

RULES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION
CHAPTER 600-8:

EDUCATION AND TRAINING CERTIFICATION REQUIREMENTS FOR PERSONS
INVOLVED WITH LAND DISTURBING ACTIVITIES

Chapter 600-8-1

TABLE OF CONTENTS

600-8-1-.01	Authority
600-8-1-.02	Purpose and Scope
600-8-1-.03	Definitions
600-8-1-.04	Certification Guidelines
600-8-1-.05	Trainer/Instructor Guidelines
600-8-1-.06	Re-Certification Guidelines

Education and Training Certification Requirements for Persons
Involved with Land Disturbing Activity

600-8-1-.01 - Authority

The State Soil and Water Conservation Commission (the “Conservation Commission”) was created under the Soil and Water Conservation Districts Law, O.C.G.A. § 2-6-20, et seq. The Conservation Commission was created to serve as the Governor’s arm in carrying out the administrative functions necessary for the operation of the Soil and Water Conservation Districts program. The Conservation Commission is authorized under O.C.G.A. § 2-6-27 to receive gifts, appropriations, materials, equipment, land and facilities and to manage and disperse same in support of soil and water conservation activities.

Authority O.C.G.A. §§ 2-6-27(7.1) and 12-7-19.

600-8-1-.02 - Purpose and Scope

The purpose of the Education and Training Certification Requirements for Persons Involved with Land Disturbing Activities is to implement a program for the administration of the education and training program established under O.C.G.A. § 12-7-19, as amended.

Authority O.C.G.A. §§ 2-6-27(7.1) and 12-7-19.

600-8-1-.03 - Definitions

As used in this document, the term:

- (a) “Applicant” means any person submitting a request to be considered for certification.
- (b) “Certified Design Professional” means a “Design Professional” who has attended the Conservation Commission’s “Introduction to Design Seminar” (Level 2) and holds a certificate of successful completion of the training requirements stated in 600-8-1-.04 (2)(c) from the Conservation Commission in designing “Erosion, Sedimentation and Pollution Control Plans.”
- (c) “Certified Inspector” means any person who has attended the Conservation Commission’s “Advanced Fundamentals Seminar” (Level 1B) and holds a certificate of successful completion of the training requirements stated in 600-8-1-.04 (2)(b) from the Conservation Commission to inspect land-disturbed areas for compliance with the state laws.

- (d) “Certified Personnel” or “Certified Person” means any person who has attended the Conservation Commission’s “Fundamentals Seminar” (Level 1A) and holds a certificate of successful completion of the training requirements stated in 600-8-1-.04 (2)(a) from the Conservation Commission in the area of inspection of best management practices (BMPs) on construction sites. BMPs are vegetative and structural measures to control and prevent erosion.
- (e) “Certified Plan Reviewer” means a professional who has attended the Conservation Commission’s “Introduction to Design Seminar” (Level 2) and holds a certificate of successful completion of the training requirements stated in 600-8-1-.04 (2)(c) from the Conservation Commission in reviewing “Erosion, Sedimentation and Pollution Control Plans.”
- (f) “Certified Subcontractor” means any person who has attended the Conservation Commission’s “Awareness Seminar for Subcontractors” and holds a certificate of successful completion of the training requirements stated in 600-8-1-.04 (2)(d) from the Conservation Commission in the area of erosion and sediment control practices and processes in the state.
- (g) “Conservation Commission” means the Georgia Soil and Water Conservation Commission.
- (h) “Design Professional” means a professional licensed by the state of Georgia in the field of engineering, architecture, landscape architecture, forestry, geology, or land surveying or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) and certified by the Certified Professional in Erosion and Sediment Control Inc.
- (i) “Division” means Environmental Protection Division of Georgia Department of Natural Resources.
- (j) “E&S Act” or “Act” means the Georgia Erosion and Sedimentation Act of 1975, as amended.
- (k) “Erosion, Sedimentation and Pollution Control Plan” means a document containing a narrative part and a diagrammatic part providing the details of site conditions, BMPs and conservation and engineering principles adopted to control erosion, sedimentation and other pollutants from a land-disturbing activity impacting the land and water resources of the state.
- (l) “Inspector” means an individual who is responsible for periodic examination of erosion, sedimentation and pollution control BMPs of a land-disturbing activity for consistency with the requirements of the Georgia Erosion and Sedimentation Act of 1975, as amended or General NPDES Permits (100001, 100002, 100003).

- (m) “Plan Reviewer” means an individual who is responsible for determining the adequacy of “Erosion, Sedimentation and Pollution Control Plans” and supporting documents for approval by a program authority.
- (n) “Proctor” means an individual that has been approved by the Conservation Commission to administer the final exam. That individual shall be Conservation Commission staff or approved trainer for which he or she was the instructor or individual that has attended a Conservation Commission proctor training.
- (o) “Program Authority” means a Soil and Water Conservation District, the Division, or an issuing authority with a memorandum of agreement (MOA) with a Soil and Water Conservation District for reviewing the plan in-house.
- (p) “Qualified Person” means any person, except “Certified Subcontractor”, who meets or exceeds the education and training requirements of O.C.G.A. § 12-7-19 .
- (q) “Stakeholder Advisory Board” means the 13-member board appointed by the Governor in accordance with O.C.G.A. § 12-7-20 of the Georgia Erosion and Sedimentation Act of 1975, as amended.

Authority O.C.G.A. §§ 2-6-27(7.1) and 12-7-19.

600-8-1-.04 – Certification Guidelines

(1) General Information

- (a) Any specified application for Certification or Re-certification for “Certified Personnel” or “Certified Person,” “Certified Inspector,” “Certified Design Professional,” or “Certified Plan Reviewer” must be fully completed and submitted by the applicant. Incomplete applications will be returned to the applicant.
- (b) All correspondence should be directed to:

Georgia Soil and Water Conservation Commission
Urban Water Resources Program - Education/Certification Program
P.O. Box 8024
Athens, GA 30603

(2) Eligibility Requirements

- (a) Fundamentals Seminar (Level 1A): Certification will take place upon:
 - i. Course and Exam: Registering for and attending a Conservation Commission approved and posted “Fundamentals Seminar” (Level 1A), submitting the appropriate certification application form prior to the

examination, and obtaining a passing score on the Level 1A certification examination.

[or]

- ii. Exam Only: Registering for and attending a Conservation Commission approved and posted Level 1A examination date, submitting the appropriate application form prior to the examination for review and approval by the Conservation Commission, providing proof of attendance from a Conservation Commission “NPDES Qualified Personnel Workshop,” “Fundamentals of Erosion and Sediment Control Workshop,” another Conservation Commission and Division approved “qualified personnel” course or equivalent Conservation Commission approved course within three years prior to the examination date, and obtaining a passing score on the Level 1A certification examination.

(b) Advanced Fundamentals Seminar (Level 1B): Certification will take place upon:

- i. Course and Exam: Completing at least 60 days of work experience in the field of erosion and sediment control, registering for and attending a Conservation Commission approved and posted “Advanced Fundamentals Seminar” (Level 1B), submitting the appropriate certification application form prior to the examination, and obtaining a passing score on the Level 1B certification examination. In lieu of 60 days of work experience, an individual may obtain Level IA certification.

[or]

- ii. Exam Only: Completing at least 60 days of work experience in the field of erosion and sediment control, registering for and attending a Conservation Commission approved and posted Level 1B examination date, submitting the appropriate application form prior to the examination for review and approval by the Conservation Commission, providing proof of attendance from a Conservation Commission “Fundamentals of Erosion and Sediment Control Workshop” or equivalent Conservation Commission approved course within 3 years prior to the examination date, and obtaining a passing score on the Level 1B certification examination. In lieu of 60 days of work experience, an individual may obtain Level IA certification.

(c) Introduction to Design Seminar (Level 2): Certification will take place upon:

- i. Design Professionals
 - a. Course and Exam: Registering for and attending a Conservation Commission approved and posted “Introduction to Design Seminar”

(Level 2), submitting the appropriate application form prior to the examination for review and approval by the Conservation Commission including proof of professional licensure in the field of engineering, architecture, landscape architecture, forestry, geology, or land surveying or CPESC, and obtaining a passing score on the Level 2 certification examination.

[or]

- b. Exam Only: Registering for and attending a Conservation Commission approved and posted Level 2 examination date, submitting the appropriate application form prior to the examination for review and approval by the Conservation Commission including proof of professional licensure in the field of engineering, architecture, landscape architecture, forestry, geology, or land surveying or CPESC, and providing proof of attendance from a Conservation Commission “Design of Vegetative Measures and Structural Practices for Erosion and Sediment Control Workshop” or equivalent Conservation Commission approved course within three years prior to the examination date, and obtaining a passing score on the Level 2 certification examination.

ii. Plan Reviewers

- a. Course and Exam: Completing at least 6 months of work experience in the field of erosion and sediment control, registering for and attending an approved and posted Conservation Commission “Introduction to Design Seminar” (Level 2), submitting the appropriate application form prior to the examination for review and approval by the Conservation Commission, and obtaining a passing score on the Level 2 certification examination. In lieu of 6 months of work experience, an individual may obtain Level IB certification.

[or]

- b. Exam Only: Completing at least 6 months of work experience in the field of erosion and sediment control, registering for and attending a Conservation Commission approved and posted Level 2 examination date, submitting the appropriate application form prior to the examination for review and approval by the Conservation Commission, providing proof of attendance from a Conservation Commission “Design of Vegetative Measures and Structural Practices for Erosion and Sediment Control Workshop” or equivalent Conservation Commission approved course within three years prior to the examination date, and obtaining a passing

score on the Level 2 certification examination. In lieu of 6 months of work experience, an individual may obtain Level IB certification.

- (d) “Awareness Seminar for Subcontractors” (Level I): Certification will take place upon registering for and attending a Conservation Commission approved and posted “Subcontractor Awareness Seminar” and submitting the appropriate application form to the Conservation Commission.
- (e) Governmental Awareness Seminar: satisfactory completion will be considered upon attending a Conservation Commission approved “Governmental Awareness Seminar”.

(3) Application

- (a) Those seeking “Certified Personnel” or “Certified Person” status through training and examination must submit a completed application form. The application form, developed by the Executive Director and approved by the Conservation Commission, must contain a signed certification statement confirming that all information on the application form is true.
- (b) Those seeking “Certified Subcontractor” status through training must submit a completed application form. The application form, developed by the Executive Director and approved by the Conservation Commission, must contain a signed certification statement that all information on the application form is true. All applicants must present a government issued form of identification to the proctor when submitting the application.
- (c) Any person seeking certification through examination or by a combination of training and examination (except those seeking “Certified Personnel” or “Certified Person” status through training and examination) must submit a completed application form prior to examination. The application form, developed by the Executive Director and approved by the Conservation Commission, must contain a verification of all relevant work experience and training, and a signed certification statement confirming that all statements in the application are true.
- (d) Incomplete applications will be returned to the applicant and certification will be denied.
- (e) All applications will be reviewed by the Conservation Commission to determine eligibility for certification. All applicants will be notified of the results of the review within 60 days of the receipt of the application. An applicant may appeal the review, in writing, to the Conservation Commission Board within 10 days of the Conservation Commission’s determination. No applicant will be approved for certification unless all the requirements are satisfied.

(4) Examination

- (a) An individual may take a certification examination for the desired certificate of successful completion of training, except for “Certified Subcontractors”, if he or she meets the “Eligibility Requirements” discussed in Section 2.
- (b) An applicant who fails an examination will be allowed to retake the appropriate exam within one year.
- (c) All examinations will be timed with open course materials.
- (d) A passing score of 70% will be required on the appropriate certification exam.
- (e) All applicants will be notified in writing within 60 days of the results of the examinations by the Conservation Commission.
- (f) An applicant who fails the examination twice must take the course again.

(5) All examinations will be proctored by approved trainers for the seminar for which they are the instructor, approved Conservation Commission staff or individuals that have attended a Conservation Commission proctor training.

- (a) Instructors must notify the Conservation Commission 30 days prior to the examination date.
- (b) All applicants must present a government issued form of identification to the proctor when taking a certification examination.

(6) Revocation of Certification

- (a) The Conservation Commission shall have the authority to revoke the certification of any person obtaining certification pursuant to this Chapter upon a finding by a majority of members of the Conservation Commission that any of the following grounds exist:
 - i. The certification was obtained through fraud, misrepresentation, or making a false statement; or
 - ii. The certified person has violated or cooperated with others in violating a provision of these regulations; or

- iii. The certified person has made any misleading, deceptive, untrue or fraudulent representation in the course of the practice of a business or profession involving any certification under this Chapter; or
 - iv. The certified person has not obtained the requisite number of continuing education credits required to maintain certification; or
 - v. The certified person knowingly performs any act which in any way aids, assists, procures, advises or encourages any uncertified person under this Chapter to practice a business or profession involving certification under this Chapter.
- (b) If the Conservation Commission determines that revocation of a person's certification is to be considered, the Conservation Commission shall notify such person of the date and time that the Conservation Commission will consider the revocation and the reason(s) for the determination.
- (c) Upon receiving notification that a certification is to be considered for revocation, a person shall be entitled to appear before the Conservation Commission in a duly called meeting to explain the circumstances surrounding such proposed revocation and the Conservation Commission in its sole discretion, may determine whether a certification is to be revoked upon the affirmative vote of a majority of the members of the Conservation Commission.

Authority O.C.G.A. §§ 2-6-27(7.1) and 12-7-19.

600-8-1-.05 – Trainer/Instructor Guidelines

(1) Eligibility Requirements

- (a) Level 1 (Fundamentals, Advanced Fundamentals, and Awareness Seminars)
Trainers and instructors shall meet at least the following minimum requirements:
- i. Education: A four-year college degree or five years experience in the field of erosion and sediment control.
 - ii. Experience: Five years of experience in the field of erosion and sediment control. Where years of experience are used in lieu of the education requirement, a total of 10 years field experience is required.
 - iii. Approval by the Conservation Commission and the Stakeholder Advisory Board; and
 - iv. Successful completion of "Level 1 Trainer and Instructor Seminar."

- (b) Level 2 (Introduction to Design Seminar) Trainers and instructors shall meet at least the following minimum requirements:
- i. Education: A four-year college degree in engineering or natural sciences, or five years of professional licensure in the field of engineering, architecture, landscape architecture, forestry, geology, or land surveying or as a CPESC.
 - ii. Experience: Five years of experience in the field of erosion and sediment control. Where years of professional licensure or CPESC serves in lieu of a four-year college degree, ten years of experience in the field of erosion and sediment control shall be required.
 - iii. Approval by the Conservation Commission and the Stakeholder Advisory Board; and
 - iv. Successful completion of the “Level 2 Trainer and Instructor Seminar.”

(2) Application for Trainer/Instructor

- (a) Any person seeking the Conservation Commission’s approval as a Trainer/Instructor to present the education courses should submit the appropriate completed application form to the Conservation Commission at least 60 days prior to the scheduled Trainer/Instructor course date. The application form developed by the Executive Director and approved by the Conservation Commission, must contain a verification of the appropriate combination of education and work experience and a signed certification statement confirming that all statements in the application are true.
- (b) Incomplete applications will be returned to the applicant. All applications must be received by the Conservation Commission, postmarked at least 60 days prior to the scheduled course date.
- (c) All applications will be reviewed by the Conservation Commission to determine eligibility for course attendance and as a pre-requisite for approval as a qualified trainer/instructor. All applicants will be notified of the result of the review within 30 days of the receipt of the application. Any applicant may appeal the review in writing to the Conservation Commission Board within 10 days of the Conservation Commission’s determination. No applicant will be approved to attend the course unless all the requirements are satisfied.
- (d) Applicants, who have been found ineligible to attend the course, may request further consideration by submitting a letter to the Conservation Commission Board with the necessary evidence of additional considerations.

(3) Trainer/Instructor Course Attendance And Examination

- (a) Any qualified individual, who meets the “Eligibility Requirements” in Section 600-8-1-.05(1), may attend the Trainer/Instructor course and take the examination for approved trainer/instructor.
- (b) An individual, who is unable to attend the course and take the examination at the time scheduled, shall notify the Conservation Commission at least 48 hours prior to the date of the course if possible. Such individual shall be rescheduled for the next course and examination.
- (c) An applicant who attends the course but fails the examination will be allowed to retake the appropriate exam within one year. After the one-year period has elapsed, an applicant will be required to submit a new application in order to take the examination. An application for course attendance must be received by the Conservation Commission at least 60 days prior to the scheduled course date to be eligible to attend the course and take the examination.
- (d) A minimum passing score of 85% will be required on the examination.
- (e) All applicants will be notified in writing within 60 days of the results of the examinations.

(4) Course Procedures

- (a) All approved trainers/instructors must provide schedules with corresponding agendas and materials to the Conservation Commission at least 30 days prior to the date of the courses and the course agendas and materials must be followed in strict adherence to the one adopted by the Conservation Commission. Instructors must provide the maximum number of attendees to the Conservation Commission 30 days prior to the date of the course.
- (b) The Conservation Commission will conduct random audits to ensure approved trainers/instructors are following approved course curriculum and approved proctors are present and conducting examinations as instructed.

(5) Revocation of Trainer/Instructor Status

- (a) The Conservation Commission may revoke its certification of the trainer/instructor upon a finding by a majority of the Conservation Commission that any of the following grounds exist:
 - i. The certification was obtained through fraud, misrepresentation, or making a false statement; or

- ii. The certified person has violated or cooperated with others in violating a provision of these regulations; or
 - iii. The certified person has not demonstrated reasonable care, judgment, or application of his/her knowledge and ability in the performance of his/her duties; or
 - iv. The certified person has made any misleading, deceptive, untrue or fraudulent representation in the course of the practice of a business or profession involving any certification under this Chapter; or
 - v. The certified person has not obtained the requisite number of continuing education credits required to maintain certification; or
 - vi. The certified person has engaged in any unprofessional, immoral, unethical, deceptive or deleterious conduct or practice harmful to the public, which conduct or practice materially affects the fitness of the certified person to practice a business or profession involving the certification under this Chapter; or
 - vii. The certified person knowingly performs any act which in any way aids, assists, procures, advises or encourages any uncertified person under this Chapter to practice a business or profession involving certification under this Chapter; or
 - viii. The certified person has been adjudged mentally incompetent by a court of competent jurisdiction within or without this state; or
 - ix. The certified person has displayed an inability to practice a business or profession involving certification under this Chapter with reasonable skill and safety to the public or has been unable to perform such business or profession with reasonable skill and safety to the public by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of substance.
- (b) If the Conservation Commission determines that revocation of a person's certification is to be considered, the Conservation Commission shall notify such person of the date and time that the Conservation Commission will consider the revocation and the reason(s) for the determination.
- (c) Upon receiving notification that a certification is to be considered for revocation, a person shall be entitled to appear before the Conservation Commission in a duly called meeting to explain the circumstances surrounding such proposed revocation and the Conservation Commission in its sole discretion, may determine whether a certification is to be revoked upon the affirmative vote of a majority the members of the Conservation Commission.

Authority O.C.G.A. §§ 2-6-27(7.1) and 12-7-19.

600-8-1-.06 – Re-certification Guidelines

(1) Expiration of Certification

A certification provided by achieving the requirements established by the Conservation Commission shall expire no later than three years after its issuance.

(2) Requirements for Re-certification

A certification will be extended or renewed by attending and participating in at least four hours of approved continuing education courses, as established by the Conservation Commission, every three years after its issuance.

Authority O.C.G.A. §§ 50-13-4, 2-6-232, 2-6-27(7.1) and 12-7-19

History: Original Rule entitled “Education and Training Certification Requirements for Persons Involved with Land Disturbing Activities” adopted F. Feb 17, 2005; eff. Mar 9, 2005

Amended: July 24, 2007; eff. Aug 13, 2007