

## Chapter NR 499

# **TRAINING AND CERTIFICATION REQUIREMENTS FOR SOLID WASTE TREATMENT FACILITY OPERATORS**

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**Note:** Corrections made under s. 13.93 (2m) (b) 7., Stats., Register, January, 1997, No. 493.

**NR 499.01 Applicability; purpose.** ~~(1) APPLICABILITY.~~ This chapter applies to any person participating in or responsible for the operation of a solid waste treatment facility that burns solid waste, to owners of solid waste treatment facilities and to any person who offers training programs for solid waste treatment facility operators.

~~(2) PURPOSE.~~ This chapter is adopted under s. 285.51, Stats., to establish by rule a program for the training and certification of solid waste treatment facility operators.

**History:** Cr. Register, September, 1993, No. 453, eff. 10-1-93.

**NR 499.02 Definitions.** The definitions contained in ch. NR 400 apply to the terms used in this chapter. In addition, the following definitions apply to the terms used in this chapter:

~~(1) "Approved training program"~~ means a curriculum developed by a facility or an independent sponsor and approved by the department under this chapter for the purpose of training solid waste treatment facility operators.

~~(2) "Burndown"~~ means the final cycle in the operation of a solid waste treatment facility in which solid waste is no longer being charged, burners are designed to shut off automatically after a specified period of time, charging doors are locked and the equipment is allowed to cool.

~~(3) "Certificate"~~ means a printed document issued by the department, pursuant to this chapter, stating that the named individual has met the competency requirements established for a solid waste treatment facility operator.

~~(4) "Certified operator"~~ means a person who has completed an approved training program, passed an examination in accordance with this chapter, and has been issued a certificate by the department.

~~(5) "Chief facility operator"~~ means a person who has completed an approved training program and passed a department examination at this certification level. A chief facility operator is responsible for the overall supervision and monitoring of performance of a solid waste treatment facility and facility personnel.

**Note:** Chief facility operator responsibilities are in s. NR 499.06.

~~(6) "Crematory"~~ means a facility that has a combustion device for the purpose of burning exclusively human corpses or animal bodies.

~~(7) "Independent sponsor"~~ means any person other than the department or a solid waste treatment facility that develops an approved training program.

~~(8) "Interim chief facility operator"~~ means a shift operator temporarily assigned the duties of a chief facility operator.

~~(10) "Refresher training"~~ means training that a certified operator is required to receive on an annual basis to review past training topics and to receive an update on new regulations, practices or procedures.

~~(11) "Revocation"~~ means an action by the department that withdraws an operator's certification for the remaining term of the certification.

~~(12) "Shift operator"~~ means a person who has completed an approved training program and passed a department examination at this certification level. A shift operator is responsible for the supervising and monitoring of performance of a solid waste treatment facility and facility personnel during an assigned shift.

~~(13) "Solid waste"~~ has the meaning given in s. 285.01 (40), Stats.

~~(14) "Solid waste treatment" or "treatment"~~ has the meaning given in s. 289.01 (39), Stats.

~~(15) "Solid waste treatment facility" or "facility"~~ means any facility for solid waste treatment that uses any process that involves burning to change the physical, chemical or biological character or composition of solid waste. This includes an incinerator as defined in s. NR 500.03 (108).

~~(16) "Suspension"~~ means an action by the department that temporarily withdraws an operator's certification pursuant to this chapter.

**History:** Cr. Register, September, 1993, No. 453, eff. 10-1-93.; r. (9), Register, January, 1997, No. 493, eff. 2-1-97.

**NR 499.03 Exemptions.** The following solid waste treatment facilities are exempt from the requirements of this chapter:

~~(1) Facilities described in s. 287.07 (7) (bg), Stats.~~

~~(2) Facilities for the treatment of hazardous waste.~~

~~(3) Solid waste treatment facilities for high-volume industrial waste as defined in s. 289.01 (17), Stats.~~

~~(4) Facilities that use burning for treatment of contaminated soil.~~

~~(5) Facilities for the treatment of landfill gases.~~

~~(6) Air curtain destructors as defined in s. 289.51 (1) (a), Stats.~~

~~(7) Facilities that burn alone, or in combination with fossil fuels, waste wood, residual oil or waste solvents.~~

~~(8) Facilities that use incinerators solely as control devices or control systems for the purpose of complying with emission limitations or emission control requirements pursuant to chs. NR 400 to 499.~~

~~(9) Any crematory.~~

~~(10) Any wastewater sludge incinerator.~~

**History:** Cr. Register, September, 1993, No. 453, eff. 10-1-93.

## **NR 499.04 Solid waste treatment facilities.**

~~(1) APPLICABILITY.~~ This section applies to any owner or operator of a solid waste treatment facility that is not exempt under s. NR 499.03.

~~(2) OPERATIONAL REQUIREMENTS.~~ Any person who owns a solid waste treatment facility shall meet the following requirements:

~~(a) There shall be one or more certified operators on the site of a solid waste treatment facility at all times during the facility's hours of operation, determined as follows:~~

~~1. The hours of operation do not include the burndown cycle for facilities that do not have air pollution control devices.~~

~~2. The hours of operation include the burndown cycle for facilities that have air pollution control devices.~~

~~(b) Each solid waste treatment facility shall employ at least one certified operator. The level of operator certification required shall be as follows:~~

~~1. Any facility that does not have an air pollution control device shall employ at least one shift operator.~~

~~2. Any facility that has an air pollution control device shall employ at least one chief facility operator or interim chief facility operator.~~

~~(c) The owner shall notify the department in writing of the appointment of an interim chief facility operator within 10 business days of the appointment. This appointment is valid for 6 months and may be renewed. Any request for renewing an interim chief facility operator appointment shall be in writing and filed with the department at least 30 days prior to expiration of the 6 month period. The department may deny a request for renewal if the department determines that inadequate attempts have been made to hire a permanent chief facility operator.~~

~~Note: All submissions under this chapter shall be mailed to the:  
Department of Natural Resources  
Bureau of Integrated Science Services, Operator Certification  
PO Box 7921  
Madison WI 53707-7921~~

~~All application forms required under this chapter may be obtained from this address.~~

~~(d) All certificates issued by the department under this chapter shall be displayed on the premises of the facility where the certified operators are employed.~~

~~History: Cr. Register, September, 1993, No. 453, eff. 10-1-93; am. (2) (b) 1, (c), Register, January, 1997, No. 493, eff. 2-1-97.~~

**NR 499.05 Identification of persons or positions involved in the operation of a solid waste treatment facility.** ~~Any person who operates a solid waste treatment facility that burns solid waste and is not exempt under s. NR 499.03 shall obtain certification at the appropriate level in s. NR 499.06.~~

~~History: Cr. Register, September, 1993, No. 453, eff. 10-1-93.~~

**NR 499.06 Certification levels.** ~~There are 2 different certification levels established under this chapter, namely chief facility operator and shift operator. The duties and responsibilities of these persons or positions for the purpose of determining the level of certification required for these persons are as follows:~~

~~(1) A chief facility operator's duties and responsibilities include, but are not limited to, the following:~~

~~(a) Overall operation and maintenance of the facility.~~

~~(b) Ensuring the facility is operated in accordance with established facility policies and procedures.~~

~~(c) Ensuring that shift operators are trained and certified as required under this chapter, and are familiar with applicable federal, state and local environmental regulations.~~

~~(d) Operating the facility in compliance with applicable federal, state and local laws.~~

~~(e) Developing and periodically updating policies and procedures for proper and safe facility operations, including, but not limited to, developing and updating any malfunction prevention and abatement plan required under s. NR 439.11.~~

~~(2) A shift operator's duties and responsibilities include, but are not limited to, all of the following:~~

~~(a) Supervising and monitoring performance of the solid waste treatment facility during an assigned shift.~~

~~(b) Keeping records of facility operations, including operational changes and abnormalities.~~

~~(c) Operating the facility in compliance with applicable federal, state and local laws during an assigned shift.~~

~~(d) Correcting process upsets and malfunctions.~~

~~(e) Communicating the operational status of the facility with the relieving shift operator at shift turnover.~~

~~(f) Ensuring safe operation.~~

~~(g) For facilities without pollution control devices that do not require a chief facility operator, performing the duties and responsibilities in sub. (1).~~

~~History: Cr. Register, September, 1993, No. 453, eff. 10-1-93; am. (2) (intro.), (c) and (g), Register, December, 1995, No. 480, eff. 1-1-96; am. (intro.), (1) (c), r. (3), Register, January, 1997, No. 493, eff. 2-1-97.~~

**NR 499.07 Solid waste treatment facility operator initial training program requirements. (1) APPLICABILITY.** ~~This section applies to any person who submits a training program, other than refresher training, for solid waste treatment facility operators to the department for approval.~~

**(2) TRAINING PROGRAM REQUIREMENTS.** Training programs shall meet the requirements of this section and be approved by the department under s. NR 499.08. Training programs shall include, at a minimum, 24 hours of instruction for shift operators and an additional 8 hours of instruction for chief facility operators.

(a) Training programs for shift operators shall include, at a minimum, instruction on the following subjects:

1. Environmental concerns including, but not limited to, air contaminants emitted from facilities, pathogen destruction and ash handling requirements.

2. Applicable federal, state and local environmental regulations, including performance standards in 40 CFR 60.50 to 60.59a, and requirements in permits and licenses issued under ss. 283.31, 285.60 and 289.31, Stats.

3. Facility design and waste combustion theory and principles.

4. Different types of solid waste treatment facilities and equipment that burn waste.

5. Identification of waste types acceptable for treatment.

6. Proper waste handling procedures.

7. Proper facility startup, operation, shutdown and maintenance procedures.

8. Ash handling procedures.

9. Work safety procedures.

10. Monitoring and automatic control systems.

11. Recordkeeping procedures.

12. An introduction to air pollution control equipment.

13. Malfunction prevention and abatement procedures.

(b) In addition to covering the subjects in par. (a), training programs for chief facility operators shall include instruction on the following subjects:

~~1. Air pollution control systems, including, but not limited to, wet scrubbers, dry scrubbers, fabric filters and electrostatic precipitators, and the design and function of these systems with regard to air pollution, solid waste and wastewater discharges.~~

~~2. Solid waste input issues, including the prohibitions in s. 287.07, Stats.~~

~~3. Risk management.~~

**(3) REPORTING.** ~~Within 30 days of the end of an approved training program the department shall be notified of all those who completed the approved training program.~~

~~History: Cr. Register, September, 1993, No. 453, eff. 10-1-93; am. (2) (intro.), renum. (2) (a) to (m) to be (2) (a) 1. to 13., (2) (n) (intro.) to be (2) (b) (intro.) and am., Register, December, 1995, No. 480, eff. 1-1-96; r. (3), renum. (4) to be (3), Register, January, 1997, No. 493, eff. 2-1-97.~~

**NR 499.08 Review and approval of training programs. (1) APPLICABILITY.** ~~This section applies to any owner of a solid waste treatment facility and to any independent sponsor who submits a training program to the department for approval under this chapter.~~

**(2) DEPARTMENT APPROVAL.** ~~The department shall approve a training program application if the application contains the following:~~

~~(a) An application form.~~