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**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

ANTHONY R. HATTON
COMMISSIONER

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March 17, 2020

Michael E. Dossett, Director KyEM
Department of Military Affairs
100 Minuteman Parkway
Frankfort, Kentucky 40601

Re: COVID-19, State of Emergency
Water/Wastewater Operators Certification

Mr. Dossett,

In light of the current COVID-19 situation and its potential impacts upon existing operator staffing levels of the Commonwealth's Drinking Water and Wastewater facilities, the Kentucky Department for Environmental Protection (DEP) is recommending and supporting the following actions to address issues that systems and communities may face during the current State of Emergency and through the coming months:

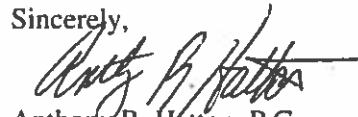
- The DEP is requesting a provision to temporarily address alternate staffing plan processing and approval as described in KAR 401 5:010 for Wastewater Systems and 401 KAR 8:030 for Drinking Water Systems. For emergency staffing situations that are the result of COVID-19 illness, quarantine or social distancing, the department asks that the normal approval process for an alternate staffing plan be temporarily waived. In lieu of that, the Department is requesting that a notice to implement and a request for technical assistance be sent to the Kentucky Division of Water (DOW) when an emergent situation arises. Following the notification and request for technical assistance to DOW, the facility can temporarily implement an alternate staffing plan. The DOW will follow-up with the facility to help identify needed resources and staffing to ensure safety of human health and the environment. We ask that this provision remain in place until the State of Emergency is lifted. Alternate staffing needs that are not related to the State of Emergency should go through the normal approval process.
- The DEP will be waiving late fees on drinking water renewals that are due on June 30, 2019. Late fees will be waived through Aug, 31, 2019 to allow operators to get the needed continuing education credits needed to renew licenses. DEP will extend this provision through the end of the calendar year if necessary. While those licenses will technically expire, DOW is aware of the wavier and will take that into consideration for all inspections and alternate staffing plans.
- The Department supports the discontinuation of cutoffs of essential services such as water, sewer and electricity. All three are needed to maintain health, hygiene and continue vital communications to citizens.

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- The Department is also in support of the prioritization of testing and treatment of operators as water provision and proper sanitation are pivotal in the fight against the COVID-19 which will be addressed by the Emergency Operations Command.

We appreciate your time and consideration in this matter as the safety and health of our people, water resources and communities are vital throughout this crisis.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony R. Hatton", with a stylized flourish extending from the end.

Anthony R. Hatton, P.G.
Commissioner