

**7011.1280 OPERATOR CERTIFICATION.**

Subpart 1. **Scope.** The commissioner shall certify a person provided the person can demonstrate the completion of:

A. ASME provisional certification as described in Standard for the Qualification and Certification of Resource Recovery Facility Operators, American Society of Mechanical Engineers (ASME) QRO-1-1994, incorporated by reference in part 7011.1205, for chief facility operators, shift supervisors, and control room operators of municipal waste combustors; or

B. the coursework and examination program set forth in subpart 3.

Subp. 2. **Personnel who shall be certified.** The following personnel shall be certified through the process established in this part:

A. for Class I, II, III, A, C, or D waste combustors, the chief facility operator and shift supervisors; and

B. for Class IV waste combustors, the operator supervisor.

Subp. 3. **Requirements for operator certification.** To be certified, a person must demonstrate the skill, knowledge, and experience necessary to operate a waste combustor, by meeting the criteria of item A or B.

A. A certified operator of a Class IV waste combustor shall:

(1) hold a high school diploma or equivalent, or demonstrate five years of experience in incinerator operation, general industry, industrial process, or power plant operation;

(2) complete at least 16 hours of training approved by the commissioner which are designed to ensure competency to operate a Class IV waste combustor;

(3) complete the certification process described in subpart 4; and

(4) pass the examination described in subpart 5.

B. A certified operator of a Class I, II, III, A, C, or D waste combustor shall comply with the requirements in subitem (1) or (2).

(1) Persons who possess a Minnesota Department of Labor and Industry boiler license of at least second class engineer, Grade B, shall:

(a) have one year of experience operating a steam generation plant or Class I, II, III, A, C, or D waste combustor at the licensure level of at least second class engineer, Grade B, and complete at least 24 hours of training approved by the commissioner which are designed to ensure competency to operate a Class I, II, III, A, C, or D waste combustor;

- (b) complete the certification process described in subpart 4; and
- (c) pass the examination described in subpart 5.

(2) Persons who do not meet the qualifications of subitem (1), unit (a), shall:

(a) have three years of experience operating a Class I, II, III, A, C, or D waste combustor or in power generation and complete at least 24 hours of training approved by the commissioner which are designed to ensure competency to operate a Class I, II, III, A, C, or D waste combustor;

(b) complete the certification process described in subpart 4; and

(c) pass the examination described in subpart 5.

**Subp. 4. Certification process.**

A. Application for certification shall be made in writing on a form provided by the commissioner.

B. Within 15 days of receipt, the commissioner shall review the application for certification and determine the adequacy of the information included in the application. If the commissioner determines that additional information or documentation is necessary to assess the eligibility of the applicant, the commissioner shall notify the applicant. The application shall be considered incomplete until the applicant provides the required information.

C. The commissioner shall notify an applicant of eligibility for certification.

**Subp. 5. Examinations.**

A. The commissioner must approve an examination for the different classes of waste combustors and must not delegate this responsibility. The examination must be administered as a written closed book examination.

B. For certification of a person to operate a Class I, II, III, A, C, or D waste combustor, the examination shall be in three areas, divided as follows:

(1) 25 percent of the questions on solid waste collection, transfer, and management covering, but not limited to, solid waste composition, collection techniques, seasonal and industrial impact on the character of solid waste, ash disposal, landfills, composting, environmental regulations and requirements, and public perceptions;

(2) 25 percent of the questions on theory covering combustion, chemistry, thermodynamics, material science, waste combustor design principles, mechanical and electrical operation and technology, air pollution control technology theory, and air emission stack monitoring;

(3) 50 percent of the questions on the operation of a waste combustor covering material handling equipment, ash handling and disposal operations within the facility, waste combustor design applications, general operations and maintenance procedures and techniques, control room operations and troubleshooting, operation of pollution control devices, and continuous emissions monitors and their calibration.

C. For certification of a person to operate a Class IV waste combustor, the examination shall be as follows:

(1) 30 percent of the questions shall cover basic principles, including principles of combustion, products of combustion, solid waste characteristics, and air pollutants;

(2) 30 percent of the questions shall cover equipment including incineration equipment characteristics, automatic control equipment, and emission monitoring equipment; and

(3) 40 percent of the questions shall cover incinerator and monitoring equipment operation including typical operating problems and solutions, maintenance procedures, incinerator operation, ash handling, and solid waste feed management systems.

D. A minimum grade of 70 percent shall be required to pass.

E. An applicant who fails to pass the examination shall be eligible to retake the examination whenever it is next offered by an institution approved by the commissioner.

Subp. 6. **Certificates.** Within ten days of the examination date, the institution administering the certification examination shall provide to the commissioner a list of individuals who completed the training and those who successfully passed the examination.

The commissioner shall issue a certificate when the applicant has met all necessary conditions prescribed in subpart 1. Certificates are valid for three years.

Subp. 7. **Renewal.**

A. A certified individual shall apply for certificate renewal no later than 30 days prior to certificate expiration. The application for renewal must include evidence that the person has, during the preceding three years, earned credit for attending training courses in the direct operation and maintenance of and environmental compliance for a waste combustor, including personnel training described in part 7011.1275, for the number of hours as identified as follows:

(1) Class I, II, III, A, or C, 24 hours; and

(2) Class IV, eight hours.

An individual whose certificate has expired must comply with item B or C to renew the certificate.

B. If an individual applies for certificate renewal within one year following the expiration of the certificate, the individual must meet the training requirements of item A or subpart 3 at the time of application for renewal before the certificate will be renewed without an examination.

C. If an individual applies for certificate renewal more than one year following the expiration of the certificate, the individual is eligible for recertification when the individual complies with subpart 3.

Subp. 8. [Repealed, 41 SR 763]

Subp. 9. **Sanctions.**

A. **Criteria.** The commissioner shall refuse to issue, renew, or reinstate a certificate, suspend or revoke a certificate, or use any lesser remedy against an individual for any of the following reasons:

(1) submittal of false or misleading information or credentials in order to obtain or renew a certificate;

(2) failure to meet the requirements for renewal certification; or

(3) incompetency, negligence, or inappropriate conduct in the performance of duties as a certified operator.

B. **Investigation.** Upon receiving a signed written complaint which alleges the existence of grounds for sanctions against a certified operator, the commissioner may initiate an investigation. No revocation, suspension, or other sanction shall be imposed before notice is given to the certified operator and an opportunity for a contested case hearing is provided.

C. **Procedures.** Procedures for contested case hearings shall comply with the provisions of the Administrative Procedure Act, Minnesota Statutes, chapter 14.

D. **Recertification.** An individual whose certificate has been revoked shall not be entitled to apply for recertification until at least one year following the effective date of revocation or for any longer period of time specified in the revocation order.

E. **Reinstatement after suspension.** The commissioner shall reinstate a suspended certificate if the individual whose certificate has been suspended fulfills the terms of the suspension order and meets all applicable requirements of the rules for obtaining a certificate.

Subp. 10. **Certification deadlines.** All individuals employed on June 20, 1994, who require certification as described in this part shall obtain certification by June 20, 1996, or on completion of the normal start-up of a waste combustor, whichever is later.

Subp. 11. **Record keeping.** A waste combustor owner or operator shall maintain a record of personnel who complete either the Environmental Protection Agency municipal waste combustor operator training course, or an equivalent course. The record shall include documentation of training completion.

**Statutory Authority:** *MS s 115.03; 116.07*

**History:** *18 SR 2584; 22 SR 1975; 41 SR 763*

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