

**Sec. 22a-209-6. Certification of operators**

(a) **Certified operator present.** The owner or operator of a solid waste facility shall assure that a certified operator is present at the solid waste facility at all times during operating hours, except as provided by Section 22a-209-6 (c) of these regulations.

(b) **Certification procedures:**

(1) Persons desiring to be certified shall apply to the Commissioner on forms provided by the Commissioner.

(2) Before an applicant is certified, he or she shall demonstrate to the Commissioner sufficient training in solid waste facility operational procedures to be able to oversee the operation of the solid waste facility in accordance with applicable state and federal statutes and regulations. Such training may consist of on-the-job or classroom instruction, or a combination of both, in solid waste management procedures and public health and safety.

(3) The Department of Environmental Protection shall certify applicants through use of one of the following methods:

(A) a written or oral examination designed to test the knowledge of the applicant regarding operational procedures of a solid waste facility relative to public health, safety and environmental matters, or

(B) a review of the qualifications of the applicant through an interview with the applicant and written documentation of his or her experience and/or training and record of compliance with operational requirements for similar solid waste facilities.

(4) Upon satisfactory fulfillment of the requirements of this section, the Commissioner shall issue a certificate attesting to the applicant's competency and his or her knowledge of a specific type of solid waste facility and its operation. Certificates shall be valid for a period of five (5) years from the date of issuance, and all existing valid certificates shall be valid through September 30, 1991. Certificates are revocable for non-compliance with state statutes or regulations when such noncompliance is the result of the certified operator's unreasonable action or inaction. The Commissioner may revoke or suspend such operator's certification in accordance with Section 4-182 of the Connecticut General Statutes and the Rules of Practice of the Department, as amended, and shall send advance notice of such revocation or suspension to the owner or operator of each facility at which the subject certified operator is employed.

(5) The Commissioner may require all certified operators to successfully complete additional instruction, examination, or both in solid waste management and pollution control technology to maintain certification. Such instruction may consist of the on-the-job or classroom instruction, or a combination of both, and such examination may be written or oral, or a combination of both.

(6) To renew a certificate that has expired, the previously certified operator must complete a training course offered by the Department of Environmental Protection for maintenance of proficiency or, as required, pass the examination or qualification review required in subdivision (b) (3) of this section.

(c) **Loss of certified operator.**

(1) In the event a solid waste facility has no certified operator or the facility's sole certified operator has his or her certification revoked, it lapses, or the certified operator leaves for any reason, the owner or operator shall immediately (A) notify the Department

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and (B) apply to have an appropriate person certified in accordance with subsection (b) of this section.

(2) The Department shall administer the appropriate training and examination or review in a timely fashion, and the designated person shall undergo such training and examination or review at the first available opportunity, and pass such examination or review.

(3) Such a solid waste facility may operate without a certified operator provided the owner or operator complies with subsections (c) (1) and (2) of this section.

(Effective September 22, 1988)