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HOUSE BILL 679

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Rhonda S. King

AN ACT

**RELATING TO PROFESSIONAL AND OCCUPATIONAL LICENSES; AMENDING
THE UTILITY OPERATORS CERTIFICATION ACT DEFINITION OF PUBLIC
WATER SUPPLY SYSTEM**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 61-33-2 NMSA 1978 (being Laws 1992,
Chapter 44, Section 2) is amended to read:**

**"61-33-2. DEFINITIONS.--As used in the Utility Operators
Certification Act:**

**A. "certified operator" means a person who is
certified by the commission as being qualified to operate one
of the classifications of water supply systems or wastewater
facilities;**

B. "certified supervisor" means a person who is

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1 certified as an operator by the commission as qualified to
2 operate one of the classifications of water supply systems or
3 wastewater facilities and who performs on-site coordinations,
4 direction and inspection of the operation of a public
5 wastewater facility or a public water supply facility;

6 C. "commission" means:

7 (1) the water quality control commission; or

8 (2) the department, when used in connection
9 with any activity or function under the Utility Operators
10 Certification Act, the administration and enforcement of which
11 the commission has delegated to the department;

12 D. "department" means the department of
13 environment;

14 E. "domestic liquid waste" means human excreta and
15 water-carried waste from typical residential plumbing fixtures
16 and activities, including [~~but not limited to~~] waste from
17 toilets, sinks, bath fixtures, clothes or dishwashing machines
18 and floor drains;

19 F. "domestic liquid waste treatment unit" means a
20 watertight unit designed, constructed and installed to
21 stabilize only domestic liquid waste and to retain solids
22 contained in such domestic liquid waste, including [~~but not~~
23 ~~limited to~~] aerobic treatment units and septic tanks;

24 G. "person" means any agency, department or
25 instrumentality of the United States and any of their

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1 officers, agents or employees, the state or any agency,
2 institution or political subdivision thereof, any public or
3 private corporation, individual, partnership, association or
4 other entity, and includes any officer or governing or
5 managing body of any political subdivision or public or
6 private corporation;

7 H. "public wastewater facility" means a system of
8 structures, equipment and processes designed to collect and
9 treat domestic and industrial waste and dispose of the
10 effluent, but does not include:

11 (1) any domestic liquid waste treatment unit;
12 or

13 (2) any industrial facility subject to an
14 industrial pretreatment program regulated by the United States
15 environmental protection agency under the requirements of the
16 federal Clean Water Act of 1977; and

17 I. "public water supply system" means:

18 (1) a system for the provision through pipes
19 or other constructed conveyances to the public of ~~[piped]~~
20 water for human consumption or domestic purposes if the
21 system:

22 (a) has at least fifteen service
23 connections; or

24 (b) regularly serves an average of at
25 least twenty-five individuals at least sixty days of the year;

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and

(2) includes any water supply source and any
treatment, storage and distribution facilities under control
of the operator of the system."

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