

Waste Management Facility Operators Regulations

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2 **18 VAC 155-20-110. License classification.**

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4 A. The applicant shall apply for at least one classification of license as outlined  
5 below:

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7 1. An individual operating a facility which is defined by the Department of  
8 Environmental Quality as a transfer station, a material recovery facility  
9 receiving mixed waste, an experimental facility, or a composting facility  
10 receiving yard waste shall hold a Class I license. An individual who has  
11 obtained a Class II, III or IV license may also operate a facility listed under  
12 Class I, if the individual has completed the board-approved basic training  
13 course.

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15 2. An individual operating a facility which composts municipal solid waste, or is  
16 defined by the Department of Environmental Quality as a sanitary, industrial,  
17 construction or debris landfill, shall hold a Class II license.

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19 3. An individual operating a facility defined by the Department of  
20 Environmental Quality as an infectious waste incinerator or an autoclave shall  
21 hold a Class III license.

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23 4. An individual operating a facility defined by the Department of  
24 Environmental Quality as a municipal waste combustor shall hold a Class IV  
25 license.

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27 B. A licensee may not operate a facility outside of his classification other than that  
28 defined by subdivision A 1 of this section.

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30 C. An individual operating a solid waste management facility that has been issued a  
31 permit by the Department of Environmental Quality but for which the board has  
32 not established training and licensure requirements shall hold a Class I license  
33 until the board establishes the training and licensing requirements by regulation.

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37 **18 VAC 155-20-120. Qualifications for licensure.**

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39 A. The board shall issue a license only after an individual has met, through a  
40 completed application and addendum, all training, testing, and experience  
41 requirements for a at least one specific class as set forth in this chapter.

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43 B. The applicant shall meet the following requirements for licensure for all classes of

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1 licenses:

- 2
- 3 1. The applicant shall be at least 18 years of age.
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- 5 2. The applicant shall provide proof of high school or college graduation, or of
- 6 having a General Equivalency Diploma (GED).
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- 8 3. An applicant who cannot fulfill the requirement outlined in subdivision B 2 of
- 9 this section shall document at least five years of verified experience with a
- 10 waste management facility during the preceding seven years, with at least
- 11 three years of experience in at least one of the following activities:
- 12
- 13 a. Supervision;
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- 15 b. Research;
- 16
- 17 c. Construction;
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- 19 d. Project development;
- 20
- 21 e. Site development;
- 22
- 23 f. Compliance and enforcement of a permit or regulations;
- 24
- 25 g. Operation; or
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- 27 h. Review of materials for permitting purposes.
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- 29 4. Except for applicants that qualify pursuant to subdivision 3 of this subsection,
- 30 each applicant shall document one year of verified experience with a waste
- 31 management facility.
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- 33 ~~4. 5.~~ All applicants shall successfully complete the basic training course as
- 34 defined in 18 VAC 155-20-220 B.
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- 36 ~~5. 6.~~ An applicant may use employment responsibilities in lieu of facility specific
- 37 training as defined in subsections D through F of this section; provided that:
- 38
- 39 a. The applicant has been a full-time employee at a waste facility specific to
- 40 the desired license classification for at least three of the past seven years.
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- 42 b. The employment responsibilities include at least one of those activities
- 43 enumerated in subdivision 3 of this subsection.

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~~6. The board will accept facility specific training provided that (i) the training has been approved by the board pursuant to 18 VAC 155-20-230 and (ii) the training was successfully completed after January 1, 1989.~~

7. Experience requirements claimed on the application for licensure shall be verified by the individual’s supervisor(s) or personnel officer. Individuals who are under contract with a facility owner may obtain a letter from the facility owner to verify experience.

8. Education requirements claimed on the application for licensure shall be verified by the attendee’s educational institution or authorizing jurisdiction on the provided form or in the form of an official transcript or letter. Diplomas will not be accepted for verification of degree or graduation.

9. The applicant holding a valid license from another state or jurisdiction may qualify by reciprocity under the provisions of 18 VAC 155-20-150.

C. The specific requirements for Class I licensure are as follows:

- 1. Complete a board-approved basic training course; and
- 2. Pass the board-approved examination for Class I.

D. The specific requirements for Class II licensure are as follows:

- 1. Complete a board-approved basic training course and an approved training course specific to Class II facilities; and
- 2. Pass the board-approved examination for Class II.

E. The specific requirements for Class III licensure are as follows:

- 1. Complete a board-approved basic training course and an approved training course specific to Class III facilities and pass the board-approved examination for Class III; or
- 2. Complete the training and examination requirement of a federal or state agency under the federal Clean Air Act, as amended, as of the date applicable to an interpretation of a regulation or adjudication of a case decision and complete the board-approved basic training course within one year after licensure.

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F. The specific requirements for Class IV licensure are as follows:

- 1. Complete a board-approved basic training course and an approved training course specific to Class IV facilities and pass the board-approved examination for Class IV; or
- 2. Complete the training and examination requirement of a federal or state agency under the federal Clean Air Act, as amended, as of the date applicable to an interpretation of a regulation or adjudication of a case decision and complete the board-approved basic training course within one year after licensure.

**18 VAC 155-20-160. Procedures for renewal.**

A. Licenses issued under this chapter shall expire biennially. Licensees shall be notified by mail of the fee and the procedures for license renewal. Each licensee desiring to renew his license shall ensure that the department receives the renewal notice; evidence of completion of continuing professional education/training; a statement that the license renewal applicant is in compliance with all facility specific operator training and examination requirements of federal and Virginia law and regulations, and of the facility operating permit(s); and the appropriate fee before the license expires.

~~B. For the purposes of the first renewal after May 1, 2000, the expiration date of all licenses issued to a single individual shall be the expiration date on the license most recently issued to or renewed for that individual. Each license issued after May 1, 2000, shall indicate the class or classes of licensure held by the licensee.~~

~~C. B.~~ Licenses shall be renewed for a period of 24 months from the date of the expiring license.

~~D. C.~~ Failure to receive written notice from the department does not relieve the regulant from the requirement to renew his license. If the license holder fails to receive the renewal notice, a copy of the license may be submitted with evidence of completion of the continuing education/training and the appropriate fee.

~~E. D.~~ The date the required fee is received by the department or its agent will be used to determine whether a penalty fee or the requirement for reinstatement of a license is applicable.

~~F. E.~~ Revoked or suspended licenses are not renewable until reinstated by the board.

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2 **18 VAC 155-20-220. Training course curriculum.**

3 A. The board shall approve only training courses which document that their instruction  
4 meets the minimum curriculum standards contained in this section.

5 B. A board-approved basic training course shall at a minimum include the following  
6 topics as they relate to nonhazardous solid waste management facilities:

7 1. Definitions.

8 2. Authority for regulations.

9 3. Purpose of regulations.

10 4. Administration of regulations.

11 5. Applicability of regulations.

12 6. Prohibitions.

13 7. Open dumps.

14 8. Unpermitted facilities.

15 9. Enforcement and appeal.

16 10. Penalties and enforcement.

17 11. Public participation.

18 12. Relationship with other regulations promulgated by the Virginia Waste  
19 Management Board, the State Water Control Board, and the Virginia State Air  
20 Pollution Control Board.

21 13. Identification of solid waste.

22 a. Purpose and scope.

23 b. Definitions of solid waste.

24 c. Special wastes.

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1                   d. Exclusions.

2                   e. Conditional exemptions.

3           14. Identification of unauthorized waste.

4       ~~14.~~ 15. Overview of open dumps and unpermitted facilities.

5       ~~15.~~ 16. Permitting of solid waste management facilities.

6       ~~16.~~ 17. Review of Department of Environmental Quality Inspection Form.

7       ~~17.~~ 18. Overview of permitted solid waste management facilities.

8                   a. Transfer stations.

9                   b. Material recovery facilities.

10                  c. Experimental facilities.

11                  d. Sanitary landfills.

12                  e. Infectious waste incinerators.

13                  f. Mass burn facilities.

14                  g. Refuse derived fuel facilities.

15                  h. Composting facilities.

16                  ~~h.~~ i. Autoclaves.

17       ~~18.~~ 19. Overview of general OSHA requirements.

18       ~~19.~~ 20. Neighbor relations.

19       ~~20.~~ 21. Recordkeeping and financial assurance.

20    C. A board-approved training course specific to Class II facilities shall include at a  
21    minimum the following topics:

22                  1. Definitions.

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- 1           2. Special wastes.
- 2                 a. General.
- 3                 b. Asbestos wastes.
- 4                 c. Wastes containing polychlorinated biphenyls.
- 5                 d. Liquids.
- 6                 e. Tires.
- 7                 f. Drums.
- 8                 g. White goods.
- 9                 h. Soil contaminated with petroleum products.
- 10                i. Lead acid batteries.
- 11                j. Other prohibited wastes.
- 12                k. Hazardous wastes.
- 13                l. Screening for prohibited wastes.
- 14                m. Handling procedures for special or hazardous wastes.
- 15                n. Recordkeeping and notification requirements.
- 16           3. ~~Solid waste disposal standards.~~ Sanitary landfills.
- 17                ~~a. General standards for sanitary landfills.~~
- 18                ~~b.~~ a. Design/construction.
- 19                ~~c.~~ b. Operation.
- 20                ~~d.~~ c. Groundwater monitoring.
- 21                ~~e. Closure.~~
- 22                ~~f. Post closure care requirements.~~

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- 1                    ~~g.~~ d. Control of decomposition gases and landfill gas recovery systems.
- 2                    ~~h.~~ e. Leachate control system and monitoring.
- 3                    ~~i.~~ f. Leachate control system appurtenances.
- 4                    ~~j.~~ Corrective action program.
- 5                    g. Large landfill air operating permits.
- 6                    4. Construction/demolition debris standards.
- 7                    5. Industrial waste disposal standards.
- 8                    6. Other solid waste management facility standards.
  - 9                    a. Compost facilities.
  - 10                    b. Surface impoundments and lagoons.
  - 11                    c. Waste piles.
  - 12                    d. Miscellaneous units.
- 13                    7. Permitting of solid waste management facilities.
  - 14                    a. Solid waste.
  - 15                    b. Virginia Pollution Discharge Elimination System (VPDES) permits and
  - 16                    related water and wastewater permits.
  - 17                    c. Air.
- 18                    8. Financial assurance documentation.
  - 19                    a. Closure regulations.
  - 20                    b. Post-closure regulations.
  - 21                    c. Corrective action.
- 22                    9. Rulemaking petitions and procedures.



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1 D. A board-approved training course specific to Class III facilities shall include at a  
2 minimum the following topics:

3 1. Identification and listing of infectious waste.

4 a. General.

5 b. Exemption to regulations.

6 c. Exclusions.

7 d. Characteristics of infectious waste.

8 e. Controlled infectious waste.

9 2. General requirements.

10 a. Permits and permits by rule.

11 ~~b. Financial assurance requirements.~~

12 ~~e. b. Packaging and labeling requirements.~~

13 ~~d. c. Management of spills.~~

14 ~~e. Closure requirements.~~

15 ~~f. d. Methods of treatment and disposal.~~

16 ~~g. e. Approved test method.~~

17 ~~h. f. Recordkeeping requirements.~~

18 3. Requirements for storage facilities.

19 a. Sanitation.

20 b. Access.

21 c. Temperature control and storage period.

22 d. Drainage and ventilation.

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- 1           4. Requirements for transportation.
- 2                 a. Sanitation.
- 3                 b. Access.
- 4                 c. Temperature and storage period.
- 5                 d. Drainage.
- 6                 e. Packaging, labeling and placards.
- 7                 f. Management of spills.
- 8                 g. Loading and unloading.
- 9                 h. Registration of transportation.
- 10           5. Requirements for incineration.
- 11                 a. Performance standards.
- 12                 b. Analysis and management of ash residue.
- 13                 c. Unloading operation.
- 14                 d. Facility air operating permits.
- 15                 ~~d~~ e. Compliance with other regulatory requirements.
- 16           6. Requirements for steam sterilization.
- 17                 a. Performance standards.
- 18                 b. Compliance with other regulatory requirements.
- 19           7. Medical waste combustor regulations.
- 20           8. Financial assurance documentation.
- 21                 a. Closure regulations.
- 22                 b. Corrective action.

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1 E. A board-approved training course specific to Class IV facilities shall include at a  
2 minimum the following topics:

3 1. Solid Waste Management Regulations.

4 a. Siting.

5 b. Design and construction.

6 c. Operation.

7 d. Waste characteristics.

8 2. Emissions formation and control.

9 a. Type of emissions.

10 b. Environmental effect.

11 c. Control techniques.

12 3. Emissions monitoring.

13 a. Parameters monitored.

14 b. Types of monitors.

15 c. Data acquisition.

16 d. Monitor calibration, certification and testing.

17 4. Combustion and gas reactions.

18 a. Combustion components.

19 b. Optimizing solid waste combustion.

20 c. Gas reactions related to combustor construction materials.

21 5. Solid waste materials handling.

22 a. Front end processing equipment.

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- 1                   b. Combustion enhancement.
- 2                   c. Back end processing.
- 3                   d. Recycling benefits.
- 4           6. Waste combustion residue handling and disposal.
  - 5                   a. Types of residue.
  - 6                   b. Characteristics.
  - 7                   c. Regulations.
  - 8                   d. Monitoring.
  - 9                   e. Handling and transportation.
  - 10                  f. Disposal.
  - 11                  g. Alternative uses.
- 12           7. Safety.
  - 13                  a. Employer/employee obligations.
  - 14                  b. OSHA.
  - 15                  c. Hazard communication.
  - 16                  d. Equipment tagout.
  - 17                  e. Respiratory protection.
- 18           8. Recordkeeping.
  - 19                  a. Engineering log keeping.
  - 20                  b. Maintenance.
  - 21                  c. Solid waste.
- 22           9. Virginia pressure vessel regulation.

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1           10. Air pollution control regulations for waste combustors.

2           11. Facility air operating permits.

3           12. Plant operations.

4                   a. Thermal fluids theory.

5                   b. Boiler plant operations.

6           13. Financial assurance documentation.

7                   a. Closure regulations.

8                   b. Corrective action.

9    **18 VAC 155-20-280. Grounds for denial of application, denial of renewal, or**  
10 **discipline.**

11    A. The board shall have the authority to deny an application for and to deny renewal of a  
12 license or training course approval, and to revoke or suspend the license or training  
13 course approval as well as to discipline a licensee or an approved training provider for the  
14 following reasons:

15           1. Violating or inducing another to violate any provisions of Chapters 1 (§54.1-  
16 100 et seq.), 2 (§54.1-200 et seq.), 3 (§54.1-300 et seq.) or 22.1 (§54.1-2209 et  
17 seq.) of Title 54.1 of the Code of Virginia, or any ~~provisions~~ provision of this  
18 chapter.

19           2. Obtaining or renewing a license or training course approval through fraudulent  
20 means or misrepresentation.

21           3. Having been found guilty by the board, an administrative body or by a court of  
22 any material misrepresentation in the course of performing his operating duties.

23           4. Subject to the provisions of § 54.1-204 of the Code of Virginia, Having having  
24 been convicted or found guilty, regardless of jurisdiction, of any felony, or of any  
25 violation which resulted in the significant harm or the imminent and substantial  
26 threat of significant harm to human health or the environment, there being no  
27 appeal pending therefrom or the time of appeal having elapsed. Any plea of nolo  
28 contendere shall be considered a conviction for the purposes of this chapter. A  
29 certified copy of the final order, decree or case decision by a court or regulatory

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1 agency with lawful authority to issue such order, decree or case decision shall be  
2 admissible as prima facie evidence of such conviction.

3 5. Failing to inform the board in writing within 30 days of pleading guilty or nolo  
4 contendere or being convicted or found guilty of any felony, or of any violation  
5 which resulted in the significant harm or the imminent and substantial threat of  
6 significant harm to human health or the environment.

7 6. Gross negligence, or a continued pattern of incompetence, in the practice as a  
8 waste management facility operator.

9 7. Violating the permit conditions for the facility, or violating any federal, state or  
10 local laws or regulations which ~~results~~ resulted in the significant harm or ~~an~~ the  
11 imminent and substantial threat of significant harm to human health or the  
12 environment.

13 B. Any individual whose license is revoked under this section shall not be eligible to  
14 apply for licensure for a period of one year from the effective date of the final order of  
15 revocation. After the one-year period, the individual shall meet all education,  
16 examination, experience and training requirements, complete the application and submit  
17 the required fee for consideration as a new applicant.

18 C. The board shall conduct disciplinary procedures in accordance with the Administrative  
19 Process Act (~~§9-6.14:1~~ § 2.2-4004 A et seq. of the Code of Virginia).

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