Any person who violates any provision of these regulations, or any regulation adopted by the West Virginia State Board of Health pursuant to authority granted by these regulations, shall be guilty of a misdemeanor and shall upon conviction be punished by a fine of not more

than \$200, or by imprisonment for not more than 30 days, or both fine and imprisonment as provided in Chapter 16, Article 1, Section 20, of the Public Health Laws of West Virginia. Each day's failure to comply with any provision of these regulations shall constitute a separate offense.

FILING OF ADMINISTRATIVE REGULATIONS

References are to sections in W. Va. Adm. Reg. 16-1, Ser. II

Auxiliary Buildings, Sec. 3.21

Communicable Diseases, Health and Safety, Sec. 3.18

Constitutionality, Sec. 3.26

Definitions, Sec. 3.01

Fire Prevention, Sec. 3.13

Food Service, Sec. 3.16

Heating and Fuel, Sec. 3.10

Insect and Rodent Control, Sec. 3.12

Inspection, Sec. 3.05

Location, Space and Layout, Housing, Sec. 3.06

Milk Supply, Sec. 3.17

Miscellaneous Laws and Regulations, Sec. 3.25

Notice of Construction, Sec. 3.02

Penalties, Sec. 3.27

Permits, Sec. 3.04

Posting of Regulations, Sec. 3.23

Refuse Disposal, Sec. 3.11

Registration of Occupants, Sec. 3.19

Repeal of Former Regulations, Sec. 3.25

Restriction of Animals and Pets, Sec. 3.15

Sewage and Liquid Disposal, Sec. 3.09

FILING OF ADMINISTRATIVE REGULATIONS

References are to sections in W. Va. Adm. Reg. 16-1, Ser. II

Supervision, Sec. 3.22

Swimming Pools and Bathing Beaches, Sec. 3.14

Toilet, Lavatory and Bathing Facilities, Sec. 3.08

Water Supply, Sec. 3.07

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
State Department of Health

Chapter 16-1
Series II
(1964)

Subject: West Virginia State Board of Health Regulations Governing the
Cleaning of Septic Tanks, Cesspools, Privies, and Governing
the Sanitation of Organized Camps.

Section 1. General

1.01. Scope.--These regulations establish general rules for cleaning
septic tanks, cesspools, privies, and governing the sanitation of organized
camps.

1.02. Authority.--These regulations are issued under authority of
West Virginia Code, Chapter 16-1, Article 1, Section 3.

1.03. Effective Date.--These regulations were promulgated on May
17, 1962, and became effective July 1, 1962.

1.04. Filing Date.--These regulations were filed in the Office of
the Secretary of State on May 18, 1962.

1.05. Certification.--These regulations were certified authentic by
the Secretary of State by certification number _____.

Section 2. Cleaning of Septic Tanks, Cesspools, and Privies

2.01. Registration and Reports.--No person, persons, firm or corpor-
ation shall engage in the business of cleaning out septic tanks, sewage
cesspools, or privies and the disposal of the contents thereof in the
State of West Virginia without registering with the local health department
having jurisdiction in the area where such work, or any part thereof, is
performed.

The owner and/or operator shall furnish the local health department reports or records with respect to work done within the health department's jurisdiction upon request. Registration shall be made annually on or before July 1.

2.02. Equipment.--Equipment, implements, and containers used in the work shall comply with requirements as set forth in this regulation and is subject to examination at any reasonable time by the health officer, or his authorized representative.

2.03. Sanitary Equipment Required.--Equipment, used in the work, shall be properly constructed and maintained at all times so as not to be offensive in any manner.

(a) Tanks shall be fully enclosed, leak-proof, fly-proof, and operated to prevent spillage during waste collection, transportation and disposal.

(b) Tanks shall be conspicuously and permanently labeled "FOR SEWAGE ONLY" near the outlet valve and shall be used only for the transportation of sewage, sewage sludge, and like materials.

(c) Tank capacity in gallons shall be conspicuously labeled on the side of the tank.

(d) The carrier tanks shall be securely fastened to the bed of the truck so there will be no chance of its shifting or rolling and thus cause spilling of its contents.

(e) The tank itself shall be of sufficient gauge metal preferable 10-12 gauge or equivalent to withstand the treatment to which it will be subjected. Tank construction shall permit proper cleaning both inside and outside. Painting of the tank is recommended.

(f) The tank shall have sufficient capacity to readily hold the accumulations of the average individual home septic tank.

(g) The tank should have a manhole in the top of sufficient size to provide for easy access for flushing and cleaning. This may be in combination with or separate from the filling connection.

(h) The tank shall have the outlet so located that the entire contents of the tank may be drained. The outlet shall be of at least 3 inches in diameter and shall have a non-leaking valve of a non-clog type for draining.

(i) The outlet of the tank shall be adapted for a standard hose connection to the pump for recirculating the contents of the tank if required prior to emptying or for pumping to site of disposal if gravity draining is not feasible. If pumping from the tank, an air inlet will be necessary to prevent collapsing the tank.

(j) The pump shall be of the non-clog self-priming type and be capable of handling septic tank sludge.

(k) The use of potable water under pressure to prime pumps or to operate aspirators is prohibited.

(l) The pump and base shall be of such construction that it can be easily handled and used for the purpose intended.

(m) The hose shall be of sufficient lengths for recirculating the contents of the tank and for other purposes for which it is intended. Storage of hose on the truck shall prevent draining and dripping from same.

(n) The hose connections should be of the fire hose or similar type so as to provide easy connections.

(o) Necessary hand tools should include: Picks and shovels, also sand and cement for repairs to septic tank top. Provision shall be

made for carrying as permanent equipment chlorinated lime or other comparable satisfactory disinfectant for disinfection of septic tank area and of sludge disposal area.

(p) All vehicles used in these operations shall carry in a conspicuous place the name and address of the firm or operator under which the business is conducted. All lettering shall be at least 2 inches in height.

2.04. Disposal of Wastes.--Wastes removed from septic tanks, cesspools, and privies shall be considered noxious and dangerous to the public health and must be disposed of in a manner which will prevent the spread of disease and avoid nuisance conditions. The general method of disposal used by the firm shall be stated on the application for registration.

(a) Said wastes shall be disposed of by burial with a final compact earth cover of 36 inches; by discharge into a public sewer manhole as designated by the local health department or by discharge at an acceptable point in a sewage treatment plant. The written permission of a responsible official of the governmental body owning or operating a disposal facility shall be required for disposal into such facility.

(b) Special written permission must be secured from the local health department for the use of any waste disposal method not specifically mentioned in this regulation.

(c) Wastes shall not be disposed of by discharge into a stream or other body of water, on to the surface of the ground, into a mine opening or limestone cavern or sinkhole. Wastes shall not be buried near a well or other source of water supply, nor close to a public thoroughfare.

(d) Wastes shall not be buried on private or public property without the written permission of the owner or responsible agent.

(e) The septic tank after being cleaned shall be restored to its original condition.

(f) Operator shall keep a record of all jobs accomplished and disposal points of sludge to be available for the local health department's inspection.

2.05. Exemptions.--The provisions of this act shall not apply to a municipality or other governmental body, firm or individual person who cleans or maintains his own facility except that a sanitary method of waste transportation shall be used, and disposal shall comply with Section 2.04.

2.06. Penalty.--Any person violating any provision of this regulation shall be punishable by a fine of not more than \$200 or by imprisonment for not more than 30 days, or both as provided in Chapter 16, Article 1, Section 20 of the Laws of West Virginia.

Section 3. Regulations Governing the Sanitation of Organized Camps

3.01. Definitions.--The following definitions shall apply in the interpretation and enforcement of these regulations:

(a) Health Officer - The State Director of Health or his authorized representative.

(b) Person - Individuals, firms, corporations, associations, municipalities, institutions, county or state owned or controlled property.

(c) Permit - A written document issued by the Health Officer giving a designated person permission to operate a specified organized camp.

(d) Operator - A person who has been granted a written permit, in accordance with these regulations, to operate a specified organized camp.

(e) Toilet Facilities - Any water closet, privy, or urinal, and the room, or rooms, provided for installation of these units.

(f) Organized Camp - Any area, place, parcel, or tract of land on which facilities are established or maintained to provide an outdoor group living experience for children or adults, or where one or more permanent or semi-permanent structures are established or maintained as living or sleeping quarters for children or adults, and operated for educational, social, recreational, religious instruction or activity, physical education or health, or vacation purposes either gratuitously or for compensation, provided, that this definition shall not be construed to include a hunting, fishing, or other camp privately owned and used exclusively for the personal pleasure of the owner.

3.02. Notice of Construction.--Any person who is contemplating the construction, alteration, or conversion for occupancy or use of an organized camp, or any portion or facility thereof, or to convert a property for use as an organized camp, shall give notice in writing of his intent to do so to the Health Officer at least 15 days prior to such construction, alteration, or conversion. Said notice shall give the name of the city, town, or village, and the county in which the property is located, a description of the proposed construction, alteration, or conversion and the name and mailing address of the person giving the notice. Upon receipt of such notice, the Health Officer shall furnish the persons giving notice a copy of these regulations and copies of any other State law or regulations he deems necessary.

3.03. Application for a Permit to Operate.--

(a) Application for a permit to operate an organized camp shall be made to the health officer at least 15 days before the proposed operation of such organized camp is effected and such application shall be in writing, signed by the applicant, and shall contain such information as may be requested by the health officer to enable him to determine that the establishment and its operation will comply with the regulations governing the sanitation of organized camps.

(b) In the event of an intended change of ownership of an organized camp, a written application for a permit to operate shall be made to the health officer by the persons concerned at least 15 days before the proposed change is effected.

3.04. Permits.--

(a) No persons directly or indirectly shall conduct, control, manage, operate, or maintain an organized camp in the State of West Virginia without first making an application for, and receiving, a valid permit from the health officer for operation of said organized camp.

(b) Each person operating or maintaining an organized camp upon the date these regulations become effective shall obtain a permit to operate an organized camp and within one year thereafter in order to obtain or retain a permit must comply in full with all the provisions of these regulations. Provided, that the health officer upon positive proof of necessity made in writing by the persons concerned may, if he deems necessary, extend the time for compliance.

(c) Organized camps constructed after the date these regulations become effective shall comply in full with these regulations.

(d) Only persons who comply with the provisions of these regulations shall be entitled to receive and retain a permit.

(e) Permits shall be issued each January 1 by the health officer, or prior to the opening of the organized camps if said organized camp does not operate the entire calendar year. Such permit shall not be transferrable or assignable and shall automatically become invalid upon a change of ownership or upon suspension or revocation. The permit for the operation of the organized camp shall be conspicuously posted in the office of the organized camp and said permit shall be readily available to the health officer.

(f) A permit may be suspended, or revoked by the Health Officer, if he finds that the organized camp for which the permit is issued is maintained, operated, or occupied in violation of these regulations, or any law, ordinance or regulation applicable to such establishment, or in violation of the conditions stated in the permit. A new permit shall not be issued until the health officer is satisfied that the organized camp will be operated and maintained in compliance with these regulations.

(g) A permit may be permanently revoked upon repeated violations of these regulations by the operator after said operator has been granted an opportunity for a hearing.

3.05. Inspection.--

(a) The Health Officer shall inspect each organized camp at least once prior to the opening of the organized camp and at least once while said organized camp is in actual operation. If the Health Officer discovers the violation of any item of these regulations, he shall make a second inspection after such time as he deems necessary for the violation to be remedied, and the second inspection shall be used in determining compliance with the requirements of these regulations. Any consecutive violation of the same item, or items, of these regulations shall result in immediate suspension of the permit to operate.

(b) One copy of the inspection sheet shall be posted upon an inside wall of the organized camp office and such report shall not be defaced or removed by any person except the Health Officer. A copy of the inspection report shall be filed with the records of the health department.

(c) The operator of the organized camp shall upon request of the Health Officer permit access to all parts of the establishment and shall furnish information necessary to make the inspection complete.

(d) The Health Officer shall have the authority to inspect and examine the register containing a record of all persons using the facilities at an organized camp.

3.06. Location, Space and Layout, Housing.--

(a) Each organized camp shall be located on a well graded and drained site and so located that its drainage will not endanger a private or public water supply.

(b) Premises shall be kept free of accumulations of refuse, rubbish and debris.

(c) All organized camps shall be so located, maintained and operated as to be conducive to the health of their occupants, and not to endanger the health of the public or to create a nuisance.

(d) Each tent, cabin, or other structure used for living or sleeping quarters shall have windows or openings equal to at least one-tenth (1/10) of the floor area for admission of light, said windows or openings shall be capable of adjustment for purpose of ventilation.

(e) All permanent located cabins, or other structures used for living or sleeping purposes shall be provided with floors which are smooth, easily cleanable, and in good repair. Tents used as permanent living or sleeping quarters shall be placed on platforms or floors elevated at least one foot above the ground surface.

Concrete pads may be used in lieu of platforms or floors.

- (f) Each living or sleeping unit shall contain a minimum of 400 cubic feet of air space per person, or 40 square feet of floor space per occupant.
- (g) Structures used as sleeping quarters shall be designed to provide a minimum of three (3) feet between beds; both laterally and end to end. Beds shall be placed so that heads of sleepers are at least six (6) feet apart, and if double-decked beds are used, there shall be not less than 27 inches between the lower mattress and the bottom of the upper bed.
- (h) All tents, cabins, or other structures used as living or sleeping quarters shall provide shelter to the occupants against the elements. All tents, cabins, or other structures used for camp purposes shall be constructed and maintained in a safe condition, kept clean, and in good repair.
- (i) All articles of bedding and furniture shall be kept clean and in good repair. All mattresses shall be provided with mattress pads or mattress covers.
- (j) Linen, if provided by the organized camp, shall be changed at least once weekly, more often if needed, and clean linen provided. Linens shall be freshly laundered before being furnished to occupants.
- (k) Storage area or areas shall be provided for the storage of excess clothing, luggage, or similar articles.

3.07. Water Supply.--

- (a) An accessible, safe, and potable supply of running water under pressure shall be available at all times in each organized camp.
- (b) All water supplies serving an organized camp shall be installed, constructed, maintained, and operated in compliance with West Virginia

State Department of Health standards. All organized camp operators shall have on file a bacteriological report from the West Virginia State Hygienic Laboratory or other laboratory approved by the West Virginia State Hygienic Laboratory stating that the water samples collected from said camp have been of safe, sanitary quality.

- (c) Water samples shall be collected and submitted to the West Virginia State Hygienic Laboratory or other laboratory approved by the West Virginia State Hygienic Laboratory at least 15 days prior to the opening of the camp and at least once while the organized camp is in actual operation, and after any alteration or repairs are made to the water supply system.
- (d) Connection shall be made to an approved public water supply system whenever such approved public water supply system is available.
- (e) The water supply system serving any organized camp shall not be connected with non-potable or questionable water supply nor be subjected to the hazards of backflow or back siphonage.
- (f) Underground stop and waste cocks are prohibited and shall not be installed on any water supply connection.
- (g) Water storage reservoirs shall be water tight and constructed of impervious materials; all overflow pipes and vents shall be effectively screened and shall have a positive outlet.
- (h) No dipping vessels or cups for common use shall be permitted in or on any organized camp.
- (i) Drinking fountains, if provided, shall be constructed of impervious material, shall have an angle-jet nozzle protected by a non-oxidizing guard above the overflow rim of the bowl. Drinking fountains shall be equipped with a pressure regulating valve and shall be maintained in a sanitary manner.

(j) Where portable drinking water containers or coolers are used, they shall be of easily cleanable construction, securely closed, and so constructed and arranged that water can only be withdrawn from the container by a water tap or faucet. Provided that pitchers, water jugs, or similar receptacles without water taps or faucets may be used if such containers are easily cleanable, of approved construction and in good repair, and the water contained therein is protected against contamination and is withdrawn only by pouring. All portable water containers shall be kept in a clean and sanitary condition, thoroughly cleaned and sanitized before use, and stored and handled in a sanitary manner.

(k) Water cooling equipment, if used, shall be of a type in which ice does not come into contact with the water.

(l) All ice shall be procured from a source approved by the health officer and shall be stored and handled in such a manner as to prevent contamination. Where ice is manufactured on the premises, the ice-making machine shall be of approved construction, located in a protected place, and said ice made, stored and handled under sanitary conditions. Water used to wash ice shall comply with the safety standards of item (b), Section 3.07.

3.08. Toilet, Lavatory and Bathing Facilities.--

(a) Each organized camp shall be provided with toilet and bathing facilities. Toilet and bathing facilities shall not contain less than two (2) toilets, one (1) shower, and one (1) lavatory for females. Toilet and bathing facilities shall not contain less than two (2) toilets, one (1) shower, one (1) urinal, and one (1) lavatory for males. Toilet facilities for each sex shall be provided in the quantity and ratio listed in the following table:

No. of Persons	Toilets		Urinals No. of Persons	No. of Persons	Lavatories		Showers or Bathtubs No. of Persons		
	Male	Female			Male	Female			
1-15	1	1	1-30	1	1-15	1	2	1-7	1
16-30	2	2	31-60	2	16-30	2	3	8-15	2
31-50	3	4	61-100	3	31-50	3	4	16-25	3
51-75	4	6	101-150	4	51-75	4	5	26-35	4
76-100	6	8		4	76-100	6	7	36-45	5
101-150	8	10			101-125	7	9	46-55	6

Over 150 add one (1) fixture for each 25 males and each 20 females.

Over 150 add one (1) fixture for each additional 50 males.

Over 150 add one(1) fixture for each 20 males and 15 females.

Over 55 and not over 200 add one (1) fixture for each ten persons. Over 200 persons add one (1) fixture for each 20 persons.

(b) Lavatory facilities shall include hot and cold running water under pressure, soap, and individual sanitary towels. Provided that if centrally located toilet and bathing facilities containing hot and cold running water under pressure, soap, and individual sanitary towels are provided, then with the written approval of the Health Officer lavatories with only cold running water under pressure shall be permitted in those areas where it is impractical to lay hot water lines from centrally located toilet and bathing facilities to said areas or to install water heating equipment.

(c) Bathing facilities shall include hot and cold running water under pressure.

(d) All toilet and bathing rooms shall be well ventilated either by means of a window or by means of a vent extending to the outside of the building. The equivalent of artificial ventilation shall be acceptable.

- (e) The floors, walls, ceilings, and fixtures, in toilets and bathing rooms shall be constructed of non-absorbent washable materials and shall be kept clean and in good repair.
- (f) No door or other opening in the toilet room shall open from or into any room in which food is prepared, cooked, or stored, or into any room in which eating and drinking utensils or equipment is washed or stored.
- (g) Commodes and urinals shall be cleaned daily or more frequently if needed.
- (h) All toilet and bathing rooms shall be of permanent construction and well lighted.
- (i) Walls and ceilings shall be finished in a light color and shall be repainted or refinished as often as necessary.
- (j) Mats, grids, and walk ways made of wood or other absorptive material shall not be permitted in toilet or bathing rooms. Provided that single service bath mats may be permitted in bathing areas.
- (k) Toilet or bathing rooms shall not be used for miscellaneous storage.
- (l) Toilet and bathing facilities for males and females, if in the same building, shall be separated by a solid, sound-resistant wall.
- (m) Water closets and bathing facilities shall not be located in the same compartment. Water closets and urinals shall not be located in any room used for sleeping.
- (n) Plumbing fixtures when connected to a sanitary drainage system shall be provided with water-sealed traps. Readily accessible cleanouts shall be placed in all sewer and waste lines installed after the date these regulations become effective, and in the existing sewer and waste line when extensive alterations are made.

(o) Vent pipe shall be installed and maintained so that no drainage of sewage from any fixture may be deposited in or conveyed through said vent pipe. All plumbing installed shall conform to all State and local plumbing code requirements and ordinances and the laws and regulations of the West Virginia State Department of Health.

The report of the Coordinating Committee for a National Plumbing Code may be used as a standard. Material used in drainage and venting systems shall be cast iron or as approved by the Health Officer or as recommended by the National Plumbing Code.

(p) Any plumbing fixture that is in need of repair, or becomes insanitary, shall be promptly repaired or removed and replaced with a sanitary fixture.

(q) When flush-type toilets are not provided, properly constructed and maintained pit privies shall be provided for each sex in the same quantity and ratio as toilets listed in 3.08, item (a).

(r) All privies shall be prima facie considered to be sanitary when the same has been constructed and is being maintained in accordance with the plans, specifications, and instructions issued by the State Department of Health, or which has been approved in writing by the Director of Health or his authorized representative.

(s) All privies shall be so constructed and maintained as to prevent access of flies, animals, or rodents to the contents thereof, to prevent fly-breeding nuisances, and to prevent the polluting of any water supply.

(t) Privies and/or urinals shall:

1. Be kept in a clean and inoffensive condition and in good repair at all times.

2. Be located at least one hundred (100) feet from any kitchen, dining room, or other place where food is prepared and stored.

3. Handwashing facilities including hot and cold running water under pressure, soap, and individual sanitary towels, shall be provided in close proximity to the privies and urinals, and shall be provided in the number and ratio as listed in Section 3.08, item (a) of these regulations. Provided that centrally located toilet and bathing facilities with hot and cold running water under pressure, soap, and individual sanitary towels are provided, then with the written approval of the Health Officer, lavatories with only cold running water under pressure shall be permitted in those areas where it is impractical to lay hot water lines from centrally located toilet and bathing facilities to said areas or to install water heating equipment.

4. Artificial illumination shall be provided at each privy during the hours of darkness.

3.09. Sewage and Liquid Waste Disposal.--

(a) No sewage or liquid waste disposal system, or systems, shall be installed or established at any organized camp site unless the same is installed or established in compliance with plans, specifications, and instructions issued by the West Virginia State Department of Health, or which have been approved in writing by the State Director of Health. Plans and specifications for new sewage and liquid waste disposal facilities or for alterations and changes in existing facilities shall be submitted to the West Virginia State Department of Health for approval prior to construction or alterations.

- (b) All sewage and liquid waste shall be disposed of in a municipal sewerage system whenever said municipal sewerage system is available.
- (c) No sewage, waste water, or other liquid waste shall be deposited on the surface of the ground.
- (d) Water and sewer lines shall not be installed in the same trench except with the written permission of the State Director of Health.
- (e) Sewage disposal systems shall not be permitted to create a nuisance nor to endanger the safety of any domestic water supply.
- (f) Sewers within fifty feet radius of a source of water shall be of cast iron with water-tight joints. For other situations, refer to Division of Sanitary Engineering Bulletin, SW-252.

3.10. Heating and Fuel.--

- (a) All gas or oil fired heating equipment shall be of an approved type. A model or sample of every such heating device, except hot plates and cooking ranges, shall have been tested and approved by a nationally recognized standard or nationally recognized testing laboratory and such equipment shall have attached thereto an insigna of approval by such standard or testing laboratory.
- (b) All gas or oil fired heating equipment, except hot plates and cooking ranges, shall be equipped with a 100 per cent safety cutoff pilot.
- (c) The construction and installation of gas or oil fired heating equipment shall be such that all noxious flue gases shall be discharged through the flue outlet. Venting practices shall be in conformity with the standards of the National Board of Fire Underwriters and the National Fire Protection Association.

- (d) Unvented gas or oil fired heating equipment shall not be used.
- (e) All vented gas or oil fired heating equipment shall have a draft hood or equivalent construction.
- (f) Vents shall be installed as nearly vertical as possible and shall be equipped with a rain cap.
- (g) Vent height shall be a minimum of two (2) feet higher than any obstruction within a fifteen (15) radius of the vent pipe.
- (h) Vent pipes shall be of sheet metal construction or other approved material and shall be of no less than the diameter of the vent outlet of the gas or oil fired equipment but in no case less than three (3) inches in internal diameter.
- (i) Every joint of vent pipe shall be securely fastened into position by supporting hangers or brackets and each joint shall be secured together with metal screws, rivets, or similar means.
- (j) Connections to gas or oil fired heating equipment shall be made only of rigid or semi-rigid metallic pipe or tubing.
- (k) Open faced gas or oil fired heating equipment shall be prohibited.
- (l) Gas or oil fired water heaters, cooking ranges, and hot plate burners shall not be used as substitutes for room heating equipment.
- (m) Liquefied petroleum gas for cooking or heating purposes shall not be permitted to be used in any organized camp unless the containers are properly connected by copper or other suitable metallic tubing.
- (n) Liquefied petroleum gas containers shall be securely fastened in place and protected from the weather.
- (o) No liquefied petroleum gas container shall be located within any building of any organized camp or within five (5) feet of a door thereof.

3.11. Refuse Disposal.--

(a) The storage, collection, and disposal of refuse shall be so conducted as to avoid the creation of health hazards, rodent harborages and insect breeding areas, and accidents.

(b) All refuse shall be stored in durable, fly-tight, water-tight, and rodent-proof containers with tight fitting covers. Containers and covers shall be maintained in a clean condition and in good repair.

(c) Refuse shall be properly disposed of at least twice weekly or as frequently as may be necessary to prevent the overflowing of available containers or creating a nuisance. Containers shall be thoroughly cleaned and sanitized before being reused.

(d) Concrete platforms, racks, or holders shall be provided for all refuse containers; and such concrete platforms, racks, or holders shall be so designed as to prevent containers from being tipped, minimize spillage and container deterioration, and facilitate cleaning around them.

(e) All refuse shall be collected in and transported to the refuse disposal ~~area~~ in covered vehicles or covered containers.

(f) Where suitable refuse disposal facilities are not provided by municipal or private agencies, the refuse shall be disposed of by one of the following methods:

1. Burning in a properly constructed incinerator. Incinerators shall be of the type approved by the State Department of Health.
2. Removing from premises and depositing in a pit, covered at once with 8-12 inches of compacted earth. The top 24 inches of filling in said pit shall be entirely of compacted earth. A cribbed pit with fly and rodent-tight charging doors may be substituted for earth covering.

3. Garbage grinders may be used, provided that the sewage disposal shall be constructed or operated only with the written approval of the Health Officer.

3.12. Insect and Rodent Control.---

(a) Doors, windows, and other exterior openings of permanent structures shall be effectively screened to prevent the entrance of insects, unless other approved means of excluding insects are provided.

Screen doors shall open outward and shall be self-closing.

(b) Insect and rodent control measures, as directed by the Health Officer, shall be applied in each organized camp.

(c) Suitable measures, as directed by the Health Officer, shall be taken by the organized camp operator to control obnoxious weeds.

3.13. Fire Prevention.---

(a) Fire fighting equipment of the type and quantity approved by the State Fire Marshall's Office shall be available for use in fighting fires. All firefighting equipment shall be maintained in good operating condition and so located that it is readily available at all times.

(b) The operator of the organized camp shall be properly informed in fire prevention and the proper use of such firefighting equipment.

(c) All buildings or structures shall be maintained and used in accordance with the provisions of the State Fire Marshall's Office and local ordinances relative to fire prevention.

(d) All buildings in which people eat, sleep, or congregate, shall be provided with ready exits for use in case of fire. All such means of egress shall conform to rules of the State Fire Marshall's Office.

(e) All electrical installations and wiring shall be maintained in good repair and shall comply with all local and state electrical codes and ordinances and/or the National Electric Underwriters Association Code.

(f) All permanently connected extension cords or electrical wiring on the ground shall be prohibited.

3.14. Swimming Pools and Bathing Beaches.--

(a) Swimming pools and bathing beaches used in connection with an organized camp shall be constructed, maintained, and operated in accordance with the West Virginia State Board of Health Regulations Governing the Sanitation of Bathing Places.

(b) The area used for swimming shall be clearly marked in accordance with American Red Cross standards, or their equivalent, for nonswimmers, beginners, and swimmers. All persons shall be confined to the limits of the areas for which they have been classified.

(c) A method of checking swimmers shall be enforced and shall consist of one of the following methods:

1. The check system.
2. The buddy system.
3. The colored cap system.
4. An adaptation of one or three.

(d) Lifesaving equipment as designated by the West Virginia State Board of Health Regulations Governing the Sanitation of Bathing Places shall be readily available at the swimming pool or bathing beach.

(e) The person actively in charge of the swimming pool or bathing beach shall have a current water safety instructor's certificate from the American Red Cross or an organization having equivalent standards.

(f) At least one qualified lifeguard shall be on duty in the immediate swimming area at all times when swimming is permitted.

(g) No domestic animals or pets shall be permitted in the swimming pool.

3.15. Restriction of Animals and Pets.--

(a) No dogs, cats, or other domestic animals shall be permitted to run at large or to commit any nuisance within the limits of the organized camp premises.

(b) All dogs or cats owned or under the supervision of an occupant of an organized camp, shall be inoculated against rabies in compliance with the laws of this State.

(c) Horses or other animals maintained for organized camp use shall not be permanently quartered within 500 feet of any sleeping or living quarter, kitchen or dining hall.

(d) Temporary shelters, corrals, tie-rails, or hitching posts shall not be located within 200 feet of any kitchen, dining hall, or other place where food is prepared, cooked, or served.

(e) Manure shall not be permitted to remain for more than twelve (12) hours at any temporary shelter, corral, tie-rail, or hitching post.

(f) All manure from barns, stables or any other animal shelter, shall be removed from the premises at least once every four (4) days.

(g) Fly repellents and other similar precautions shall be used to prevent such areas from becoming an attractant for or breeding places for flies.

(h) Drainage from stables and temporary quarters shall be disposed of in such manner as to prevent the contamination or pollution of any surface or underground water supply.

3.16. Food Service.--Whenever a restaurant, dining room, or other building at an organized camp is provided and operated for the serving of food and/or drink, it shall be constructed, maintained, and operated in compliance with the West Virginia State Board of Health Regulations Governing the Sanitation of Eating and Drinking Establishments.

3.17 Milk Supply.--All milk and fluid milk products furnished to the occupants of an organized camp shall be in compliance with the West Virginia State Board of Health Milk Regulations.

3.18. Communicable Diseases, Health, and Safety.--

(a) The operator shall notify the Health Officer immediately of any known or suspected case of communicable disease.

(b) In case of a disease diagnosed as quarantinable by a qualified physician, the operator shall not permit the departure of that person or the removal of clothing or other articles that have been exposed to the infection without the approval of the Health Officer.

(c) The operator shall inform himself of the State Laws and Regulations relative to the reporting and control of communicable disease and shall comply in full with said laws and regulations.

(d) No person known to be infected with a disease in a communicable form or to be a carrier of such disease shall be employed in the operation or maintenance of an organized camp.

(e) In the event of an outbreak of a highly infectious disease in an organized camp, such place, or places, shall upon the order of the Health Officer, or other qualified health official, be immediately closed to the public.

(f) Whenever a suspected case of communicable disease occurs, the patient shall be isolated pending diagnosis.

- (g) Outbreaks of intestinal disorders shall immediately be reported to the Health Officer.
- (h) Each organized camp shall maintain a well-equipped infirmary and isolation quarters and shall make arrangements necessary to insure that medical aid is readily available.
- (i) A physician or registered nurse licensed to practice in this State shall be on the camp staff, or the organized camp operator shall have made arrangements prior to the opening of the organized camp to have the services of said physician or nurse readily available.
- (j) Every tent, cabin, or other structure shall be thoroughly cleaned and disinfected after being occupied by anyone known to be suffering from any communicable disease.
- (k) Each organized camp shall have ready access to a telephone or other type of communication. Transportation shall be readily available at all times for use in case of emergency.
- (l) There shall be a definite system of health supervision of the campers, including such times when campers are away from camp on out-of-camp activity.
- (m) All organized camp staff members shall have fundamental knowledge of procedures to follow in the event of health emergencies.
- (n) When deemed necessary by the Health Officer, or the camp management, a medical examination by a licensed physician and a medical history shall be required for all staff members and campers prior to going to camp.
- (o) Preventative inoculations as recommended by the West Virginia State Department of Health shall be required of all staff members and campers before going to camp.

(p) First-aid facilities approved by the Health Officer shall be maintained and readily available at all times for emergency treatment of injured persons.

(q) A person having approved first-aid training shall accompany groups away from the organized camp on out-of-door camp activities.

(r) Each organized camp shall carry on a continuous program of safety education for its campers and staff members.

(s) Tools and power tools shall be used by campers only under qualified supervision.

(t) Where riflery and archery are included in the organized camp program, firearms and archery equipment shall be used and stored under qualified supervision.

(u) Sink holes, pits, abandoned excavations, or similar hazards shall be guarded or posted to reduce the possibility of accidents.

3.19. Registration of Occupants.--

(a) The operator of an organized camp shall maintain a register containing a record of all persons permitted to use the facilities at the organized camp.

(b) The register shall be available to the Health Officer and such register shall be preserved for a period of twelve months.

(c) The register shall contain:

1. The name and address of all occupants permitted to use the facilities at the organized camp.
2. The dates of arrival and departure of each occupant using the facilities at the organized camp.

3.20. Alterations and Additions.--The alterations, additions, or changes in the construction of any organized camp or its facilities is

prohibited unless such alterations, additions, or changes have been approved in writing by the Health Officer.

3.21. Auxiliary Buildings.--Any auxiliary building established or maintained on the premises shall be constructed, operated, and maintained in compliance with applicable health laws and regulations governing such establishments.

3.22. Supervision.--Each organized camp when in operation shall maintain at all times at least one competent attendant or caretaker whose duties shall be to maintain the facilities and equipment in a clean, orderly, and sanitary condition.

3.23. Posting of Regulations.--Copies of these regulations as furnished by the Health Officer shall be posted at all times in a conspicuous place in the office of the organized camp.

3.24. Miscellaneous Laws and Regulations.--In addition to the requirements set forth in these regulations, all buildings and facilities shall be established, constructed, and maintained in compliance with all existing state and local statutes, codes, ordinances, and regulations.

3.25. Repeal of Former Regulations.--All regulations previously adopted by the Public Health Council or the State Board of Health, which are in conflict with the provisions of these regulations, are hereby repealed.

3.26. Constitutionality.--If any provision of any regulation of these regulations is declared unconstitutional or the application thereof to any person or circumstance is held invalid, the validity and constitutionality of the remainder of such regulation shall not be affected thereby.

3.27. Penalties.--Any person who violates any provision of these regulations, or any regulation adopted by the West Virginia State Board of Health pursuant to authority granted by these regulations, shall be guilty of a misdemeanor and shall upon conviction be punished by a fine of not more

than \$200, or by imprisonment for not more than 30 days, or both fine and imprisonment as provided in Chapter 16, Article 1, Section 20, of the Public Health Laws of West Virginia. Each day's failure to comply with any provision of these regulations shall constitute a separate offense.

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Section 5. Regulations Governing Examination and Certification of
Waste Water Treatment Plant Operators

5.01. Definitions:

- (a) DIRECTOR means the Director of the West Virginia State Department of Health, or his duly authorized representative.
- (b) CERTIFIED OPERATOR means any holder of a certificate issued by the Director in accordance with Sections 5.01 through 5.15, inclusive, of this Regulation.
- (c) OPERATOR IN TRAINING - An operator who has passed the written examination and is in the process of meeting the experience requirement for certification.
- (d) EQUIVALENT POPULATION SERVED shall be the calculated population being served by a waste water treatment works based on the amount and strength of the waste water being received at the waste water treatment works. Population equivalents are computed to be 0.167 pounds of five day biochemical oxygen demand or 0.20 pounds of suspended solids per person per day, with the larger figure governing.
- (e) POLITICAL SUBDIVISIONS means any city, town, village, county, sanitary or public service district, or other special district or governmental unit operating a waste water treatment works.
- (f) RESPONSIBLE CHARGE means responsible for the technical operation of a waste water treatment works, or any part thereof which may affect the performance of the works, and which may affect the quality of the effluent produced by such works.
- (g) WASTE WATER means any water-borne sewage which may or may not cause pollution as defined in the West Virginia Code.

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- (h) WASTE WATER TREATMENT WORKS means any facilities for pumping, treating, and discharging waste water.

5.02. Requirements for Certified Operators.--

- (a) Each person, firm, corporation, association, partnership, political subdivision, public institution or place operating a waste water treatment works serving a population of over 500 or having a population equivalent of over 500 shall place the responsibility for technical operation of such works under the responsible charge of a certified operator having a certificate of the class at least equal to that required by the works classification. Waste water treatment works serving populations of 500 or less may be required by the Director to provide supervision of a certified operator.
- (b) The certified operator required by Division (a) of this Section shall be a full-time employee of the person, firm, corporation, association, partnership, political subdivision, public institution, or place, provided, when substantial evidence is presented to the Director that the services of a full-time certified operator cannot be obtained, the Director may authorize, for a designated period of time, a waste water treatment works to be under the responsible charge of a certified operator in the proper class on a part-time basis upon submission and approval by the Director of a plan showing the time, methods, and procedures to be followed.
- (c) From and after one year after the effective date of this Regulation, any person, firm, corporation, association, partnership, political subdivision, public institution or

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place, falling under the jurisdiction, restrictions, and definition of said Regulation, and not complying thereto, shall be considered in violation thereof and shall be subject to prosecution under the West Virginia Code.

5.03. Classification of Waste Water Treatment Works.--

(a) Each waste water treatment works, for the purpose of this Regulation, shall be classified by the Director as Class I, II, III, or IV, works based on complexity of treatment, equivalent population served, downstream water course conditions, and potential health hazards in accordance with the following classification and rating values.

Rating Values for Classification of Waste Water Treatment Works:

<u>UNIT</u>	<u>RATING</u>
Mechanical screens	1
Pumping	3
Preaeration	1
Mechanical grit removal	2
Chemical treatment	3
Primary settling, mechanical sludge removal	5
air lift, or manual sludge removal	3
Imhoff tanks	3
Sand filters	2
Trickling filters, standard rate	5
high rate	7
stage	7
Stabilization ponds	5
Aeration, mechanical	8

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<u>UNIT</u>	<u>RATING</u>
Diffused air	10
Sludge reaeration	3
Secondary settling, mechanical sludge removal	5
Air Lift, or manual sludge removal	3
Chlorination, pre -	3
post-	3
Sludge digestion, heated	10
unheated	3
aerobic	3
Sludge drying beds	2
Sludge thickeners	2
Vacuum filters	10
Sludge elutriation	10
Sludge incinerators	10
Receiving stream dilution - Good	2
Fair	4
Poor	6
Population equivalent (1/5000) (Design population)	2 (Not to exceed 40)
Land spraying	5
Regulators	1
Grinding and screening	3
Centrifuging	5
Wet Oxidation	10
Others - (As determined by Director)	--

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Classification

Class I	1 - 29
Class II	30 - 44
Class III	45 - 59
Class IV	60 - or more

(b) The Director may change the classification of a particular waste water treatment works when there are unusual factors affecting the complexity of treatment, downstream use, and potential health hazards. Upon change in classification of a particular waste water treatment works, the Director shall notify the owner of the change in classification, and shall give the owner a reasonable time to comply with the requirements of the new classification.

5.04. Issuance of Certificates.--Certificates shall be issued to qualified operators of waste water treatment works in four classifications. A Class I certificate shall be issued to those persons who are certified to operate Class I waste water treatment works; A Class II certificate shall be issued to those persons who are certified to operate Class II waste water treatment works; A Class III certificate shall be issued to those persons who are certified to operate Class III waste water treatment works; A Class IV certificate shall be issued to those persons who are certified to operate Class IV waste water treatment works. The certification of any person to operate any class of waste water treatment works shall, also, authorize such persons to operate any respective waste water treatment works in the classes lower than such classification. The certificate of the operator in responsible charge of operations shall be posted or otherwise readily available for examination at the treatment

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plant or office of the operator. The certificate of any operator certified under this Regulation, who is not gainfully employed and fulfilling the duties of operator, shift operator, chief operator, or supervisor in a classified waste water treatment works for at least 36 months out of any immediately proceeding five years period, shall expire and be of no further force, effect, or validity.

5.05. Certification of Operators.--The Director shall provide, for the examination of persons desiring to be certified to operate a waste water treatment works, and for the issuance of appropriate certificates in Classifications I, II, III, or IV to applicants passing the examination.

5.06. Application for Examination and Certification.--Shall be made in writing to the Director at least thirty days prior to the date on which the examination will be given, on a form prescribed and furnished by the Director. No applicant shall be examined for certification who submits false and incorrect information in his application for certification.

5.07. Prerequisites for Examination.--The prerequisites for examination, and issuance of a certificate as a waste water treatment works operator are as follows:

- (a) Satisfactory physical and mental health.
- (b) Satisfactory character and morals.

5.08. Qualifications for Examination.--

- (a) Class I - Grammar school education or equivalent and at least a minimum of one year of experience in the operation of a waste water treatment works.

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- (b) Class II - Grammar school education or equivalent and at least a minimum of three years experience in waste water treatment works.
- (c) Class III - High school education or equivalent and at least five years experience or equivalent in waste water treatment works.
- (d) Class IV - Possession of a Class III certificate and demonstrated ability for at least two years in responsible charge of a Class III or Class IV waste water treatment works.

5.09. Substitution.--The Director may allow education or training on a year for year basis to be substituted for experience and experience to be substituted for education in qualifying for Class II and Class III examination under Section 5.08 of this Regulation.

5.10. Rules of the Examination.--

- (a) Any applicant who does not meet the prerequisites for an examination in a classification for which he requested certification may be permitted to take an examination in another classification for which he meets the prerequisites.
- (b) A grade of not less than 70% shall be considered passing.
- (c) Any applicant who has failed an examination may be permitted to repeat such examination when scheduled at any later time upon showing that he has obtained additional experience and training or has undertaken individual study of a nature which would reasonably indicate his ability to pass the later examination.

5.11 Operator in Training.--

- (a) The Director may permit an applicant for Class I, II, or III certification as a waste water treatment works operator to take

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an examination in a given class, if the individual has submitted evidence of education or experience in technical fields other than waste water treatment works, for the purpose of becoming an operator in training.

- (b) Prerequisites for examination, and designation as an operator in training are the same as the prerequisites in Section 5.07, except that the experience time in waste water treatment works may be waived.
- (c) Upon successfully passing an examination, the individual will be designated as an operator in training indicating that he has technical knowledge in the particular class for which he was examined and that he will be issued a certificate upon submission of evidence that he has completed experience requirements.
- (d) The designation operator in training and the certificate issued therefor will be valid for a maximum of five years.

5.12. Examinations - Operator and Operator in Training.--Examinations shall be given at least bi-annually if applications are received for such examinations. Examinations shall be given under the direction of the Director at such time and place as he designates. The examination shall test the ability and determine the qualifications of the person examined to perform the required duties. The examination may be either oral or written or both.

5.13. Revocation of Certificates.--The Director may revoke the certificates of any person who practices fraud or deceit in obtaining a certificate or for neglect, incompetency, or misconduct in the performance of the duties of an operator of a waste water treatment works or parts thereof, including compliance with Chapter 1, Article 11, of the Sanitary Regulations

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which relates to waste water treatment plant control tests and records. The Director, after a period of twelve months, may reinstate any person whose certificate has been revoked upon presentation of evidence, satisfactory to him, which warrants such reinstatement.

5.14 Reciprocity.--

(a) The Director may consider for recommendation for certification the holder of a certificate issued by a governmental agency of another state, upon presentation to satisfactory evidence of the following:

1. The applicant has been offered and has accepted employment in West Virginia which requires a certified operator.
2. The applicant has successfully passed an examination at least equivalent to that given under this Regulation.

(b) The Director may, on the basis of evidence presented, issue a certificate of an equal or lower class to the applicant.

5.15. Independent Regulations.--Each Section of this Regulation and every part of each Section is an independent Section and a part of a Section, and the holding of any Section or part thereof to be unconstitutional, void, or ineffective for any cause does not affect the validity or constitutionality of any other Section or part thereof.

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