



Water and Wastewater Works Advisory Board

**State of Alaska
Department of Environmental Conservation**

Policy Statement 2009-10 Renewal of Lapsed Certificates for Operators Returning from Active Duty Deployment in the Armed Services

Background

The Operator Certification and Training regulations allow for the renewal of a lapsed certificate 180 days after expiration provided the continuing education requirement is met and the renewal fee is paid. Renewal is possible after 180 days and up to two years after expiration after considering the advice of the Board.

Introduction

An operator's certificate expired on December 31, 2004. The operator had been called to active duty with his Alaska National Guard unit in October 2004 and deployed for service in Iraq. As such, the operator did not receive the renewal notices mailed by the department until after his return – more than 180 days after the expiration of his certificate. The operator met the continuing education requirement for renewal of his lapsed certificate.

Discussion

The Board recognizes that the Uniformed Services Employment and Reemployment Rights Act protects the job rights of individuals who voluntarily or involuntarily leave employment to undertake military service.

The Board also recognizes the importance of service in the armed services and the need for assisting returning veterans in returning to work.

Policy

Upon request, the department will renew an operator's lapsed certificate if the operator has been called to service with the armed services provided

1. The request is made within two years of the certificate expiring.
2. The request is made within 90 days of the operator returning from service with the armed services.
3. The necessary continuing education is documented per 18 AAC 74.810.
4. The fee for renewal is paid per 18 AAC 74.870.

The term service in the armed services means the performance of duty on a voluntary or involuntary basis in an armed service under competent authority and includes active duty for training, inactive duty training, full-time duty, and overseas deployment. Armed services consist of the Army, Navy, Marine Corps, Air Force, Coast Guard, Active Reserves, and National Guard.

Adopted this twenty-fifth day of June, 2009

/James C. Berg/ James C. Berg

Chair, Water and Wastewater Works Advisory Board

*Amended to update the policy number.
(Effective 10/31/06 06-T-01; amended 5/8/09 2009-10)*