

# Regulation 61-107.14

## Solid Waste Management:

### Municipal Solid Waste Landfill Operator's Certification

#### Disclaimer

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**Statutory Authority:**

S.C. Code Sections 44-96-260, 44-96-460, and 44-96-10 et seq.

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**Table of Contents**

A.	Applicability	1
B.	Definitions	1
C.	General Provisions	1
D.	Manager	2
E.	Supervisor	4
F.	Worker	6
G.	Disciplinary Action	7
H.	Disciplinary Sanctions Allowable & Procedures for Disciplinary Action	7
I.	Severability	8

**A.Applicability.** This regulation establishes minimum training and certification requirements for operators of municipal solid waste landfills and municipal solid waste incinerator ash landfills.

**B.Definitions.**

1. "Department" means the South Carolina Department of Health and Environmental Control.

2. "Municipal solid waste" means any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas), generated by commercial establishments (stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding industrial facilities) and nonhazardous sludge.

3. "Municipal solid waste incinerator ash landfill" means any landfill or landfill unit, publicly or privately owned, that receives the solid residue from incinerators that burn municipal solid waste.

4. "Municipal solid waste landfill" means any sanitary landfill or landfill unit, publicly or privately owned, that receives household waste. The landfill may also receive other types of solid waste, such as commercial waste, nonhazardous sludge, and industrial solid waste.

5. "Operator" for the purposes of this regulation, means any person, including the owner, who is principally engaged in, or is in charge of, the actual operation, supervision, and maintenance of a municipal solid waste landfill or a municipal solid waste incinerator ash landfill and includes the person in charge of a shift or period during any part of the day. Operators will be classified by the following two (2) categories:

a. "Manager" means the person(s) with responsibility for the overall management of the facility; and,

b. "Supervisor" means the person(s) with supervisory responsibility for a specific facility site or shift.

6. "Sanitary landfill" means a land disposal site employing an engineered method of disposing of solid waste on land in a manner that minimizes environmental hazards and meets the design and operation requirements of State regulations.

7. "Workers" for the purposes of this regulation, means the persons performing the daily maintenance activities at the landfill.

**C.General Provisions.**

1. No person shall perform the duties of manager or supervisor of a municipal solid waste landfill or a municipal solid waste incinerator ash landfill (MSWIAL) unless he/she is duly certified by the State of South Carolina as a Landfill Operator.

2. Landfill operator's training and certification requirements shall be classified by the following categories:

a. Manager; and,

b. Supervisor.

3. Municipal solid waste landfill and MSWIAL managers and supervisors shall be trained and tested by a Department-approved training program and upon satisfactory completion of the course material and examination, shall be certified by the Department.

4. Operator certification examinations:

a. The operator certification examinations will be based on the appropriate basic operator training course curriculum.

b. An applicant who completes the training course but fails to pass the required examination within one year of the initial employment date shall not work in the capacity of a manager or supervisor at a municipal solid waste landfill and/or a MSWIAL until repeating the Department-approved operator's certification course and subsequently passing the certification examination.

5. All Department issued operator's certifications shall be renewed every three (3) years.

6. A certified manager or supervisor shall be on duty during all hours of operation of a municipal solid waste landfill and a MSWIAL.

7. Certified managers and supervisors shall refuse waste deemed unacceptable for that landfill.

#### **D.Manager.**

1. The manager of a landfill shall successfully complete a Department-approved training course and examination within one (1) year of the initial employment date.

2. Managers who have current Solid Waste Association of North America (SWANA or GRCDA) certification may request reciprocity for South Carolina certification, in lieu of completing the required training course and examination. The request for reciprocity shall be made within ninety (90) days from the initial employment date into the manager position. Documentation, i.e. a copy of SWANA or GRCDA Certification, verification of initial employment date, and a request for reciprocity shall be submitted to the Department. If the employee fails to submit the request within the allotted ninety (90) day timeframe, he/she shall be required to successfully complete the training course, pursuant to Item D.1. above, in order to remain in the manager landfill position.

3. Fifteen (15) contact hours of continuing education, or 1.5 continuing education units (CEUs) from an approved source shall be completed by the manager prior to each renewal. The manager shall request and receive Department approval for the courses. Acceptability of courses for earning CEUs as required for certification renewal shall be determined by the Department. CEUs shall not be carried over from a three (3) year period into the next three (3) year renewal period.

4. CEUs and certification renewal:

a. The manager shall be responsible for submitting the following information concerning earned CEUs in order to maintain accurate Department records for certification renewal:

(1) Manager's name and certification number; and,

(2) A copy of the certificate, or other documentation indicating completion of a specific course and the number of CEUs earned.

b. Failure to earn the required number of CEUs and/or report this information to the Department shall result in revocation of certification.

5. Managers shall be knowledgeable of the following areas:

a. Regulations in reference to:

(1) Federal;

(2) State:

(a) agency responsible;

(b) definitions; and,

(c) requirements;

(3) OSHA - Safety to include:

(a) compliance with Hazard Communication Standard (29 CFR 1910.1200) and all other OSHA standards;

(b) carrying out the Emergency Response Plan; and,

(c) ensuring that all safety precautions are observed;

b. Role of municipal solid waste landfills in reference to:

(1) Generation of solid wastes;

(2) Physical and chemical composition and decomposition of waste;

(3) Waste identification in reference to:

(a) solid waste;

(b) hazardous waste; and,

(c) infectious waste; and,

(4) Handling of special wastes;

c. Landfill development phase to include:

(1) Site selection;

(2) Waste decomposition:

(a) landfill gas generation and migration;

(b) leachate generation and migration; and,

(c) control;

d. Landfill operations phase to include:

- (1) Monitoring equipment and systems;
- (2) Cover systems;
- (3) Liners; and,
- (4) Personnel and equipment concerns;

e. Landfill closure phase to include:

- (1) Complying with engineering design for closure;
- (2) Long term maintenance;
- (3) Environmental monitoring;
- (4) End uses;
- (5) Final cover design; and,
- (6) Vegetation; and,

f. Landfill post-closure to include financing closure and post-closure care.

5. Managers shall ensure that landfill workers are provided proper training.

### **E. Supervisor.**

1. The supervisor of a landfill shall successfully complete a Department-approved training course and examination within one (1) year of the initial employment date.

2. Supervisors who have current SWANA or GRCDA certification may request reciprocity for South Carolina certification, in lieu of completing the required training course and examination. The request for reciprocity shall be made within ninety (90) days of the initial employment date into the supervisor position. Documentation, i.e. a copy of SWANA or GRCDA Certification, verification of initial employment date from the landfill manager, and a request for reciprocity shall be submitted to the Department. If the employee fails to submit the request within the allotted ninety (90) day timeframe, he/she shall be required to successfully complete the training course, pursuant to Item 1. above, in order to remain in the supervisor landfill position.

3. Six (6) contact hours of continuing education or 0.6 CEUs, shall be acquired by the supervisor prior to each renewal. The supervisor shall request and receive Department approval for the courses. Acceptability of courses for earning CEUs as required for certification renewal shall be determined by the Department. CEUs shall not be carried over from a three (3) year period into the next three (3) year renewal period.

4. CEUs and certification renewal:

a. The supervisor shall submit the following information concerning earned CEUs:

- (1) Supervisor's name and certification number; and,
- (2) A copy of the certificate indicating completion of a specific course and the number of CEUs earned.

b. Failure to earn the required number of CEUs and/or report this information to the Department shall result in revocation of certification.

5. The certified supervisor shall be knowledgeable of the following functions:

a. Waste identification in reference to:

- (1) Different types of waste;
- (2) Types of permitted wastes for identification and approval purposes;
- (3) Response to non-permitted wastes; and,
- (4) Monitoring the waste stream;

b. Equipment operation and preventive maintenance to include:

- (1) Checking equipment prior to operation;
- (2) Operating equipment to standards; and,
- (3) Performing preventive maintenance;

c. Safety:

- (1) Identification and use of personal protective equipment;
- (2) Compliance with Hazard Communication Standard (29 CFR 1910.1200) and all other OSHA standards;
- (3) Safe operation of equipment/tools;
- (4) The Emergency Response Plan; and,
- (5) Ensuring that all safety precautions are observed;

d. Landfill operation phase to include:

- (1) Operating face requirements;
- (2) Traffic control at the working face;

- (3) Techniques for spreading and compacting waste;
  - (4) Cover application; and,
  - (5) Proper handling of special wastes;
  - e. Landfill development phase to include:
    - (1) Ability to read, interpret, and implement operational and design plans; and,
    - (2) Determination of elevations;
  - f. Monitoring in reference to:
    - (1) Ensuring the integrity of monitoring equipment and systems; and,
    - (2) Identifying the basic functions of monitoring systems;
  - g. Planning daily operations;
  - h. Landfill closure phase to include compatibility of daily operations with engineering design for closure;
  - i. Landfill post-closure to include compatibility of daily operations with post-closure plans; and,
  - j. Regulatory knowledge to ensure compliance with:
    - (1) Department inspection criteria for landfills; and,
    - (2) Basic permit requirements.
6. Supervisors shall ensure that workers are properly trained.

**F. Worker.**

- 1. Workers shall receive on-the-job training by either a contracted trainer approved by the Department or the employee's certified supervisor(s).
- 2. The required basic worker's training shall address the following areas, at a minimum:
  - a. Waste identification in reference to:
    - (1) Different types of waste; and,
    - (2) Types of permitted wastes;
  - b. Equipment operation and prevention maintenance to include:
    - (1) Checking equipment prior to operation;
    - (2) Operating equipment to standards; and,



(3) Performing preventive maintenance;

c. Safety in reference to:

(1) Identification and use of personal protective equipment;

(2) Compliance with Hazard Communication Standard (29 CFR 1910.1200) and all other OSHA standards;

(3) Operation of equipment/tools safely; and,

(4) Worker responsibilities under the Emergency Response Plan; and,

d. Landfill operation phase to include:

(1) Operating face requirements;

(2) Traffic control at the working face;

(3) Techniques for spreading and compacting waste;

(4) Cover application; and,

(5) Proper handling of special wastes.

3. Department staff will observe worker performance to determine compliance with requirements.

**G. Disciplinary Action.** Disciplinary action against a certified operator may be taken on any of the following grounds:

1. Gross negligence or a continued pattern of incompetence in the practice as a certified operator;

2. Intentionally violating or inducing another to violate the rules and permit conditions applicable to landfill operation;

3. Failure to take appropriate corrective action concerning violations documented during Department inspection(s);

4. Failure to submit required records of operation or other reports or monitoring data as required under applicable permits or Department regulations;

5. Making any false statement, representation, or certification on any application, record, report or document required to be maintained or submitted under any applicable permit or regulation of the Department;

6. Failure to ensure adequate training and supervision of landfill workers; and,

7. Failure to refuse unacceptable waste.

**H. Disciplinary Sanctions Allowable and Procedures for Disciplinary Action.**

1. Disciplinary action shall be based on the severity of the violation incurred as determined by the Department. Action shall consist of either:

a. Probation under specified conditions relevant to the specific grounds for disciplinary action. Additional education or training, or reexamination may be required as a condition of probation; or,

b. Revocation of an operator's certification for a specified timeframe as determined by the Department.

2. The following procedure shall be followed when disciplinary action is initiated:

a. A Department written notice shall be given to an operator against whom disciplinary action is being taken; and,

b. Within fifteen (15) days from receipt of written notification of disciplinary action by the Department, the operator may appeal it as a contested case pursuant to R.61-72 and the Administrative Procedures Act.

**I. Severability.** Should any section, paragraph, sentence, clause or phrase of this regulation be declared unconstitutional or invalid for any reason, the remainder of this regulation shall not be affected thereby.