

236 CMR: BOARD OF CERTIFICATION OF OPERATORS  
OF DRINKING WATER SUPPLY FACILITIES

236 CMR 5.00: DISCIPLINARY ACTION

Section

5.01: Basis for Disciplinary Action

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The Board may suspend, revoke, place on probation or otherwise take other appropriate enforcement actions on or against the certificate of an operator for operator misconduct following a hearing pursuant to M.G.L. c. 30A where a majority of the Board finds that the operator:

- (1) has practiced fraud or deception;
- (2) has falsified or made misleading statements on a license application or operating records;
- (3) was guilty of gross misconduct;
- (4) did not use reasonable care or judgement in the performance of his/her duties;
- (5) is incompetent or was negligent in the performance of his/her duties;
- (6) failed to use his/her knowledge or ability in the performance of his/her duties;
- (7) failed to comply with applicable federal or state law or regulation; or
- (8) that the operator has otherwise engaged in unprofessional conduct.

REGULATORY AUTHORITY

236 CMR 5.00: M.G.L. c. 13, § 66B; c. 112, §§ 87CCCC and 87DDDD.

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NON-TEXT PAGE