

567—81.16(455B) Operator by affidavit.

81.16(1) *Affidavit allowance.* The owner of a plant or distribution system that is required to have a Grade A, I, IL, II, IIL certified operator may sign an affidavit with a certified operator of the required classification and grade.

81.16(2) *Affidavit requirements.* This affidavit will verify that the certified operator is the operator-in-charge and has direct responsibility for a plant or distribution system that does not have first rights on the services of that operator. The affidavit form shall be provided by the director and shall require the name and signature of the certified operator, the operator's certification number, class and grade, and the date of last renewal of the operator's certificate. The affidavit form shall be proof that the certified operator has agreed to be directly responsible for the operation and maintenance of the plant or distribution system. The director may specify additional operational and maintenance requirements based on the complexity and size of the plant or distribution system. Four duly notarized copies of the affidavit must be returned to and approved by the director, based upon the ability of the certified operator to properly operate and maintain additional facilities. In event of disapproval, the owner of the plant or distribution system must terminate the agreement with the certified operator and seek the services of another certified operator. Both the owner of the plant or distribution system and the certified operator shall notify the director at least 30 days before the termination of the agreement.