

NOTICE OF REVOCATION OF CERTIFICATION AND
ADVISEMENT OF THE RIGHT TO HEARING

TO: Herb Scott, P.O. Box 25, Juniata, Nebraska:

You are hereby given notice of revocation of your wastewater facility operator certification issued by the Nebraska Department of Environmental Quality on February 11, 2010, and numbered 0344. The revocation is to commence on August 31, 2010, and the Department will not entertain your application to again become certified by examination prior to August 31, 2011.

I find that the grounds for this revocation are as follows:

You failed to use process testing as the basis for sludge wasting but instead relied on color and scum and foam accumulation.

You made a practice of shutting off return piping in order to concentrate clarifier solids for inordinately long periods of time.

You assembled composite samples by taking grab samples by hand with improperly long intervals between grab samples.

You caused unacceptably long intervals between collection of wastewater samples and testing of the samples for total residual chlorine (TRC) and pH.

You failed to advise the owners and/or custodians of wastewater facilities that you operated of equipment that was in need of maintenance or repair.

You modified a wastewater treatment facility without obtaining a required construction permit from this Department by converting a trash tank into an equalization basin and installing an air lift pump.

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You failed to keep discharge and sludge handling records at the facilities where you had direct responsible charge of the wastewater treatment facilities.

These actions were done by you with a lack of reasonable care in performance of your duties as a certified wastewater treatment operator. They occurred at the Interstate Holiday Inn and/or USA Inns of America, both in the State of Nebraska, over the period from July 3, 2003, to December 1, 2009.

You may contest the findings herein and the appropriateness of this revocation by a Hearing as provided in Rules and Regulations For the Certification of Wastewater Treatment Operators in Nebraska, Title 197, Chapter 11, and Nebraska Revised Statute §81-1507 (Reissue 2008). A Hearing will be held at your request if such request is made within 30 days of receipt of this Notice by you.

/s/ Michael J. Linder, Dated: July 8, 2010.
Michael J. Linder, Director,
Nebraska Department
of Environmental Quality