

The NH Solid Waste Operator Certification Program in 2014



- I. Purpose of Operator Certification
 - A. Ensure that operators are aware of potential adverse environmental impacts at facilities
 - B. Increase compliance with rules
 - C. Reduce accidents or other threats to health/safety of operators, volunteers and others that use a solid waste facility

- II. Operator Certification Basics (ref. RSA 149-M:6 and 149-M:9 Solid Waste Management)
 - A. Chapter 227, Laws of 1988: "No person shall operate or construct a public or private facility ... who has not completed a training course established and administered by the division..."
 - B. Frequency of Renewal
 - 1. "Certification shall be renewed annually."
 - 2. "If the renewal fee is not submitted within 90 days after the certificate's expiration date, the certified individual's name shall be removed from the current status and the certification shall be deemed expired."
 - C. Fee
 - 1. "The fee for certification shall not exceed \$50 per attendee."
 - 2. "The department shall charge a late fee of 50 % of the renewal fee (\$25) in addition to the renewal fee if the renewal is received after the certificate's expiration date."

- III. "Old" System of Four Operator Levels
 - A. Based on Education & Experience
 - B. Levels 1 & 2 = non-supervisory
 - C. Levels 3 & 4 = supervisory
 - D. Attendant-in-Training (did not take/pass the test)

- IV. REVISIONS
 - A. Operator Types
 - 1. Principal Operator
 - a. Attend training and pass the exam
 - b. May be in supervisory/management position
 - 2. Assistant Operator
 - a. Attend training, but do not take/pass the exam
 - b. Must work under supervision of Principal Operator
 - B. Operator Qualifications
 - 1. No more minimum education/experience requirements
 - 2. Employers determine who is competent, not DES
 - C. Transition from Levels to Steps (to be implemented at first annual renewal)
 - 1. *Level 1 → Principal Operator, Step 1*
 - 2. *Level 2 → Principal Operator, Step 2*
 - 3. *Level 3 → Principal Operator, Step 3*
 - 4. *Level 4 → Principal Operator, Step 4*
 - 5. *20 years of certification → Senior Operator*
 - 6. *AIT → Assistant Operator (years vs. hours)*

- D. Recognition for continuing professional development
 - 1. Awarded automatically with annual renewal
 - 2. Step increases with hours of accrued training starting 7/1/14
 - 3. Accrued hours are lost 91 days after expiration
 - E. Hours of Accumulated Continuing Professional Development
 - 1. Step 1: 2.5 hours
 - 2. Step 2: 12.5 hours
 - 3. Step 3: 25 hours
 - 4. Step 4: 37.5 hours
 - 5. Senior: 50 hours
 - F. The operator's signature (on application forms) shall certify:
 - 1. the information is true, complete and not misleading;
 - 2. the operator understands s/he is subject to penalties of law for false swearing; and
 - 3. the operator understands s/he is required to comply with RSA 149-M and Rules.
 - G. New operators shall submit an application for certification *no more than 30 days after commencing work* at the solid waste facility
 - H. Revocation, Suspension and Conditional Approval; "Good Cause" for Action =
 - 1. obtaining or assisting another to obtain certification through fraud, deceit or falsification:
 - a. submitting false information on an application
 - b. cheating or assisting another on the exam
 - c. falsifying attendance at any training
 - 2. Failing to use reasonable care or judgment in the performance of duties
 - 3. Taking action or failing to take action relating to proper CST or disposal of SW
 - 4. Failing to comply with a DES order relative to the mgt. of SW or the facility
 - I. Volunteers are exempt, provided:
 - 1. they only work in non-hazardous activities
 - 2. they work under a certified operator's supervision
 - 3. the facility owner provides adequate training and safety equipment
- V. Annual Renewal
- A. DES sends pre-populated renewal forms at least 2 months before expiration
 - B. May apply up to 90 days before expiration
 - C. "Late" = 1-90 days after expiration date (law since 1997)
 - D. 91 days after expiration = start over at step 1 (application + fee + training + test) (law since 1997)
- VI. Professional Development: "Continuing Professional Development" means professional or technical instruction that imparts information and instruction relevant to waste management and solid waste facility operations to individuals who have already attended basic training."
- A. 2.5 hours minimum for annual renewal
 - B. Must be completed in the 12 months in-between expiration dates
 - C. Repeated courses do not qualify for certification renewal or step increases
 - D. In-house and third party training count, provided the topic is waste-related