**§4175-A. Compliance and enforcement**

Notwithstanding Title 5, section 10051, after written notice and opportunity for a hearing pursuant to Title 5, chapter 375, subchapter 4, the department may revoke or suspend the certificate of an operator or operator in responsible charge when it finds that the person has: [PL 2021, c. 173, §11 (NEW).]

**1. Practiced fraud or deception.**  Practiced fraud or deception;

[PL 2021, c. 173, §11 (NEW).]

**2. Failed to use reasonable care or judgment or properly apply knowledge.**  Failed to use reasonable care or judgment or to apply the requisite knowledge, ability or ethical standards in the performance of the person's required duties;

[PL 2021, c. 173, §11 (NEW).]

**3. Failed to operate in compliance.**  Failed to manage or supervise a wastewater treatment plant in a manner that ensures that the wastewater treatment plant is operated in compliance with state law, rules and licenses;

[PL 2021, c. 173, §11 (NEW).]

**4. Violated law, rules, licenses or standards.**  Violated state law, rules or licenses or ethical standards as set forth in department rules;

[PL 2021, c. 173, §11 (NEW).]

**5. Lost or did not possess competency.**  Lost the competency required for certification or did not possess the competency required at the time of certification; or

[PL 2021, c. 173, §11 (NEW).]

**6. Unable to properly perform.**  Demonstrated that the person is unable to properly perform the person's required duties.

[PL 2021, c. 173, §11 (NEW).]

An operator or operator in responsible charge whose certificate is revoked under this section may apply for reinstatement of a certification of a like classification if appropriate proof of competency is presented to the department. The department may establish a more stringent proof of competency and procedures for the reinstatement of certification for an operator or operator in responsible charge whose certificate has been revoked. [PL 2021, c. 173, §11 (NEW).]

SECTION HISTORY

PL 2021, c. 173, §11 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.