

RULEMAKING HEARINGS

**DEPARTMENT OF ENVIRONMENT AND CONSERVATION - 0400  
BOARD OF WATER AND WASTEWATER OPERATOR CERTIFICATION**

There will be a series of three (3) public hearings before the Department of Environment and Conservation on behalf of the Board of Water and Wastewater Operator Certification to consider the adoption and promulgation of amendments to rules pursuant to The Water Environmental Health Act T.C.A. § 68-221-901 et seq. and The Uniform Administrative Procedures Act T.C.A. § 4-5-101 et seq. The hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place on the dates and the times and locations listed below:

July 31, 2006	9:00 a.m. CDT	Classroom 101 J. R. Fleming Environmental Training Center 2022 Blanton Drive Murfreesboro, TN
August 1, 2006	9:00 a.m. CDT	Training Room Jackson Energy Authority 604 S. Royal St. Jackson, TN
August 3, 2006	9:00 a.m. EDT	Conference Room Knoxville Environmental Assistance Center 3711 Middlebrook Pike Knoxville, TN

Individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation or review. Such contact may be in person, by writing, by telephone, or other means and should be made no less than ten days prior to the scheduled meeting date (or the date such party intends to review such filings), to allow time to provide such aid or services. Contact the ADA Coordinator at 1-615-532-0200 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

For a copy of this notice of rulemaking hearing, contact W. Brent Ogles, Technical Secretary, Board of Water and Wastewater Operator Certification, c/o Fleming Training Center, 2022 Blanton Drive, Murfreesboro, TN 37129, (615) 898-8090.

**SUBSTANCE  
OF  
PROPOSED RULES**

**CHAPTER 1200-5-3  
RULES GOVERNING WATER AND WASTEWATER OPERATOR CERTIFICATION**

Part 3 of subparagraph (b) of paragraph (1) of rule 1200-5-3-.01, Application For Certificate, is amended by deleting the language of the part and replacing it with the following so that, as amended, part 3 shall read as follows:

3. A copy of any verifying document in support of an application must be submitted with the application unless the applicant has previously provided such documentation

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to the Secretary of the Board. This includes, but is not limited to, proof of high school education or equivalent of the applicant. College transcripts, if needed to document experience credit, must be submitted directly from the college and/or university to the Secretary to the Board. Credit for enrollment in special training courses and programs will only be granted to an applicant upon verification that he/she satisfactorily completed all course or program requirements. If training credit is requested, a copy of a course attendance card, a class roster, or a certificate of completion must be submitted to the Secretary. Verification of work experience must be provided in a written document signed by a certified operator of a similar or higher classification, familiar with the applicant's work experience. However, if no such person is available, it may be documented by a person in authority with the system. The Board may exempt applicants from the verification of work experience requirement where there are unusual circumstances.

**Authority:** T.C.A. §§ 4-5-101 et seq., 4-5-202, 68-221-906, and 68-221-910.

Paragraph (6) of rule 1200-5-3-.04, General, is amended by deleting the language of the paragraph and replacing it with the following so that, as amended, paragraph (6) shall read as follows:

- (6) It is permissible for one (1) certified operator to have the responsibility for more than one (1) water and/or wastewater system if items (a) through (e) below are met. A certified operator wanting the responsibility for more than one water and/or wastewater system is required to provide to the Department a written request. A request must be made for each and every additional system. The certified operator is prohibited from assuming responsibility for an additional system until approval has been granted by the Department. In determining whether a certified operator is available to the system as required under the Act, the Department will approve or disapprove each request to supervise multiple facilities based on the following conditions:
  - (a) The systems are located so as to permit reasonable travel time between work areas with sufficient time remaining to perform necessary routine supervisory maintenance and operational activity for each system. As a guide, fifty (50) miles is considered an acceptable distance.
  - (b) The size and complexity of the system would allow the duties of operation to be properly divided among two or more systems. Certified operators in direct charge of a III or IV surface water or wastewater system are prohibited from operating more than one (1) III or IV surface water or wastewater system at a time due to the complexity and size of such systems.
  - (c) In order to demonstrate oversight, supervision and availability to the system, the certified operator shall develop a Standard Operating Procedure for each system that shall be submitted to the Department with the written request. If the certified operator cannot have a daily on-site presence, the Standard Operating Procedure must identify the person on-site daily who, under the supervision of the certified operator, is authorized in writing to collect samples, perform analyses, contact the certified operator as needed and make day-to-day decisions regarding the operation of the system.
  - (d) In order to demonstrate that the duties of operation can be properly divided among two or more systems, the certified operator must develop a written plan to coordinate

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his/her required activities for systems under his/her supervision and control. The plan shall include a schedule for on-site visits by the certified operator. A log of actual site visits shall be prepared and kept on-site as part of the records of the system.

- (e) In order to demonstrate his/her ability to adequately supervise the work of others in more than one facility, the Department may take into consideration the compliance status of systems currently under the control and supervision of the certified operator. A certified operator is prohibited from assuming the responsibility of additional systems if any of his/her current systems have non-compliance issues. However, the Board reserves the right to allow certified operators to request the right to assume responsibility of additional systems if the non-compliance issues are not attributable to the certified operator's negligence of the system for which he/she is responsible.

Authority: T.C.A. §§ 4-5-101 et seq., 4-5-202, 68-221-903, 68-221-904, 68-221-906, 68-221-907, 68-221-909, and 68-221-912.

Paragraph (3) of rule 1200-5-3-.06, Classification of Water Treatment Plants and Water Distribution Systems, is amended by deleting the language of the paragraph and replacing it with the following so that, as amended, paragraph (3) shall read as follows:

(3) Types of Water Systems:

- (a) Water Treatment. A water treatment plant using filtration, iron removal, and/or lime-soda softening processes or requiring chemical or bacteriological control of operation will be classified in accordance with the following point totals:

Table with 2 columns: Grade and Points. Grade IV: 61 or more points; Grade III: 35 to 60 points; Grade II: 16 to 34 points; Grade I: 15 or less points.

Point totals for plant classification shall be computed in accordance with the following rating value criteria:

Rating Value Points

Design Flow - For every one million gallons per day design capacity, or fraction thereof, a plant will be awarded a rating value of:..... 1 pt.

Water Supply Source - Based upon the type and quality of the raw water source, a plant will be awarded rating values of:

Table with 2 columns: Source and Points. Groundwater: 3 pts.; Ground water under the direct influence of surface water: 5 pts.; Surface water: 5 pts.; Average raw water quality: 0-10 pts.\*

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Treatment Process - A plant employing any of the following treatment processes will be awarded rating values of:

Aeration .....	4 pts.
Presettling .....	2 pts.
Flash mix .....	2 pts.
Coagulation .....	6 pts.
Flocculation .....	5 pts.
Settling .....	5 pts.
Upflow Solids Contact.....	8 pts.
Lime softening .....	5 pts.
Gravity Filtration	
slow sand .....	2 pts.
rapid .....	6 pts.
Pressure Filtration .....	3 pts.
Recarbonation .....	3 pts.
Membrane Filtration.....	10 pts.
Activated alumina .....	10 pts.
Ion Exchange.....	5 pts.

Chemical Treatment - A plant utilizing any of the following chemicals or chemical treatment processes will be awarded rating values of:

Fluoridation.....	3 pts.
Disinfection	
Gaseous chlorine .....	5 pts.
Liquid or powdered chlorine.....	3 pts.
Chlorine dioxide.....	7 pts.
Ozonization (on-site generation).....	10 pts.
On-site generation of Chlorine .....	5 pts.
Mixed Oxidants.....	7 pts.
UV Light .....	3 pts.
Peroxide.....	3 pts.
Taste and Odor Control	
Potassium Permanganate.....	2 pts.
Powdered activated carbon .....	4 pts.
Activated carbon columns.....	6 pts.
Activated carbon slurry .....	8 pts.
Chemical Stabilization	
(polyphosphate, Soda Ash, etc.) .....	4 pts.

Laboratory Control by Plant Personnel - Based upon the type and the difficulty of the laboratory work performed at a plant, a plant will be awarded rating values of:

Bacteriological .....	0-10 pts.*
Chemical .....	0-10 pts.*

Total Points   \*\*

\* See Table 1

\*\* If a rating value points total would not accurately reflect special conditions at a plant and a material distortion in its rating would occur, the Board will establish the classification of the plant after a review of its special conditions.

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Table 1

\*Average Raw Water Quality - Points are assigned to a plant as follows:

Raw water quality varies enough to require treatment process changes less than thirty-six days each calendar year..... 2 pts.

Raw water quality varies enough to require treatment process changes thirty-six days or more each calendar year. ....5 pts.

Raw water quality varies enough to require treatment process changes due to existing industrial waste pollution sources. .... 10 pts.

\*Laboratory Control by Plant Personnel (Bacteriological) - Points are assigned in accordance with the type of laboratory control performed at the plant:

Lab work done outside of plant. ....	0 pts.
MMO-MUG procedure .....	4 pts.
Membrane filter procedure.....	5 pts.
Fermentation tubes or any dilution method. ....	7 pts.
Biological identification. ....	10 pts.

\*Laboratory Control by Plant Personnel (Chemical) - Points are assigned in accordance with the type of laboratory control performed at the plant:

Lab work done outside the plant.....	0 pts.
Colorimetric methods for simple tests such as chlorine, pH. ....	3 pts.
Procedures such as titration, jar tests.....	5 pts.
More advanced determinations including inorganics.....	7 pts.
Highly sophisticated instrumentation such as atomic absorption and gas chromatography.....	10 pts.

- (b) Grade I Distribution. This classification is for a water distribution system that serves at least fifty service connections but no more than five thousand service connections. This classification serves as a certificate to operate a small water system.
- (c) Grade II Distribution. This classification is for a water distribution system that serves more than five thousand service connections. This classification serves as a certificate to operate a small water system.
- (d) Small Water Systems. This classification includes all water systems which have a ground water source not under the direct influence of surface water and serve less than fifty (50) service connections, provided the system does not use any treatment other than disinfection, and those systems which purchase water for resale and serve less than fifty (50) service connections. This classification serves as a distribution system certification for those systems meeting the definition of a small water system.

**Authority:** T.C.A. §§ 4-5-101 et seq., 4-5-202, 68-221-906, and 68-221-907.

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Rule 1200-5-3-.07, Classifications and Qualifications of Water Treatment Plant Operators and Water Distribution System Operators, is amended by deleting the language of the Rule in its entirety and replacing it with the following so that, as amended, Rule 1200-5-3-.07 shall read as follows:

### **1200-5-3-.07 CLASSIFICATIONS AND QUALIFICATIONS OF WATER TREATMENT PLANT OPERATORS AND WATER DISTRIBUTION SYSTEM OPERATORS.**

#### (1) (a) Grade IV Surface Water Treatment Plant Operator

Certification as an operator in this classification will be made only upon the satisfactory completion by the applicant of the requirements of either subparagraph part (1)(a)1 or (1)(a)2 of this rule.

1. An applicant must have a bachelor degree in engineering, chemistry or a related science from an accredited college or university, must have twelve months of operating experience at a Grade III or a Grade IV surface water treatment plant, and must satisfactorily complete a written examination.
2. An applicant must have a high school education or equivalent, must have sixty months of operating experience at a Grade III or a Grade IV surface water treatment plant, and must satisfactorily complete a written examination. Within the discretion of the Board, college course work in related science or engineering courses satisfactorily completed or Board sanctioned comprehensive training in chemistry, bacteriology, and the fundamentals of water treatment satisfactorily completed through schools for operators, correspondence courses, or other special training, may be credited toward the required operating experience to a maximum equivalency of thirty-six months.
3. To receive full time operating experience credit, a minimum of 100% of the activities must be work experience duties. The Board reserves the right to adjust calendar months of experience to a reduced number of months of experience if it finds that an applicant's experience routinely includes other duties. The Board encourages documented apprenticeship training programs and classroom training provided by the employer to better prepare an operator to make decisions in plant operation to assure public health protection.
4. Ground water under the direct influence of surface water with full treatment is the same as a surface water treatment system.

#### (b) Grade III Surface Water Treatment Plant Operator

1. An applicant must have a high school education or equivalent, must have twelve months of operating experience at a Grade III surface water treatment plant or twelve months at a Grade II and six months at a Grade III surface water treatment plant, and must satisfactorily complete a written examination. Board sanctioned comprehensive training in chemistry, bacteriology, and the fundamentals of water treatment satisfactorily completed through schools for operators, correspondence courses, or other special training programs may be credited toward the required operating experience to a maximum equivalency of three months.
2. To receive full time operating experience credit, a minimum of 50% of the activities must be work experience duties.

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3. Ground water under the direct influence of surface water with full treatment or direct filtration is the same as a surface water treatment system.

### (c) Grade IV Ground Water Treatment Plant Operator

Certification as an operator in this classification will be made only upon the satisfactory completion by the applicant of the requirements of either subparagraph part (1)(c)1 or (1)(c)2 of this rule.

1. An applicant must have a bachelor degree in engineering, chemistry or a related science from an accredited college or university, must have twelve months of operating experience at a Grade III or a Grade IV surface or ground water treatment plant, and must satisfactorily complete a written examination.
2. An applicant must have a high school education or equivalent, must have sixty months of operating experience at a Grade III or a Grade IV surface or ground water treatment plant, and must satisfactorily complete a written examination. Within the discretion of the Board, college course work in related science or engineering courses satisfactorily completed or Board sanctioned comprehensive training in chemistry, bacteriology, and the fundamentals of water treatment satisfactorily completed through schools for operators, correspondence courses, or other special training, may be credited toward the required operating experience to a maximum equivalency of thirty-six months.
3. To receive full time operating experience credit, a minimum of 100% of the activities must be work experience duties. The Board reserves the right to adjust calendar months of experience to a reduced number of months of experience if it finds that an applicant's experience routinely includes other duties. The Board encourages documented apprenticeship training programs and classroom training provided by the employer to better prepare an operator to make decisions in plant operation to assure public health protection.

### (d) Grade III Ground Water Treatment Plant Operator

1. An applicant must have a high school education or equivalent, must have twelve months of operating experience at a Grade III surface or ground water treatment plant or twelve months at a Grade II and six months at a Grade III surface or ground water treatment plant, and must satisfactorily complete a written examination. Board sanctioned comprehensive training in chemistry, bacteriology, and the fundamentals of water treatment satisfactorily completed through schools for operators, correspondence courses, or other special training programs may be credited toward the required operating experience to a maximum equivalency of three months.
2. To receive full time operating experience credit, a minimum of 50% of the activities must be work experience duties.

### (e) Grade II Water Treatment Plant Operator

1. An applicant must have a high school education or equivalent, must have twelve months of operating experience at a Grade I or a Grade II Water Treatment plant, and must satisfactorily complete a written examination. Board sanctioned

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comprehensive training in chemistry, bacteriology, and the fundamentals of water treatment satisfactorily completed through schools for operators, correspondence courses, or other special training programs may be credited toward the required operating experience to a maximum equivalency of three months.

2. To receive full time operating experience credit, a minimum of 33% of the activities must be work experience duties.

### (f) Grade I Water Treatment Plant Operator

1. An applicant must have a high school education or equivalent, must have twelve months of operating experience at a Grade I water treatment plant or a small water system, and must satisfactorily complete a written examination. Board sanctioned comprehensive training in chemistry, bacteriology, and the fundamentals of water treatment satisfactorily completed through schools for operators, correspondence courses, or other special training programs may be credited toward the required operating experience to a maximum equivalency of three months.
2. To receive full time operating experience credit, a minimum of 33% of the activities must be work experience duties.

### (g) Small Water System Operator

An applicant must have a high school education or equivalent, and must have three months of experience in a water system classified as "small water system" and must satisfactorily complete a written examination.

- ### (h) Small ground water systems classified as a Small Water System, Grade I Water System, or Grade II Water System that use a cartridge filtration system with a 1.0 absolute micron filter certified to remove cryptosporidium or giardia cysts without any additional pretreatment will not change the classification of the system.

### (i) Grades I & II Water Distribution System Operator

1. An applicant must have a high school education or equivalent, must have twelve months of operating experience at a water distribution system, and must satisfactorily complete a written examination. Board sanctioned comprehensive training including installation, operation, maintenance and repair of distribution systems, satisfactorily completed through schools for operators, correspondence courses, or other special training programs may be credited toward the required operating experience to a maximum equivalency of three months.
2. To receive full time operating experience credit, a minimum of 50% of the activities must be work experience duties.

## (2) Initial Reclassifications under this Chapter of Rules

- (a) The reclassification of a water treatment plant or a water distribution system that immediately occurs as a result of this chapter of rules shall not reduce the operator classification of a certified operator then employed at that plant or system to a lower operator classification.

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- (b) The reclassification of a water treatment plant or a water distribution system that immediately occurs as a result of this chapter of rules shall raise the operator classification of a certified operator then employed at that plant or system to a higher operator classification equivalent with the new classification of the plant or system. This subparagraph (2)(b) shall apply only to a certified operator whose operator classification, immediately prior to reclassification of the plant or system pursuant to this chapter of rules, is at least equivalent with the classification of the plant or system at which he/she is employed.
  - (c) An applicant for examination who is employed at a water treatment plant or a water distribution system that has been reclassified by the Department and certified at the appropriate level, may have his/her experience at the facility applied at a rate equal to the level of the reclassified facility.
  - (d) An operator classification authorized under prior rules that is eliminated upon this chapter of rules becoming effective shall be reclassified to the highest comparable operator classification authorized under these rules.
  - (e) An operator' classification may be changed by the Board if the operator is employed at a water plant or distribution system that been incorrectly classified by the Department for one year or more. The operator must hold a valid certificate equal to the incorrect plant or system classification and must have applied for and achieved the certificate based on the incorrect classification.
- (3) Operating Experience Credit for Approved Study
- (a) For subparagraph part (1)(a)2 and (1)(c)2 of this rule, the Board may approve for each two semester hours, or three quarter hours, of academic study satisfactorily completed at an accredited college or university in related science or engineering courses as equal to one month of the operating experience required as a qualification of a certified water treatment plant operator.
  - (b) For subparagraph parts (1)(a)2, (1)(b)1, (1)(c)2, (1)(d)1, (1)(e)1, (1)(f)1, and (1)(i)1 of this rule, each day of Board sanctioned comprehensive training, satisfactorily completed, through schools for operators, correspondence courses, or other special training programs may be equal to one month of the operating experience required as a qualification of a certified water treatment plant operator.
- (4) Work Experience
- (a) The Board may approve the water treatment operating experience required in sub-paragraph parts (1)(a)1, (1)(a)2, (1)(b)1, (1)(c)1, (1)(c)2, (1)(d)1, (1)(e)1, and (1)(f)1 of this rule in two or more of the following work experience duties:

Operation and/or maintenance of:

- Pretreatment systems
- Coagulant feed systems
- Filtration systems
- Fluoride feed systems
- Stabilization feed systems
- Hypochlorination systems

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- Gas chlorination systems
- Disinfection systems
- Pumps and/or motors
- Laboratory Control Tests
- Interpretation and plant adjustments

(b) An operator applying for a Grade IV water treatment system certification may be granted partial credit by the Board for up to sixty percent of any approved operating experience obtained in a wastewater system.

(c) The Board may approve the distribution system operating experience required in subparagraph part (1)(i)1 of this rule in two or more of the following work experience duties:

Operation and/or maintenance of:

- Pumps
- Booster stations
- Fire hydrants
- Valves
- Storage tanks
- Distribution system flushing
- Pipeline installation
- Tap installation
- Leak detection
- Leak repairs
- Cross connection control

(5) Summary of Water Treatment Plant and Distribution System Operator Education and Experience Requirements

Water Treatment Plant Operators

Classification	Experience			Maximum Training or College Class work Substitution	Maximum Related Work Substitution
	Experience needed with:	HS Education	BS Degree		
Grade IV Surface Water	Gained at a Grade III or IV Surface Water Plant	*60 months	12 Months	36 Months	36 Months
Grade IV Ground-water	Gained at a Grade III or IV Surface or Ground Water Plant	*60 months	12 Months	36 Months	36 Months
*Regardless of the substitution allowances, a minimum of 1 year of actual work experience is required					
Grade III Ground Water	Gained at a Grade III Surface Water Plant	12 Months		3 Months	
	Gained at a Grade II and Gained at a Grade III Surface Water Plant	12 Months 6 Months		3 Months	

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Grade III Ground Water	Gained at a Grade II and Gained at a Grade III Surface Water Plant	12 Months 6 Months		3 Months	
	Gained at a Grade III Surface or Ground Water Plant	12 months		3 Months	
Grade II	Gained at a Grade I or II Water Plant	12 months		3 Months	
Grade II	Gained at a Grade I Water Plant or SWS	12 months		3 Months	
Grade SWS	Gained at a Small Water System (SWS)	3 Months			

Distribution System Operators

Classifica- tion	Experience		Maximum Training or College Class work Substitution	Maximum Related Work Substitution
	Experience needed with:	HS Education		
Grade II	Gained at a Distribution I or II System	12 months	3 Months	
Grade I	Gained at a Distribution I or II System	12 months	3 Months	

**Authority:** T.C.A. §§ 4-5-101 et seq., 4-5-202, 68-221-906, and 68-221-907.

Paragraph (8) of rule 1200-5-3-.11, Revocation of Certificate, is amended by deleting the language of the paragraph and replacing it with the following so that, as amended, paragraph (8) shall read as follows:

- (8) An operator whose certificate is revoked for failure to use reasonable care, judgment or the application of operator knowledge in performing the operator’s duties or for incompetency shall be ineligible to again apply for certification as an operator for a minimum of one year. An operator whose certificate is revoked for practicing fraud or deception, willfully violating regulations or permit conditions, or falsifying records and reports shall be ineligible to again apply for certification as an operator for a minimum of five years. When an operator whose certificate has been revoked has applied for a certificate after the minimum time has passed, the Board shall determine whether the operator has taken appropriate action to address the circumstances that were the cause of the revocation. The Board may request records and review his/her experience, education, training and past performance. The Board may

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request the former operator's presence at a meeting of the Board and interview him/her to assess the potential of future violations. After the reviews, the Board shall decide to accept or refuse the application.

**Authority:** T.C.A. §§ 4-5-101 et seq., 4-5-202, 68-221-906, 68-221-910, 68-221-911, and 68-221-915.

Rule 1200-5-3-.13, Effective Date, is amended by deleting the language in its entirety.

## OTHER INFORMATION

The Fleming Training Center has prepared an initial set of draft rules for public review and comment. Copies of these initial draft rules are available for review only at the Tennessee Department of Environment and Conservation's (TDEC's) Environmental Field Offices located as follows:

Memphis Environmental Field Office  
Suite E-645, Perimeter Park  
2510 Mount. Moriah Road  
Memphis, TN 38115-1520  
(901) 368-7939/ 1-888-891-8332

Cookeville Environmental Field Office  
1221 South Willow Avenue  
Cookeville, TN 38506  
(931) 432-4015/ 1-888-891-8332

Jackson Environmental Field Office  
1625 Hollywood Drive  
Jackson, TN 38305-4316  
(731) 512-1300/ 1-888-891-8332

Chattanooga Environmental Field Office  
Suite 550 - State Office Building  
540 McCallie Avenue  
Chattanooga, TN 37402-2013  
(423) 634-5745/ 1-888-891-8332

Columbia Environmental Field Office  
2484 Park Plus Drive  
Columbia, TN 38401  
(931) 380-3371/ 1-888-891-8332

Knoxville Environmental Field Office  
Suite 220 - State Plaza  
2700 Middlebrook Pike  
Knoxville, TN 37921-5602  
(865) 594-6035/ 1-888-891-8332

Nashville Environmental Field Office  
711 R. S. Gass Blvd.  
Nashville, TN 37243-1550  
(615) 687-7000/1-888-891-8332

Johnson City Environmental Field Office  
2305 Silverdale Road  
Johnson City, TN 37601-2162  
(423) 854-5400/1-888-891-8332

The Draft Rules Governing Water and Wastewater Operator Certification may also be accessed for review using the following website:

<http://www.tdec.net/fleming>

Copies are also available for review at the Fleming Training Center (see address below).

Fleming Training Center  
2022 Blanton Drive  
Murfreesboro, TN 37219  
(615) 898-8090

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Office hours for the Fleming Training Center are from 8:00 AM to 4:30 PM, Monday through Friday (excluding holidays).

Oral or written comments are invited at the hearing. In addition, written comments may be submitted prior to or after the public hearing to: Fleming Training Center; Attention: Mr. W. Brent Ogles; 2022 Blanton Drive, Murfreesboro, Tennessee 37219; telephone: (615) 898-8090 or fax: (615) 898-8064. However, such written comments must be received by the Fleming Training Center by 4:30 PM CDT, August 15, 2006, in order to assure consideration. For further information, contact Mr. W. Brent Ogles at the above address or telephone number.

The notice of rulemaking set out herein was properly filed in the Department of State on the May 18, 2006. (05-14)