

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 837

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 7-29-82
DATE FOR REVIEW 8-6-82
DATE DUE 8-12-82

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved 8-12-82 Disapproved _____ Returned to Agency 8-13-82

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 8-13-82 Revisor approved 7/29/82 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 7/27/82 Date

N/A Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
_____ date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
2-25-82 ✓ At least 30 days prior to hearing/adoption

✓ Mailing list Certificate

✓ Publication in State Register
3/1/82 At least 30/~~20 days~~ prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

_____ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

_____ Agency's Findings of Fact

_____ LCRAR Report or agency Affidavit

_____ Certificate of Board's Resolution Adopting Rules

_____ Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

N/A Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

SF-00006-02

DEPARTMENT ATTORNEY GENERAL

STATE OF MINNESOTA
Office Memorandum

TO GARY BOTZEK
Chairperson, Environmental Qlty. Bd.

DATE: 8/12/82

ATTN: CHRISTIE ELLER, Spec. Ass't. Atty. Gen.

FROM : LARRY D. STARNS
Special Assistant
Attorney General

PHONE: 297-3493

SUBJECT: In the Matter of the Proposed Adoption of Rules of the Minnesota Environmental Qyality Board Governing the Environmental Review Program

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

LDS:drw
Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55155

WARREN SPANNAUS
ATTORNEY GENERAL

ADDRESS REPLY TO:
ATTORNEY GENERAL'S OFFICE
POLLUTION CONTROL DIVISION
1935 WEST COUNTY ROAD B-2
ROSEVILLE, MN 55113
TELEPHONE: (612) 296-7342

July 28, 1982

Ms. Ann Bateson
Office of the Revisor of Statutes
Room 3
State Office Building
St. Paul, Minnesota 55155

Re: Rules Relating to Certificaton of Waste Disposal Facility Operators and Inspectors

Dear Ms. Bateson:

On July 27, 1982, the Minnesota Pollution Control Agency adopted 6 MCAR §§4.6088 - 4.6100, rules relating to the certification of waste disposal facility operators and inspectors. A copy of the rules as finally adopted is enclosed for your review as to form.

Very truly yours,

Jocelyn F. Olson

JOCELYN F. OLSON
Special Assistant
Attorney General

cc: Ted Martinez
Office of the Attorney General

AN EQUAL OPPORTUNITY EMPLOYER

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55155

WARREN SPANNAUS
ATTORNEY GENERAL

ADDRESS REPLY TO:
ATTORNEY GENERAL'S OFFICE
POLLUTION CONTROL DIVISION
1935 WEST COUNTY ROAD B-2
ROSEVILLE, MN 55113
TELEPHONE: (612) 296-7342

July 28, 1982

Mr. Ted Martinez
Office of the Attorney General
Administration Building
St. Paul, Minnesota 55155

Re: Rules Relating to Certification of Waste Disposal Facility Operators and Inspectors

Dear Mr. Martinez:

On July 27, 1982, the Minnesota Pollution Control Agency adopted 6 MCAR §§4.6088 - 4.6100, rules relating to the certification of waste disposal facility operators and inspectors. Enclosed for your review are the following:

1. Rules as adopted (original and three copies).

2. Order Adopting Rules (two copies).

3. Certificate of Agency's Resolution Adopting Rules.

4. Notice of Intent to Solicit Outside Opinion (6 S.R. 1453, February 15, 1982).

5. A copy of the one written comment received pursuant to the Notice of Intent to Solicit Outside Opinion.

6. Order for Notice of Intent to Adopt Rules Without a Public Hearing.

7. Certificate of Agency's Authorizing Resolution.

8. Notice of Intent to Adopt Rules Without a Public Hearing and rules as proposed (6 S.R. 1523, March 1, 1982).

9. Copies of the written comments received during the comment period.

10. Copies of written withdrawals of requests for hearing.

11. Affidavit of Mailing.

12. Certificate concerning mailing list.

13. Findings of Fact and Conclusions.

14. Statement of Need and Reasonableness.

15. Statement of Compliance with Rulemaking Procedures.

16. Affidavit of Mailing Notice of Submission to the Attorney General and accompanying Notice of Submission of Rules to Attorney General.

Very truly yours,

Jocelyn F. Olson

JOCELYN F. OLSON
Special Assistant
Attorney General

Pollution Control Agency

Water Quality Division

Adoption of Rules Relating to Certification of Waste Disposal Facility Operators and Inspectors

Rules as Adopted

6 MCAR S 4.6088 Certification of operators and inspectors of waste disposal facilities. Rules 6 MCAR SS 4.6088-4.6100 implement the requirement of Minn. Stat. S 116.41, subd. 2, that the Minnesota Pollution Control Agency shall require operators and inspectors of waste disposal facilities to obtain a certificate of competency from the agency.

6 MCAR S 4.6088 Certification of operators and inspectors of waste disposal facilities. Rules 6 MCAR SS 4.6088-4.6100 implement the requirement of Minn. Stat. S 116.41, subd. 2, that the Minnesota Pollution Control Agency shall require operators and inspectors of waste disposal facilities to obtain a certificate of competency from the agency.

6 MCAR S 4.6089 Definitions.

A. Scope. For the purposes of 6 MCAR SS 4.6088-4.6100, the following terms and abbreviations shall have the meanings specified. Terms which are not specifically defined shall be construed to be in conformance with Minn. Stat. chs. 115, 115A and 116, their context, and professional usage.

B. Agency. "Agency" means the Minnesota Pollution Control Agency.

C. Agency director. "Agency director" means the Executive Director of the Minnesota Pollution Control Agency or its designated staff.

D. Certification. "Certification" means a process by which individuals must show competency in their chosen occupation through a combination of work experience, education, training, and successful completion of an examination as set forth in 6 MCAR SS 4.6090-4.6100.

E. Contact hour. "Contact hour" means a pertinent instructional or training session of 50 minutes.

F. Disposal facility. "Disposal facility" means a waste facility that is designed or operated for the purpose of disposing of waste on or in the land and has a permit, stipulation agreement, or other written approval from the agency.

G. Equipment operator. "Equipment operator" means an individual on the site who performs the necessary actions of properly disposing of the waste.

H. Inspector. "Inspector" means any individual who has governmental authority to routinely ~~reviews~~ review waste disposal facilities to determine compliance with applicable statutes, rules, permits, ordinances, or standards. "Inspector" does not include county board members, agency board members, or other individuals employed, appointed, or elected who are not directly involved in routine review of a waste disposal facility. "Inspector" may include individuals who are employed as environmental health specialists or sanitarians, technicians, zoning administrators, county solid waste officers, pollution control specialists, engineers, soil scientists, and hydrologists.

~~H.~~ I. Operator. "Operator" means any individual responsible for conducting work at a waste disposal facility. "Operator" does not include ~~elected officials,~~ office personnel, laborers, transporters, corporate directors, elected officials, or other individuals in managerial roles ~~who~~ unless such individuals are ~~not~~ directly involved in on-site supervision or operation of a waste disposal facility. "Operator" does not include private individuals who store or landspread sewage sludge on property owned or farmed by that individual. "Operator" includes facility managers, supervisors, and equipment operators.

~~I.~~ J. Waste. "Waste" means solid waste, sewage sludge, hazardous waste and construction debris, as those terms are defined in Minn. Stat. S 115A.03.

6 MCAR S 4.6090 Classification of disposal facilities. The agency adopts the following classifications of disposal

facilities for training and certification purposes.

A. Type I. A Type I facility is any disposal facility that accepts hazardous waste.

B. Type II. A Type II facility is any disposal facility that accepts solid waste; or a facility permitted to dispose sewage sludge with solid waste; or a facility that uses the landfill method for sewage sludge disposal. This facility type includes sanitary landfills, modified sanitary landfills, and sewage sludge landfills.

C. Type III. A Type III facility is any disposal facility that accepts only nonhazardous source-specific waste from industrial processes or construction debris. This facility type includes demolition landfills and industrial waste landfills.

D. Type IV. A Type IV facility is any disposal facility that applies on the land any sewage sludge or ~~semi-solid, liquid, or contained gaseous waste~~ semisolids from commercial or industrial operations. ~~This facility type includes spray irrigation, subsurface injection, and land application facilities.~~

E. Type V. A Type V facility is any disposal facility that applies on the land any nonhazardous liquid waste from commercial, industrial, or agricultural operations.

6 MCAR S 4.6091 Certification committee.

A. Establishment. The agency shall establish a certification committee consisting of ~~nine~~ eleven voting members and two nonvoting members. The voting members shall be appointed by the agency for three-year terms and shall serve without compensation. The initial appointments shall be ~~three~~ four three-year terms, ~~three~~ four two-year terms and three one-year terms. The initial term lengths will be determined by lot once the appointments are made. There shall be equal representation of operators and inspectors on the committee. There shall be one citizen representative. Not more than one voting member shall be a member of the agency staff. Voting members, except the citizen representative, must be certified. There shall be two nonvoting members who are agency staff

members responsible for training and certification. Robert's Rules of Order shall govern committee meetings.

B. Duties of the committee. The committee shall maintain accurate records of all meetings. The committee shall also review and make recommendations in the following areas to the agency director or, when appropriate, to the agency:

1. Applicants to be certified based on information provided in their applications and examination results;

2. Changes to 6 MCAR SS 4.6088-4.6100;

3. Changes in examinations and training to meet needs;

4. Action on operator and inspector complaints relating to certification and training; and

5. The number of initial or renewal contact hours to be given for nonagency training courses.

C. Transitional committee. The advisory committee that was established by the agency director to develop 6 MCAR SS 4.6088-4.6100 shall function as the certification committee until 24 months after the effective date of 6 MCAR SS 4.6088-4.6100.

6 MCAR S 4.6092 Individuals required to be certified.

A. Operators. Operators of waste disposal facilities shall be certified to operate the appropriate type of facility. The number of certified operators at a waste disposal facility which has three or fewer operators shall be at least one. The number of certified operators at a waste disposal facility which has four to seven operators shall be at least two. The number of certified operators at a waste disposal facility that has eight or more operators shall be at least three.

B. Inspectors. Inspectors of waste disposal facilities shall be certified to inspect the appropriate type of facility.

C. Waiver. Operators of Type ~~IV liquid industrial waste land application~~ V facilities that are certified under 6 MCAR SS 5.001-5.003 are not required to be certified under 6 MCAR SS 4.6088-4.6100 unless they also operate a land application facility for solids or semisolids. Operators of Type ~~IV liquid industrial waste land application~~ V facilities shall have the

option to be certified under 6 MCAR SS 5.001-5.003 or 6 MCAR SS 4.6088-4.6100.

6 MCAR S 4.6093 Certification of facility operators.

A. In general. To be certified an operator must demonstrate the skill, knowledge, and experience necessary to operate the appropriate type of facility by qualifying for and passing the appropriate examination required by 6 MCAR S 4.6096.

B. Type I requirements. Before taking an examination, an applicant for certification as an operator of a Type I facility shall:

1. Have a bachelor's degree in an appropriate branch of biological, physical, or chemical science or engineering or equivalent experience;

2. Complete at least 15 contact hours of training offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type I facility within three years prior to the date of application; and

3. Have at least six months work experience as a Type I facility operator.

C. Type II requirements. Before taking an examination, an applicant for certification as an operator of a Type II facility shall:

1. Have a high school diploma or equivalent or equivalent experience;

2. Complete at least 15 contact hours of training offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type II facility within three years prior to the date of application; and

3. Have at least six months work experience as a Type II facility operator.

D. Type III requirements. Before taking an examination, an applicant for certification as an operator of a Type III facility shall complete at least four contact hours of training offered through the agency or other training courses approved by

the agency director which are designed to ensure competency at a Type III facility within three years prior to the date of application.

E. Type IV requirements. Before taking an examination, an applicant for certification as an operator of a Type IV facility shall:

1. Have a high school diploma or equivalent or equivalent experience;

2. Complete at least nine contact hours of training offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type IV facility within three years prior to the date of application; and

3. Have at least six months work experience as a Type IV facility operator.

F. Type V requirements. Before taking an examination, an applicant for certification as an operator of a Type V facility shall:

1. Within the three years before the date of application, complete at least nine contact hours of training courses offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type V facility; and

2. Have at least one spray season's work experience as a Type V facility operator.

6 MCAR S 4.6094 Certification of facility inspectors.

A. In general. To be certified, an inspector shall demonstrate the knowledge, skill, education, and experience necessary to inspect the appropriate type of waste disposal facility by qualifying for and passing a written examination required by 6 MCAR S 4.6096.

B. Facility inspector requirements. An individual who seeks certification as an inspector of a waste disposal facility shall meet the same educational requirements and contact hours of training outlined for operators of the corresponding facility types as specified in 6 MCAR S 4.6093 before taking an

examination. Each applicant shall also have conducted at least ten inspections of the appropriate type of waste disposal facility in the presence of a certified inspector. This inspection requirement does not apply to inspectors of Type I facilities until 24 months after a Type I facility is given a permit to operate in this state.

C. Waiver. The agency director shall waive the requirement of B. for supervised inspections for individuals applying for an inspector certificate within 24 months after the effective date of 6 MCAR SS 4.6088-4.6100 if the applicant produces evidence of employment as an inspector for that type of facility for at least one year immediately preceding application and has conducted at least ten inspections of the appropriate facility type during that year.

6 MCAR S 4.6095 Application for examination.

A. Form. Application for examination shall be made in writing on a form provided by the agency director and shall be submitted at least 15 days prior to the examination date.

B. Fee. The examination fee shall accompany the application.

C. Review of application. The agency director shall review the application for certification and determine the accuracy of the information included in the application. If the agency director determines that additional information or documentation is necessary to assess the eligibility of the applicant to take the examination, the director shall notify the applicant. The applicant shall provide the information prior to examination.

D. Notification. The agency director shall notify an applicant of eligibility for examination at least five days before the examination date.

6 MCAR S 4.6096 Examinations.

A. Content. The agency director shall prepare separate operator and inspector examinations for the different types of waste disposal facilities. The examinations shall test the applicant's knowledge in any one or more of the following areas: basic math, science, public health, rules and laws,

facility operation, and facility maintenance.

B. Conditions of testing. The examination shall be closed book.

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

D. Results; review. The agency director shall notify the applicant in writing of the examination results. Examinations shall not be returned to the applicant. Upon request, within 60 days after notification of the results, the applicant shall be allowed to review the examination.

E. Reexamination. An applicant who fails to pass the examination shall not retake the same examination for a period of three months.

6 MCAR S 4.6097 Certificates.

A. Use of certificate.

1. Operators shall not be allowed to inspect facilities unless they have a valid inspector certificate.

2. Operators having a Type II facility operator certificate shall be allowed to operate a Type III facility.

3. Inspectors shall not be allowed to operate facilities unless they have a valid operators certificate.

4. Inspectors having a Type II facility inspector certificate shall be allowed to inspect a Type III facility.

B. Issuance. Certificates shall be issued by the agency director when all necessary conditions prescribed in 6 MCAR SS 4.6088-4.6099 have been met. Certificates shall be valid for three years.

C. Renewal. A certified individual shall apply for certificate renewal within 30 days of certificate expiration. Renewal certificates shall be issued by the agency director when the agency director receives the application, renewal fee, and evidence that the person has, during the preceding three years, obtained credit for attending training courses offered through the agency or other waste disposal facility training courses approved by the agency director for the number of contact hours specified in Exhibit 6 MCAR S 4.6097 C.-1. for the appropriate

type of facility. Individuals who are certified under both 6 MCAR SS 4.6088-4.6100 and 6 MCAR SS 5.001-5.003 shall be allowed to renew their Type IV certificate by submitting the renewal application, fee and information required by 6 MCAR S 5.003 and evidence of completion of the training hours specified in Exhibit 6 MCAR S 4.6097 C.-1. After confirming that the individual meets the requirements for certificate renewal, the agency director shall issue one certificate which evidences renewal of both the certificate issued under 6 MCAR SS 4.6088-4.6100 and the certificate issued under 6 MCAR SS 5.001-5.003.

Exhibit 6 MCAR S 4.6097 C.-1.

Required Training for Certificate Renewal

Facility	Training
Type I	18 Contact hours
Type II	18 Contact hours
Type III	9 6 Contact hours
Type IV	9 Contact hours
Type V	6 Contact hours

D. List of courses. The agency director shall annually prepare and make available to the operators and inspectors a list of accredited training courses and approved educational activities for which credit may be obtained.

E. Reinstatement. An individual whose certificate has expired may apply to the agency director for reinstatement of the certificate in the same classification. Before a certificate will be reissued the individual must submit the following:

1. An application for reinstatement;

2. A nonrefundable fee for a reinstatement certificate; and

3. Evidence of completion of the minimum number of contact hours described in C. since the certificate was last issued or renewed.

F. Denial of reinstatement. An individual who is denied reinstatement shall follow the procedure imposed for a new

applicant. In such cases the reinstatement fee shall be credited towards the fee for examination and new certificate.

G. Reciprocity. Operators or inspectors who are certified in states other than Minnesota shall be entitled to certification to operate or inspect the appropriate type of facility in Minnesota if they can provide evidence of meeting requirements equivalent to those of 6 MCAR SS 4.6088-4.6100.

6 MCAR S 4.6098 Fees.

A. Schedule of fees. Fees for certification shall be as follows:

1. Application examination - $15.00;

2. Issuance of certificate - $15.00;

3. Reexamination from failure to pass an examination - $15.00;

4. Renewal of certificate - $15.00;

5. Replacement certificate - $5.00; and

6. Reinstatement or reciprocity certificate - $30.00.

B. Refund of fees. The agency director shall return fees received only from individuals who are rejected for examination.

6 MCAR S 4.6099 Sanctions.

A. Criteria. The agency director 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. Submission 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 operator or inspector duties.

B. Investigation. Upon receiving a signed written complaint which alleges the existence of grounds for sanctions against a certified individual, the agency director shall initiate an investigation. No revocation, suspension, or other sanction shall be imposed before notice is given to the certified

individual 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 Procedures Act, Minn. Stat. ch. 15.

D. Return of certificate. Upon revocation or suspension, certified individuals shall return to the agency their certificate and current renewal certificates.

E. 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.

F. Reinstatement after suspension. The agency director 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.

6 MCAR S 4.6100 Certification deadlines. Individuals requiring certification who are employed on the effective date of 6 MCAR SS 4.6088-4.6100 as operators or inspectors of a disposal facility shall obtain certification within 24 months after the effective date of 6 MCAR SS 4.6088-4.6100. ~~After this initial 24-month time period, operators or inspectors needing certification~~ Except as provided in 6 MCAR S 4.6093 F.2., individuals newly employed after the effective date of 6 MCAR SS 4.6088-4.6100 must become certified within ten months after obtaining employment. During this ten-month time period, they shall be allowed to operate or inspect the appropriate type of waste disposal facility if they meet the educational requirements necessary for certification and, within 30 days after obtaining employment, submit their application for certification and a signed statement of intention to complete all other requirements for certification within the ten-month time period.

APPROVED AS TO LEGALITY

August 12, 1982

WARREN SPANNAUS, ATTORNEY GENERAL

BY Terry D. Brown

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 13 1982

Joan Anderson Growe
Secretary of State

3:40PM

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Rules of the Pollution Control Agency, 6 MCAR §§4.6088 - 4.6100, Waste Disposal Facility Operator and Inspector Certification

ORDER ADOPTING RULES

Notice of the Minnesota Pollution Control Agency's intent to adopt the above-entitled rules without a public hearing was published in the State Register on March 1, 1982, and was sent by United States mail to all persons on the list maintained by the Agency pursuant to Minn. Stat. §15.0412, subd. 4 (Supp. 1981) on February 25, 1982. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, after receiving fewer than seven requests for public hearing within the 30-day comment period which were not withdrawn, after reviewing and considering the comments, and after determining the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED, that these rules identified as 6 MCAR §§4.6088 - 4.6100, Waste Disposal Facility Operator and Inspector Certification, are adopted this 27th day of July, 1982, pursuant to authority vested in the Minnesota Pollution Control Agency by Minn. Stat. §116.07, subd. 4 (Supp. 1981) and Minn. Stat. §116.41, subd. 2 (1980).

Louis Breimhurst

LOUIS J. BREIMHURST
Executive Director

Dated: January 29, 1982

Louis J. Breimhurst, Executive Director
Minnesota Pollution Control Agency

Dated: February 1, 1982

Robert Dunn, Chairman
Minnesota Waste Management Board

Pollution Control Agency
Water Quality Division

Notice of Intent to Solicit Outside Opinion Concerning Proposed Rules Relating to Certification of Waste Disposal Facility Operators and Inspectors

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) is considering the adoption of rules that require operators and inspectors of waste disposal facilities to obtain a certificate of competency from the Agency.

The proposed rules are authorized by Minn. Stat. § 116.41, subd. 2 (1980). The proposed rules if adopted would:

1. establish a Certificate Committee to oversee the training and certification program;
2. establish educational training, experience and examination requirements for individuals that need to be certified;
3. establish the procedures for applying for examination;
4. establish standards for use, issuance and renewal of certificates;
5. establish fees for certification;
6. establish criteria for imposing sanctions against a certificate holder; and
7. establish a deadline by which individuals must become certified.

All interested or affected persons or groups may submit data or views on the proposed rules. Statements of information and comment may be made orally or in writing. Comments and information concerning the proposed rule should be directed to:

Art Dunn or Clarence Manke
Operator Training Unit
Division of Water Quality
Minnesota Pollution Control Agency
1935 West County Road B-2
Roseville, Minnesota 55113
Telephone: (612) 296-7764

All statements and information should be received by February 24, 1982. All written material reviewed by the Agency shall become part of the hearing record.

Louis J. Breimhurst
Executive Director

Errata

Rule actions published **in this issue** (Vol. 6, Number 33) of the *State Register* were omitted from the MCAR AMENDMENTS AND ADDITIONS list on pp. 1412-1413. The omitted items appear below:

TITLE 4 COMMERCE

Part 1 Commerce Department

4 MCAR §§ 1.9350-1.9352 (adopted) 1438

Part 11 Electricity Board

4 MCAR § 11.004 (proposed) 1414

TITLE 9 LAW

Part 2 Administrative Hearings Office

9 MCAR §§ 2.301-2.326 (adopted) 1418

TITLE 10 PLANNING

Part 4 Municipal Board

10 MCAR § 4.020 (adopted) 1439

TITLE 12 SOCIAL SERVICES

Part 2 Public Welfare Department

12 MCAR §§ 2.045-2.046, 2.059 (repealed) 1440

Part 3 Housing Finance Agency

12 MCAR § 3.002 O. [Temp] (adopted) 1439
12 MCAR § 3.002 (adopted) 1438
12 MCAR §§ 3.053-3.054 (adopted) 1439
12 MCAR § 3.133 (adopted) 1439
12 MCAR § 3.134 (adopted) 1439

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Rules of the Pollution Control Agency, 6 MCAR §§4.6088 - 4.6100, Waste Disposal Facility Operator and Inspector Certification

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

It is ordered this 17th day of February, 1982, that Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Pollution Control Agency for that purpose and be published in the State Register.

Louis Breimhurst

LOUIS J. BREIMHURST
Executive Director

CERTIFICATE OF AGENCY'S AUTHORIZING RESOLUTION

I, Virgil Herrick, do hereby certify that I am a member and the Chairman of the Minnesota Pollution Control Agency, an Agency duly authorized under the laws of the State of Minnesota, and that the following is a true and correct copy of a resolution adopted at a meeting of the Minnesota Pollution Control Agency duly and properly called and held on the 27th day of July, 1982, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution will be set forth in the minutes of said meeting and has not been rescinded or modified.

BE IT RESOLVED, that the rules 6 MCAR §§ 4.6088 - 4.6100, Waste Disposal Facility Operator and Inspector Certification, be and they hereby are approved and adopted, pursuant to authority vested in the Agency by Minn. Stat. § 116.07, subd. 4 (Supp. 1981) and Minn. Stat. § 116.41, subd. 2 (1980).

BE IT FURTHER RESOLVED, that the Minnesota Pollution Control Agency adopts the Minnesota Pollution Control Agency staff's proposed Findings of Fact and Conclusions, and Order Adopting Rules attached hereto with respect to the Rules 6 MCAR §§ 4.6088 - 4.6100.

BE IT FURTHER RESOLVED, that the Chairman and Executive Director of the Minnesota Pollution Control Agency are hereby authorized to sign the above described documents.

BE IT FURTHER RESOLVED, that the Executive Director of the Minnesota Pollution Control Agency, be and hereby is granted the authority and directed to perform any and all acts incidental to the promulgation of said rules, including any form changes in the rules that the Revisor of Statutes requires the Minnesota Pollution Control Agency to make in order to obtain the Revisor's certification as required by Minn. Stat. § 15.0412, Subd. 2.a.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 27th of July, 1982.

Virgil Herrick, Chairman

Cynthia C Jacobsen
Attest by one other Agency member

CERTIFICATE OF AGENCY'S AUTHORIZING RESOLUTION

I, Virgil Herrick, do hereby certify that I am a member and the Chairman of the Minnesota Pollution Control Agency, an Agency duly authorized under the laws of the State of Minnesota, and that the following is a true and correct copy of a resolution adopted at a meeting of the Minnesota Pollution Control Agency duly and properly called and held on the 26th day of January 1982, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution will be set forth in the minutes of said meeting and has not been rescinded or modified.

BE IT RESOLVED that the Minnesota Pollution Control Agency (Agency) hereby authorizes the initiation of rulemaking proceedings on the attached proposed rules 6 MCAR SS 4.6088-4.6100.

BE IT FURTHER RESOLVED that the Agency finds that the attached proposed rules are noncontroversial in nature and hereby authorizes rulemaking proceedings in accordance with statutory provisions regarding noncontroversial rules.

BE IT FURTHER RESOLVED that Louis J. Breimhurst, the Executive Director of the Agency, be and hereby he is granted that authority and directed to sign an Order of the Agency directing that Notice be given of the Agency's intent to adopt without a hearing rules 6 MCAR SS 4.6088-4.6100, to sign the Notice thereof, and to perform any acts incidental thereto. Prior to publishing the proposed rules in the State Register, the Executive Director is authorized to make any form changes in the proposed rules that the Revisor of Statutes

requires the Agency to make in order to obtain the Revisors certification as required by Minn. Stat. SS 115.0412, Subd. 2a(1980). In the event a public hearing becomes necessary, Louis J. Breimhurst is hereby granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Agency's representative at all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 2nd day of ~~January~~ February 1982.

Virgil Herrick

Cynthia C Jepsen

Attest by one other Agency member

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Rules of the Pollution Control Agency, 6 MCAR §§4.6088 - 4.6100, Waste Disposal Facility Operator and Inspector Certification

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Dale E. Newton, being duly sworn, deposes and says:

That on the 25th day of February, 1982, at the City of Roseville, County of Ramsey, State of Minnesota, he served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail for first class mailing at said City of Roseville, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the Pollution Control Agency for the purpose of receiving notice of the proposed adoption of rules by the Pollution Control Agency.

Dale E. Newton

Subscribed and sworn to before me this 25th day of February, 1982.

Maryanne Gibbons
Notary Public

MARYANNE GIBBONS
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Commission Expires Sept 26, 1985

Pollution Control Agency

Water Quality Division

Proposed Adoption of Rules Relating to Certification of Waste Disposal Facility Operators and Inspectors

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) intends to adopt without a public hearing rules that require operators and inspectors of waste disposal facilities to obtain a certificate of competency from the Agency. The Agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. §15.0412, subd. 4h (1980).

The proposed rules are authorized by Minn. Stat. §116.41, subd. 2 (1980). The proposed rules if adopted would:

1. establish a Certificate Committee to oversee the training and certification program;

2. establish educational training, experience and examination requirements for individuals that need to be certified;

3. establish the procedures for applying for examination;

4. establish standards for use, issuance and renewal of certificates;

5. establish fees for certification;

6. establish criteria for imposing sanctions against a certificate holder; and

7. establish a deadline by which individuals must become certified.

A copy of the rule is enclosed.

The Agency has prepared a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon by the Agency to support the proposed rule. Copies of the Statement of Need and Reasonableness and additional copies of the proposed rule are available and may be

obtained by contacting:

Art Dunn or Clarence Manke
Operator Training Unit
Division of Water Quality
Minnesota Pollution Control Agency
1935 West County Road B-2
Roseville, Minnesota 55113
Telephone: (612) 296-7764

Interested persons have 30 days, specifically until March 31, 1982, to submit comments on the proposed rules. The proposed rules may be modified if the data and views submitted to the Agency warrant modification and the modification does not result in a substantial change in the proposed rule.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event that a public hearing is required, the Agency will proceed according to the provisions of Minn. Stat. §15.0412, subd. 4 - 4f (1980).

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to Art Dunn, at the address and telephone number previously stated, no later than March 31, 1982. If a person desires to request a public hearing, the agency requests that the person identify the particular provisions objected to, the suggested modifications to the proposed language, and the reasons and data relied on to support the suggested modifications.

Upon adoption of the rules by the Agency board, the rules as proposed, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rule as adopted will be sent to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as adopted, should submit a written statement of such request to Art Dunn at the address previously stated.

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. §10A.01, subd. 11 (1980) as any individual:

(a) Engaged for pay or other consideration, or authorized by

another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250 not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

February 25, 1982

Louis J. Breimhurst

LOUIS J. BREIMHURST
Executive Director

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption
of Rules of the Pollution Control Agency,
6 MCAR §§4.6088 - 4.6100, Waste Disposal
Facility Operator and Inspector
Certification

CERTIFICATE

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. §15.0412, subd. 4 (1980) that their names be placed on file with and maintained by the Minnesota Pollution Control Agency (Agency) for the purpose of receiving notice of the proposed adoption of rules by the Agency is accurate and complete as of 9:00 a.m., this 25 day of February, 1982.

Diana Farrell

LAKE SUPERIOR
INDUSTRIAL BUREAU
828 FIRST NATIONAL BANK
DULUTH MN 55802 1

N S P LAW DEPT
ATTN JOSEPH D BIZZANO JR
414 NICOLLET MALL
MPLS MN 55401 1

NORTHERN STATES POWER CO
ATTN G V WELK MANAGER
REG COMPLIANCE AND SERV
414 NICOLLET MALL
MPLS MN 55401 1

MN MULTI HOUSING ASSOC
ATTN JOHN G HORNER
3100 W LAKE ST
MPLS MN 55416 1

HOLMES & GRAVEN
ATTN LARRY M WERTHEIM
4610 IDS CENTER
MPLS MN 55402 1

POTLATCH CORPORATION
ATTN MR ARCHIE D CHELSETH
BOX 510
CLOQUET MN 55720 1

ANOKA CO COMM HEALTH &
SOCIAL SERV DEPT
ATTN GERTRUDE M JAMES
COURTHOUSE 4TH FL
ANOKA MN 55303 1

FEDERAL STATE REPORTS INC
ATTN STATE REG DIV
5203 LEESBURG PIKE
SUITE 1201
FALLS CHURCH VA 22041 1

LAKE MINNETONKA CONS DIST
402 E LAKE ST
WAYZATA MN 55391 1

U OF M PHYSICAL PLANT DEPT
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200 SHOPS BLDG
319 15TH AVE SE
MPLS MN 55455 1

GENERAL MILLS INC
ATTN J W HAUN
P O BOX 1113
MPLS MN 55440 1

HESSIAN MCKASY & SODERBERG
ATTN MR JOHN A KNAPP
1500 MIDWEST PLAZA BLDG
MPLS MN 55402 1

MN ASSOC HEALTH CARE FAC
ATTN RICK CARTER
2850 METRO DRIVE SUITE 429
MPLS MN 55420 1

PETERSON POPOVICH KNUTSON
& FLYNN LAW OFFICE
ATTN PETER S POPOVICH
314 MN BULD
ST PAUL MN 55101 1

JONES HAUGH & SMITH INC
515 SOUTH WASHINGTON
ALBERT LEA MN 56007 1

WILLIAM MITCHELL COLLEGE
OF LAW
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875 SUMMIT AVE
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COLOR-AD PACKAGING INC
ATTN MICHAEL S KECKEISEN
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THE SHERWIN-WILLIAMS CO
ATTN D A COHAGAN
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CLEVELAND OH 44115 1

MN RETAIL MERCHANTS ASSOC
ATTN WENDY M BORSHEIM
180 METRO SQUARE BLDG
ST PAUL MN 55101 1

IOWA DEPT ENVIRON QUALITY
ATTN STEVEN N WILLIAMS
HENRY A WALLACE BLDG
DES MOINES IA 50319 1

MPIRG
ATTN KENNETH PETERSON
2412 UNIVERSITY AVE SE
MPLS MN 55414 1

MPIRG
ATTN JAMES MILLER
2412 UNIVERSITY AVE SE
MPLS MN 55414 1

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ATTN KEVIN C JONES
BOX 800
AUSTIN MN 55912 1

ASHLAND PETROLEUM COMPANY
ATTN RICHARD HETLAND
P O BOX 9
ST PAUL PARK MN 55071 1

BLANDIN PAPER COMPANY
ATTN W J LICKE
115 FIRST STREET SW
GRAND RAPIDS MN 55744 1

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ATTN JAMES N DENN
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ST PAUL MN 55104 2

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ST PAUL MN 55114 2

UNITED POWER ASSOC
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PROJECTS COORD DIVISION
ELK RIVER MN 55330 2

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SHELDAHL
ATTN DAVID MILLER
N HWY 3
NORTHFIELD MN 55057 2

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ATTN WAYNE H OLSON ESQ
315 PEAVEY BLDG
730 SECOND AVE SOUTH
MPLS MN 55402 2

AM CRYSTAL SUGAR CO
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101 NO THIRD ST
MOORHEAD MN 56560 2

MN RAILROADS ASSOC
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480 CEDAR ST
ST PAUL MN 55101 2

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7TH ST & ROBERT ST
ST PAUL MN 55101 2

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MN COUN TROUT UNLIMITED
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IBM CORPORATION
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DEPT 713/BLDG 658-D
ROCHESTER MN 55901 2

EPA REGION V
ATTN ART BADEN
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CHICAGO IL 60604 2

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300 NORTHERN FEDERAL BLDG
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GEORGE MASTOR
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ATTN REID MINER
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WESTERN MICHIGAN UNIVERSITY
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BLACK & VEATCH/MICHIGAN
ATTN ENVIRONMENTAL SPECIAL
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615 SOUTH 7TH STREET
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HOUSTON TX 77001 5

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TECH SALES CO
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ENVIR ENG & POLLUTION
CONTROL/3M: 21-2W-06
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BADGER SAFE ENERGY ALLI
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D E GRAMMER
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THE MINNESOTA PROJECT
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JOHN M BROEKER
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CITY OF BROOKLYN CENTER
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ATTN G ROBERT JOHNSON
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6

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ROBERT LOCKYEAR
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6

M NEAL ERDAHL
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PAUL BRANDT
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STILLWATER MN 55082
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BROWN & ROOT INC
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JACQUELYNE FARM
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6

ENVIRONMENTAL ENGINEERING
& POLLUTION CONTROL/3M
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AMF O'HARE IL 60666
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EDWIN E STERLING
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PULP & PAPER
ATTN PAULA IRONS
500 HOWARD ST
SAN FRANCISCO CA 94105
7

C.W. BERGSTROM
DIV. CHIEF ENGINEER
AMOCO PIPELINE CO.
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LOMBARD IL 60148
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API INC
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2366 ROSE PLACE
ST PAUL MN 55113
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THE HEALTH CENTRAL SYSTEM
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601 BROOKDALE TOWERS
2810 FIFTY SEVENTH AVE N
MPLS MN 55430
7

CENEX
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ST PAUL MN 55164
7

BOISE CASCADE CORPORATION
ATTN MR RUSS SUMMER
ENVIRONMENTAL ENGINEER
INTERNATIONAL FALLS MN
56649
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EPA REGION V
ATTN DAVE ULLRICH
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CHICAGO IL 60604
7

DAMES & MOORE
ATTN LARRY ANNEN
1550 NW HWY
PARK RIDGE IL 60068
7

GOULD INC
PORTABLE BATTERY DIVISION
ATTN DOUGLAS ROBAHM
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ST PAUL MN 55114
7

PICKANDS MATHER & CO
ATTN THOMAS W HAYES
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DULUTH MN 55802
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BENDIX
ENVIR & PROCESS INST DIV
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LEWISBURG W VA 24901
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ST PAUL PUBLIC HEALTH
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ROBERT M BELANGER
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RUBEN W HOGLUND
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ORR MN 55771

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Division
Elk River, MN 55330

SW-191 Koochiching Co.
Sanitary Landfill
Koochiching Co. Courthouse
International Falls, MN 56649

SW-192 WLSSD Demolition
Landfill
WLSSD, Attn: Gary Baker
27th Ave. W. & Waterfront
Duluth, MN 55802

SW-193 Conwed Corporation
Demolition Landfill #2
c/o Steve Mangan
P.O. Box 414
Red Wing, MN 55066

SW-194 WLSSD Sludge
Disposal Site
WLSSD, Attn: Gary Baker
27th Ave. W. & Waterfront
Duluth, MN 55802

SW-196 Pelican Valley Solid
Waste Association
c/o Scott Dirks, Attorney
P.O. Box 338
Pelican Rapids, MN 56572

SW-197 Mack Truck Demolition
Landfill
c/o William C. Majewski
409 City Hall
Duluth, MN 55802

SW-198 MWCC Seneca Ash
Disposal
c/o Jim Sipe, MWCC
350 Metro Square Bldg.
St. Paul, MN 55101

SW-199 Port Crosty Assoc.
Demolition Landfill
c/o P. Peller
63 S. Roberts Street
St. Paul, MN 55107

SW-200 Liquid Air
Corporation
c/o David Simon, NCG
111 East Wacker Drive
Chicago, IL 60601

Demolition Sites 1 & 2
Minnesota Lumber Corp.
915 N. Albert St.
St. Paul, MN 55104

SW-202 Burns Manufacturing
Solid Waste Disposal
Burns Manufacturing Co.
Aitkin, MN 56431

SW-203 East Grand Forks
Demolition Landfill
c/o Ed Osowski
200 Second St., N.W.
East Grand Forks, MN 56721

SW-204 Orr Sanitary
Landfill
Orr SLF Authority
Box 214
Orr, MN 55771

SW-205 L.C. Diegnau
Demolition Landfill
c/o L.C. Diegnau
P.O. Box 2205
Mankato, MN 56001

SW-206 Rice Creek Resource
Recovery
Ramsey County Parks
2010 White Bear Ave.
St. Paul, MN 55109

SW-207 NSP Riverside
Ash Storage Site
c/o G.V. Welk, NSP
414 Nicollet Mall
Minneapolis, MN 55401

SW-208 Sellmer Industrial
Park Demolition Landfill
Sellmer Manufacturing
515 Fowler Avenue
Faribault, MN 55021

SW-209 Cloquet Disposal Site
c/o G. Vanneste, Potlatch
Corp., NW Paper Division
Cloquet, MN 55720

SW-210 Airport Sludge
Disposal Site
c/o Paul Vanderlinde
420 Pokegama Avenue
Grand Rapids, MN 55744

Ash Disposal Facility
c/o Verlin Menze, P.E.
215 So. Cascade St.
Fergus Falls, MN 56537

SW-212 Union Carbide/Linde
Division Storage Site
c/o Union Carbide Corp.
3800 West Superior St.
Duluth, MN 55801

SW-213 Bunker Hills
c/o David L. Torkildson
Anoka Co. Parks & Rec.
550 Bunker Lake Blvd.
Anoka, MN 55303

SW-215 Stockyards Demo.
c/o T.J. Salmen, SSR. Inc.
1450 Northern Federal Bldg.
386 North Wabasha
St. Paul, MN 55102

SW-217 Kamehill Lime Sludge
c/o Warren Krech
Kamehill Inc.
1150 - 11th St., W.
Inver Grove Heights, MN 55075

SW-82 County of Mille
Lacs
Mille Lacs Co. Courthouse
Milaca, MN 56353

SW-214 Lake County
c/o John Bjorum
P.O. Box J
Two Harbors, MN 55616

SW-850 Blandin Wood
c/o John Erickson
Blandin Paper Company
115 S.W. 1st St.
Grand Rapids, MN 55744

SW-851 Gary L. Kaziukewicz
Champion Inter. Corp.
2250 Wabash Avenue
P.O. Box 43260
St. Paul, MN 55164

SW-853 Blandin Wood
Products Company
c/o Curt Firman
P.O. Box N
Grand Rapids, MN 55744

Sanitary Landfill
c/o John Fitzgerald
Wabasha County Courthouse
Wabasha, MN 55981

SW-156 Clarence Flykt
Demolition Landfill
c/o Clarence Flykt
Route 1, Box 83
Willmar, MN 56201

SW-157 Goodhue Site
Cooperative Landfill
c/o Donald Thomforde
Goodhue, MN 55027

SW-158 McGregor Area
Transfer Station
Aitkin County Courthouse
McGregor, MN 55760

SW-160 Cloquet Demolition
Landfill
Cloquet City Hall
Cloquet, MN 55720

SW-161 Hibbing Sanitary
Landfill
c/o Jim Kurtz, Health Dept.
504 East Second St.
Duluth, MN 55805

SW-163 Brookston Area
Modified Landfill
c/o Carroll Rather
Route 1, Box 337
Saginaw, MN 55779

SW-164 Floodwood Area
Modified Landfill
c/o Henry Raihala
Floodwood Area Landfill
Floodwood, MN 55736

SW-166 Conwed Corp.
Demolition Landfill
c/o Jim Tancig
Rural Route 1
Red Wing, MN 55066

SW-168 Clearwater Co.
Demolition Landfill
County of Clearwater
Box 10
Bagley, MN 56621

Remer Landfill
Cass County Courthouse
Walker, MN 56484

SW-171 Lake of the Woods
Sanitary Landfill #2
Lake of the Woods County
Rural Route 1, Box 272B
Bandette, MN 56623

SW-172 Schwandt Sanitary
Landfill
c/o David Schwandt
Paynesville, MN 55426

SW-173 Kamish Bryant Ave.
Demolition Landfill
A. Kamish and Sons Inc.
6010 Concord Blvd.
Inver Grove Heights, MN 55075

SW-174 Red Wing Sanitary
Landfill
Red Wing City Hall
Red Wing, MN 55066

SW-175 Cotton Area
Modified Landfill
c/o Anton J. Zgonc
Box 57
Kelsey, MN 55755

SW-176 Vermilion Dam
Modified Landfill
Vermilion Dam Landfill
Buyuck, MN 55715

SW-177 Vermilion Modified
Landfill
c/o Donna Mickelson
P.O. Box 712
Tower, MN 55790

SW-178 Northeast Otter Tail
Sanitary Landfill
c/o Richard Carlund, Pres.
Box H
New York Mills, MN 56567

SW-179 Cass Co. Walker-
Hackensack Landfill
Cass County Courthouse
Walker, MN 56484

Processing Plant
WLSSD, Attn: Gary Baker
27th Ave. W. & Waterfront
Duluth, MN 55802

SW-181 Crosby Sanitary
Landfill
City of Crosby
City Hall
Crosby, MN 56441

SW-182 Engineer's Realty
Demolition Landfill
c/o Wm. Del Zotto
2300 Commonwealth Ave.
Duluth, MN 55808

SW-183 Federal Cartridge
Special Waste Landfill
c/o Luke Davich
9th and Taylor St.
Anoka, MN 55303

SW-184 Fergus Falls
Sanitary Landfill
NC
City of Fergus Falls
City Hall
Fergus Falls, MN 56357

SW-185 Prairie Island
Resin Site
c/o G.V. Welk, NSP
414 Nicollet Mall
Minneapolis, MN 55401

SW-186 Sherco Units 3 and
4 Demolition Landfill
c/o G.V. Welk, NSP
414 Nicollet Mall
Minneapolis, MN 55401

SW-187 Adams Sanitary
Landfill
Adams City Hall
Adams, MN 55909

SW-188 Pikus Demolition
Landfill
c/o Gary Pikus
306 2nd Avenue, N.E.
Sartell, MN 56377

SW-189 MWCC Ash Disposal
c/o Jim Corcoran, MWCC
404 Metro Square Bldg.
St. Paul, MN 55101

Landfill
c/o Clark Bolin, City Clerk
Karlstad City Hall
Karlstad, MN 56732

SW-116 City of Sauk Centre
Sanitary Landfill
c/o Phyllis Pettit
Sauk Centre City Hall
Sauk Centre, MN 56378

SW-117 Lindala Sanitary
Landfill
c/o Ed Lindala
Route 1
Annandale, MN 55302

SW-118 Rosemount Demo.
Landfill
c/o Don Brown
P.O. Box 261
Rosemount, MN 55068

SW-119 Jensen Demolition
Landfill
c/o Alton Jensen
Box 368
Albert Lea, MN 56007

SW-120 Pipestone Co.
Sanitary Landfill
Pipestone County Courthouse
Pipestone, MN 56164

SW-121 Dodge Co. Sanitary
Landfill
c/o Luverne Tripp
Mantorville, MN 55955

SW-122 Mahnomen Co. Sanitary
Landfill
Mahnomen County Courthouse
Mahnomen, MN 56557

SW-123 Rice Co. Sanitary
Landfill
Rice Co. Solid Waste Dept.
Route 1, Box 68A
Dundas, MN 55019

SW-124 Polk Co. Sanitary
Landfill
Polk County Courthouse
Crookston, MN 56716

c/o Al Holm
Container Service, Inc.
332 Olmstead Street
St. Paul, MN 55101

SW-126 Houston Co. Sanitary
Landfill
c/o Rick Frank
Houston County Courthouse
Calendonia, MN 55921

SW-128 Hudson Sanitary
Landfill
Hudson San. Landfill Auth.
201 West 1st St.
Aurora, MN 55705

SW-129 Isanti-Chisago
Sanitary Landfill
c/o Isanti County Zo. Office
Isanti County Courthouse
Cambridge, MN 55008

SW-130 Pickett Sanitary
Landfill
c/o Henry G. Pickett
Route 1
Park Rapids, MN 56470

SW-131 Steele Co. Sanitary
Landfill
Steele County Courthouse
Owatonna, MN 55060

SW-135 Grand Rapids
Area Sanitary Landfill
Itasca County Courthouse
Grand Rapids, MN 55744

SW-136 Herbst & Sons
Demolition Landfill
Herbst & Sons Construction
2299 County Rd. H
New Brighton, MN 55112

SW-137 Salol Sanitary Landfill
c/o Luke Hagen
Star Route C
Roseau, MN 56751

SW-139 Moorhead Transfer
Station
P.O. Box 779
2727 Hwy. 10 East
Moorhead, MN 56560

Landfill
Lake County Courthouse
Two Harbors, MN 55616

SW-141 LaGrande Sanitary
Landfill
c/o Valley Disposal Co.
P.O. Box 154
Glenwood, MN 56334

SW-143 Albrecht & Son
Sanitary Landfill
c/o Healy Laboratories, Inc.
2301 Como Avenue
St. Paul, MN 55108

SW-144 Danny's Transfer
and Recycling
c/o Daniel A. Allen
359 S. Roberts Street
St. Paul, MN 55123

SW-145 Aitkin Area
Sanitary Landfill
County of Aitkin
Courthouse
Aitkin, MN 56431

SW-146 Leech Lake Regional
Business Committee
c/o Ed Fairbanks
Box 308
Cass Lake, MN 56633

SW-149 North Hennepin
Recycling & Transfer Sta.
8550 Zachary Lane
Osseo, MN 55369

SW-150 Hickory Grove
Sanitary Landfill
Aitkin County Courthouse
Aitkin, MN 56431

SW-151 Poor Richard's
Transfer and Recycling
Poor Richard's Inc.
400 Whitall St.
St. Paul, MN 55101

SW-153 McConnon Demolition
Landfill
McConnon and Company
25 McConnon Drive
Winona, MN 55987

Landfill
Tow Brothers Sanitation
819 North Avenue
Fairmount, MN 56031

SW-77 Rock Co. Sanitary Landfill
c/o Walter Ahrendt
203 East Main
Luverne, MN 56156

SW-78 H.F. Killian Sanitary Landfill
c/o H.F. Killian
Route 1
Motley, MN 56466

SW-79 Kandiyohi Co. Sanitary Landfill
County of Kandiyohi
P.O. Box 936
Willmar, MN 56201

SW-81 Watonwan Co. Sanitary Landfill
P.O. Box 467
St. James, MN 56081

SW-83 Redwood Co. Sanitary Landfill
c/o Virgil Munson
SW Minn. Solid Waste Mgmt.
Walnut Grove, MN 56180

SW-84 Lincoln Landfill
c/o William Ritter
P.O. Box 36
Marshall, MN 56258

SW-85 Albert Lea Sanitary Landfill
City of Albert Lea
221 E. Clark Street
Albert Lea, MN 56007

SW-86 Battle Lake Area Sanitary Landfill
c/o Glen Johnson
Battle Lake, MN 56515

SW-87 Ponderosa Sanitary Landfill
c/o Gerald Weimert
617 Belgrade Avenue
North Mankato, MN 56001

Landfill
c/o Richard Mathiowetz
Mathiowetz Enterprises
Sleepy Eye, MN 56085

SW-90 Renville Co. Sanitary Landfill
Renville County Courthouse
Olivia, MN 56277

SW-91 Reak Sanitary Landfill
307 Oak Avenue, S.E.
Montgomery, MN 56069

SW-92 Anderson-Kittson Co. Sanitary Landfill
c/o Lamar Anderson
Hallock, MN 56728

SW-94 Anoka Municipal Landfill
c/o Greg Woelfel
Waste Management, Inc.
3333 N. Mayfair Rd., Suite 306
Milwaukee, WI 53222

SW-95 Matson Demolition Landfill
Matson Truck Lines, Inc.
1407 St. John
Albert Lea, MN 56007

SW-96 Eastman Sanitary Landfill
c/o E.W. Trebil, Auditor
20 S.E. 2nd St.
Ortonville, MN 56278

SW-97 East Mesaba Sanitary Landfill
E. Mesaba San. Dis. Auth.
City Hall
Virginia, MN 55792

SW-99 Becker County Landfill
c/o Mary Johnson
Rural Route 3, Box 268A
Detroit Lakes, MN 56501

SW-100 Waseca Co. Sanitary Landfill
Waseca County Courthouse
Waseca, MN 56093

Landfill
Jackson County Courthouse
Jackson, MN 56143

SW-102 Carlton Co. Sanitary Landfill #2
c/o Bruce Benson
Carlton County Courthouse
Carlton, MN 55718

SW-104 Murray Co. Sanitary Landfill
c/o Claire Jerome
Murray Co. Hwy. Dept.
Slayton, MN 56172

SW-107 Metro Refuse and Recycling
c/o Joseph G. Karas
318 W. Water Street
St. Paul, MN 55118

SW-108 City of Benson Sanitary Landfill
c/o Bill Radio
City Hall
Benson, MN 56215

SW-110 Dwire Demolition Landfill
c/o Richard Dwire
Rural Route 4, Box 97
Marshall, MN 56258

SW-111 Crow Wing Co. Sanitary Landfill
Crow Wing Co. Courthouse
Brainerd, MN 56401

SW-112 Olson Demolition Landfill
c/o R. Emil Olson Inc.
24 Meyers Road
Albert Lea, MN 56007

SW-113 Hansen Sanitary Landfill
c/o Woodrow W. Hansen
Route 5
Mankato, MN 56001

SW-114 Anderson Sanitary Landfill of Wadena Co.
c/o Howard A. Anderson
Route 1
Sebeka, MN 56477

Landfill
c/o Jerome Loegering
Box 176
Long Prairie, MN 56347

SW-40 Mpls. North Side
Transfer Station
Phoenix Industries Inc.
7900 Xerxes Avenue So.
Minneapolis, MN 55431

SW-41 Mpls. South Side
Transfer Station
Phoenix Industries Inc.
7900 Xerxes Avenue So.
Minneapolis, MN 55431

SW-42 Lenzen Sanitary
Landfill
c/o Roy E. Lenzen
Granite Falls, MN 56241

SW-43 Oak Grove Landfill
c/o Northwest Disposal, Inc.
10264 Xylite Street N.E.
Minneapolis, MN 55434

SW-44 Lindenfelser Landfill
c/o Francis Lindenfelser
Route 1
St. Michael, MN 55376

SW-45 Pine Bend Sanitary
Landfill
Phoenix Inc., Suite 129
7900 Xerxes Avenue So.
Minneapolis, MN 55431

SW-47 East Bethel Landfill
c/o Jerry Swedeen
Hwy. 65 at 221 Ave., N.E.
Cedar, MN 55011

SW-48 Winona Transfer
Station
c/o Wm. Miller Scrap Iron Co.
222 West 2nd St.
Winona, MN 55987

SW-49 Ironwood Disposal
Systems, Inc.
Rural Route 2
Grand Meadow, MN 55936

Landfill
c/o Larry Welt
Cannon Falls, MN 55009

SW-52 Tostenson-Gabrielson
Landfill
c/o Ken Tostenson
Route 3, Box 53A
Montevideo, MN 56265

SW-54 NSP King Slag
Disposal #2
NSP, 414 Nicollet Mall
c/o G.V. Welk
Minneapolis, MN 55401

SW-56 Meg Rattei
Barr Engineering Co.
6800 France Avenue South
Minneapolis, MN 55435

SW-57 Freeway Landfill
c/o Richard McGowan
5704 Tucker Lane
Minneapolis, MN 55436

SW-58 City of Hopkins
Sanitary Landfill
City of Hopkins
1010 First St. So.
Hopkins, MN 55343

SW-59 French Lake Landfill
c/o Toivo W. Kotila
Cokato, MN 55321

SW-60 Yonak Sanitary
Landfill
c/o Wayne Yonak
Route 1
Buffalo, MN 55313

SW-61 Woodlake Sanitary
Landfill
4000 Hamel Road
Hamel, MN 55340

SW-62 Red Rock Sanitary
Landfill
Waste Control Inc.
95 West Ivy
St. Paul, MN 55117

Services
c/o Healy Laboratories, Inc.
2301 Como Avenue
St. Paul, MN 55108

SW-65 WLSSD Residue Waste
Disposal Facility
WLSSD, Attn: Gary Baker
27th Ave. W. & Waterfront
Duluth, MN 55802

SW-66 Stevens Co. Sanitary
Landfill
c/o Mr. Larry Schaub
P.O. Box 191
Morris, MN 56267

SW-67 Tellijohn Sanitary
Landfill
c/o Keith Tellijohn
Rural Route 1
LeSueur, MN 56058

SW-68 Northwoods Sanitary
Landfill
c/o Harold B. Leppink
504 East Second St.
Duluth, MN 55805

SW-69 Faribault Co.
Sanitary Landfill
c/o Melvin Bromeland
Frost, MN 56033

SW-70 Meeker Co. Sanitary
Landfill
c/o H.A. Knieff
Meeker County Courthouse
Litchfield, MN 55355

SW-72 Pine Lane Landfill
c/o Cameron Strand
Chisago City, MN 55013

SW-73 Iron Range Sanitary
Landfill
c/o W.E. Gardinier
Route 2
Bovey, MN 55709

SW-74 Elk River Sanitary
Landfill
c/o Jeff Van DenBerg
22460 Hwy. 169 N.W.
Elk River, MN 55330

Tonka Paper
2138 Shady Wood Road
Wayzata, MN 55391

c/o Francis Murphy, Chairman
Crow Wing County Board
Crow Wing County Courthouse
Brainerd, MN 56401

SW-219 Mission Transfer Station
c/o Francis Murphy, Chairman
Crow Wing County Board
Crow Wing County Courthouse
Brainerd, MN 56401

SW-220 DeZurik Foundry Waste
Diposal Site
c/o Mr. Purves Todd
DeZurik Corporation
Sartell, MN 56377

SW-221 Bloomington Tree Util.
and Disposal Site
c/o Glen Shirley
2215 W. Old Shakopee Rd.
Bloomington, MN 55431

SW-216 Mr. Gary Harrington
HILCO
206 - 11th Street N.W.
Austin, MN 55912

SW-854 Mr. R.W. Riley
Superwood Corp., Nuply Div.
P.O. Box 547
Bemidji, MN 56601

SW-227 Frattalone Demolition
Landfill
c/o Frank M. Frattalone
3205 Centerville Road
St. Paul, MN 55110

SW-223 Air Research Inc.
c/o Mr. W.L. Hofeling
10 North 5th Avenue
Hopkins, MN 55343

SW-224 3M-Chemolite Boiler Ash
c/o Joseph T. Ling
3M, P.O. Box 33331
Building 21-2W #58
St. Paul, MN 55133

SW-222 Austin Transfer Station
c/o Mr. Darrell Stacy
500 4th Avenue N.E.
Austin, MN 55912

SW-225 Northome Modified SLF
c/o Thomas R. Barthell
Koochiching County Courthouse
International Falls, MN 56649

SW-226 Koch Refining Co.
c/o Tomas W. Segar
P.O. Box 43596
St. Paul, MN 55164

192 Conwed Corp.
c/o Steve Mangan
229 Hwy. 61 South
Red Wing, Minnesota 55066

193 Mr. Truman Thrond
Freeborn County Engineer
Courthouse
Albert Lea, Minnesota 56007

194 Mr. Art Stone
Brown County Courthouse
New Ulm, Minnesota 56073

182 Mr. Gene LaValle
Route 1
Hackensack, Minnesota 56452

183 Mr. Ronald A. Nelson
Canyon, Minnesota 55717

184 Mr. Willard Paju
New York Mills, Minnesota 56567

185 NCG Industrial Gases
965 North Lexington Parkway
St. Paul, Minnesota 55113

186 Sandberg Erection Company
244 4th Street
St. Paul, Minnesota 55101

187 Mr. David Cushman
Capsule Labs
R & D Center
840 Sibley Memorial Hwy.
St. Paul, Minnesota 55118

188 Eugene Schafer
403 East Fairview
Olivia, Minnesota 56277

189 Ms. Dorothy Moore, Secretary
Portage Sanitary Landfill
Crane Lake, Minnesota 55725

190 Mr. Vern Tow
Fairmont, Minnesota 56031

191 Mr. Arvel Mitchener
Rural Route
Goodhue, Minnesota 55027

172 Mr. Roger Hagen
408 Southeast 3rd Avenue
Medford, Minnesota 55049

173 Mr. Elvin Sjodin
Salol, Minnesota 56756

174 R. Christensen
Box J
Two Harbors, Minnesota 55616

175 Mr. Marlin F. Torguson
Spicer, Minnesota 56288

176 Mr. Russell Albrecht
Hwy. 17 North Chakeau Motel
Windom, Minnesota 56101

177 Mr. Dennis Bergeron
Cass Lake, Minnesota 56633

178 Mr. Dave Simonson
Isle, Minnesota 56342

179 Mr. Arvel Mitchener
Rural Route
Goodhue, Minnesota 55027

180 Mr. Don Jacobs
645 North Wabasha
Plainview, Minnesota 55964

181 Brookston Solid Waste Comm.
Alborn, Minnesota 55702

162 Mr. Wilbur H. Hage
Lakefield, Minnesota 56150

163 Mr. G. Waldholm
815 A. Avenue
Proctor, Minnesota 55810

164 Mr. Duane Johnson
Route S
Slayton, Minnesota 56172

165 Mr. Dave Strochem
Box 338
Nisswa, Minnesota 56468

166 Mr. Norman Klegstad
Karlstad, Minnesota 56732

167 Lincoln Construction Co.
Lyna, Minnesota 56727

168 Mr. Marty Van Esch
Rice Co. Landfill
Route 1
Dundas, Minnesota 55019

169 Mr. Ralph Fitting
#126
Money Creek, Minnesota 55921

170 Mr. Gerald Einke
Mahnomen, Minnesota 56557

171 C & K Landfill Inc.
Box 326
Isanti, Minnesota 55040

162 Mr. Wilbur H. Hage
Lakefield, Minnesota 56150

163 Mr. G. Waldholm
815 A Avenue
Proctor, Minnesota 55810

164 Mr. Duane Johnson
Route S
Slayton, Minnesota 56172

167 Lincoln Construction Co.
Lyna, Minnesota 56727

168 Mr. Marty Van Esch
Rice Co. Landfill
Route 1
Dundas, Minnesota 55019

169 Mr. Ralph Fitting
#126
Money Creek, Minnesota 55921

152 Mr. Cliff Schulz
Euclid, Minnesota 56722

153 Mr. Lyle Hendrickson
Route #1
Warroad, Minnesota 56763

154 Mr. Ellsworth Engebretson
Box 183
Morris, Minnesota 56267

155 Mr. Charles Schunch
Gaylord, Minnesota 55334

156 Mr. Bernard Westre
Route 1
Little Falls, Minnesota 56345

157 Mr. W. H. Davis
P.O. Box 322
Barnsville, Minnesota 56514

158 Burnsville Landfill
Mr. Edward Kramer & Sons
1000 West 122nd Street South
Burnsville, Minnesota 55337

159 Mr. Duane Kolden
105 West 4th Street
Morris, Minnesota 56267

160 Northern Wood Service Inc.
18 West Sheridan Street
Ely, Minnesota 55732
Mr. Warren Eastman
Beardsley, Minnesota 56211

161 County Of Becker
Courthouse
Detroit Lakes, Minnesota 56501

142 Mr. Gary Thorson
Rural Route
Bagley, Minnesota 56621

143 Mr. Cliff Bang, Site Operator
Clay County Sanitary Landfill
c/o Clay County Court House
1300 15th Avenue North
Moorhead, Minnesota 56560

144 Mr. Norman Klegstad, Operator
Karlstad Sanitary Landfill
Karlstad, Minnesota 56732

145 Mr. Alvin Amundson
Rural Route
Pitt, Minnesota 56665

146 Mr. Stanley Gunderson
Star Route
Mahnomen, Minnesota 56557

147 Mr. Willard Paju, Operator
Northeast Otter Tail Sanitary Landfill
New York Mills, Minnesota 56567

148 Mr. Bernard Poss
Schumachers Trailer Court
Battle Lake, Minnesota 56515

149 Mr. Herb Svare
Fergus Falls Sanitary Landfill
c/o Fergus Falls City Hall
Fergus Falls, Minnesota 56537

150 Mr. Eldor Erickson
120 Second Street
Pelican Rapids, Minnesota 56572

151 Mr. Ralph Montreuil
Euclid, Minnesota 56722

132 Kluver Sanitary Landfill
c/o Jerome Kluver
Rural Route 2, Box 746
Alexandria, Minnesota 56308

133 Kummer Sanitary Landfill
c/o Jon Kummer
Rural Route 6, Box 135
Bemidji, Minnesota 56601

134 Louisville Sanitary Landfill
c/o Joe Pahl
Route 2, Box 39
Jordan, Minnesota 55352

135 Maple Sanitary Landfill
c/o Harold Rudlang
Route 1
Pequot Lakes, Minnesota 56472

136 Clay Co. Sanitary Landfill
Clay Co. Bd. of Comm.
Moorhead, Minnesota 56560

137 St. Augusta Sanitary Landfill
c/o Ervin Schramel
Rural Route 1
St. Cloud, Minnesota 56301

138 Bellaire San. Service
c/o Charles E. Johnson
8678 North 75th Street
Stillwater, Minnesota 55082

139 Re-Cy-Co Transfer Station
c/o Richard Gallagher
9151 Central Avenue, Northeast
Minneapolis, Minnesota 55434

140 City of Hoyt Lakes Sanitary Landfill
City of Hoyt Lakes
Hoyt Lakes, Minnesota 55750

122 Mr. Donald Augustin
Rural Route 2
Springfield, Minnesota 56087

123 Mr. Kenneth Sevcik
128 Northwest 15th Street
P.O. Box 598
Faribault, Minnesota 55021

124 Mr. James Path, President
Ridgeway Foods Inc.
Ridgeway, Minnesota 55983

125
Mr. Dave Myers
ChefReddy Foods
P.O. Box 607
Othello, Washington 99344

126 Mr. Gary Kindseth
Faribault Canning Company
128 Northwest 15th Street
Fairbault, Minnesota 55021

127 Mr. W. W. Katz
Plant Manager
General Foods Corp.
Waseca, Minnesota 56093

128 Mr. Willard Brosy
Environment Engineering
Pillsbury/Green Giant
608 Second Avenue South
Minneapolis, Minnesota 55402

129 Mr. Ken Schutt
Stokely Van Camp
440 East 9th Street
Fairmont, Minnesota 56031

130 Winona Sanitary Landfill
c/o James Murphy
Rural Route 2
Winona, Minnesota 55987

131 Waste Disposal
Engineering Landfill
c/o Jan Gillespie
95 West Ivy
St. Paul, Minnesota 55117

112 Mr. Henry Peterson
Rural Route 1
Bigelow, Minnesota 56117

113 William Dean DeBelly
Manager of Purchasing & Engineering
Southern Minnesota Sugar Coop
Renville, Minnesota 56284

114 Mr. John Pegors
Regional Director
101 1015 Torrey Building
Duluth, Minnesota 55802

115 Mr. Larry Shaw
Regional Director
304 East River Road
Suite 3
Brainerd, Minnesota 56401

116 Mr. Willis Mattison,
Regional Director
116 East Front Street
Detroit Lakes, Minnesota 56501

117 Mr. Larry Johnson,
Regional Director
Box 286
1104 East College Drive
Marshall, Minnesota 56258

118 Mr. Larry Landherr,
Regional Director
1200 South Broadway
Suite 140
Rochester, Minnesota 55901

119 Mr. Robert Sandmann
Big Stone Inc.
P.O. Box 86
Chaska, Minnesota 55318

120 Mr. Warren Wehner
Del Monte Corp.
P.O. Box 8
Wells, Minnesota 56097

121 Mr. Paul Fick
Route 2
Luverne, Minnesota 56187

102 Mr. Donald Richards
Clay County Engineer
1300 15th Avenue, North
Moorhead, Minnesota 56568

103 Mr. Karl Hoehne
Hoehne Brothers Farm
Pine Island, Minnesota 55963

104 Mr. Jim Bosch
Land O'Lakes Inc.
614 McKinley Place
Minneapolis, Minnesota 55413

105 Mr. Robert Monson
Monson Truck Service Center
Rural Route 1
Red Wing, Minnesota 55066

106 Mr. Charles Brown, President
301 North 11th Street
Olivia, Minnesota 56277

107 Mr. Chad Lange
Owatonna Canning Company
Box 447
Owatonna, Minnesota 55060

108 Hope Corporation
Box 17
Hope, Minnesota 56046

109 Mr. Thomas Most
1217 3rd Avenue Southeast
Rochester, Minnesota 55403

110 Philip Hadener
Environment Engineers
Nestle Enterprises
100 Bloomingdale Road
White Plains, New York 10605

111 Mr. Gary Welk
Manager Regulatory
Compliance Service
Northern States Power
414 Nicollet Mall
Minneapolis, Minnesota 55401

92 Mr. Bob Hutchison
Anoka County Comprehensive
Health Department
Courthouse
Anoka, Minnesota 55303

93 Mr. Monty Berend, Engineer
Becker County Courthouse
Detroit Lakes, Minnesota 56501

94 Mr. Bill Patnaude
Planning and Zoning Office
Beltrami County Courthouse
Bemidji, Minnesota 56601

95 Mr. Al Barthelemy
Benton County Zoning Office
Courthouse
Foley, Minnesota 56329

96 Mr. James Burgess
Big Stone Co. Solid Waste Officer
Courthouse
20 S. E. Second St.
Ortonville, Minnesota 56278

97 Mr. Herb Wenkel
Blue Earth County Sanitarian
City Hall, 202 East Jackson St.
Mankato, Minnesota 56001

98 Mr. Bruce Benson
Carlton County Zoning Officer
Courthouse
Carlton, Minnesota 55718

99 Mr. William Dilks/Virginia Harris
Carver County Courthouse
Chaska, Minnesota 55318

100 Ms. Kathy Bergmann
Cass County Solid Waste Officer
Courthouse
Walker, Minnesota 56484

Mr. Jerry Einerson
Chippewa County Soil Con.
Courthouse

101 Mr. Gerald L. Peterson
Chisago County Solid Waste
Officer and Zoning Officer
Courthouse, Box 202
Center City, Minnesota 55012

81 Mr. Dennis Nagle
Douglas County Zoning Admin.
Box 386
Alexandria, Minnesota 56308

82 Mr. Hershel L. Loenig, P.E.
Faribault County Engineer
Courthouse
Blue Earth, Minnesota 56013

83 Mr. Wes Kasten
Zoning Administrator
Fillmore County Courthouse
Preston, Minnesota 55965

84 Mr. Chuck Dornack
Goodhue County Zoning
Administrator
Red Wing, Minnesota 55066

85 Mr. Jim Standish
Grant County Solid Waste Officer
Elbow Lake, Minnesota 56531

86 Mr. Luther Nelson
Hennepin County Dept. of
Public Works, Envir. Ser. Div.
320 Washington South
Hopkins, Minnesota 55343

87 Mr. Rick Frank
Houston County Solid Waste
Officer, Courthouse
Calendonia, Minnesota 55921

88 Mr. Vern Massie
Hubbard County Zoning Admin.
Courthouse
Park Rapids, Minnesota 56470

89 Ms. Carolyn Drude
Isanti County Solid Waste Officer
Cambridge, Minnesota 55008

91 Mr. Charles Bonneville
Aitkin County Zoning Office
Courthouse
Aitkin, Minnesota 56431

71 Mr. Peter Boomgarden
Lincoln County Engineer
Courthouse
Ivanhoe, Minnesota 56142

72 Mr. Mike Gort
Lyon County Environmental Admin.
607 West Main
Marshall, Minnesota 56258

73 Mr. Ed Homan
McLeod County Zo. Admin.
Courthouse
Glencoe, Minnesota 55336

74 Mr. James Guy
Mahnomen Co. Solid Waste
Officer
Courthouse
Mahnomen, Minnesota 56557

75 Mr. Daniel R. Logelin
Clearwater County Sanitarian
Courthouse
Bagley, Minnesota 56621

76 Mr. Tim Kennedy
Sanitation & Zoning Administrator
Cook County Courthouse
Grand Marais, Minnesota 55604

77 M. C. Peterson
Cottonwood County
1453 3rd Avenue
Windom, Minnesota 56101

78 Mr. Otto Schalow
Crow Wing County Zo. Admin.
Courthouse
Brainerd, Minnesota 56401

79 Mr. Dave Gurney
Dakota County Highway Dept.
1560 W. Trunk Highway 55
Hastings, Minnesota 55033

80 Mr. Cecil Samuelson
Dodge County Courthouse
Mantorville, Minnesota 55955

61 Mr. Schuyler Mitchell
Itasca County Planning and
Zoning Office
Courthouse
Grand Rapids, Minnesota 55744

62 Mr. Dennis Hanselman
Jackson County Pollution
Control and Envir. Health
Officer, P.O. Box 64
Jackson, Minnesota 56143

63 Mr. Alden E. Smith
Kanabec County Board
Courthouse
Mora, Minnesota 55051

64 Melvin Fladeboe/Steve Peterson
Kandiyohi County Engineers
Courthouse
Willmar, Minnesota 56201

65 Mr. Floyd Sanner
Kittson County
Hallock, Minnesota 56728

66 Mr. Tom Barthell
Solid Waste Officer
County Zoning Office
Koochiching Co. Courthouse
International Falls, Minnesota 56649

67 Mr. M. D. Hanson
Lac Qui Parle County Engineer
Courthouse
Madison, Minnesota 56256

68 Mr. John Bjorum
Assistant Highway Engineer
Lake County Courthouse
Box J
Two Harbors, Minnesota 55616

69 Mr. Gary Lockner
Lake of the Woods County
Courthouse
Route 1, Box 272B
Baudette, Minnesota 56623

70 Mr. Myron Wolf
Le Sueur County Hwy. Dept.
Le Center, Minnesota 56057

51 Mr. Claire Jerome
Murray County Engineer
Courthouse
Slayton, Minnesota 56172

52 Mr. Phil R. Lutzi, Sr.
Zoning Administrator
Nicollet County Courthouse
Box 27
St. Peter, Minnesota 56082

53 Mr. Gil C. Bomgaars
Nobles County Zoning Officer
Box 591
Worthington, Minnesota 56187

54 Mr. Kenneth Benesh
Norman County Auditor
Courthouse
Ada, Minnesota 56510

55 Mr. Bill Poblete
Olmsted County Health Dept.
Rochester, Minnesota 55901

56 Mr. Malcolm K. Lee
Otter Tail County Courthouse
Fergus Falls, Minnesota 56537

57 Mr. Arvid Olson
Pennington County Engineer
Fergus Falls, Minnesota 56701

58 Mr. Wayne R. Golly
Pine County Solid Waste Officer
Pine County Zoning Office
Courthouse
Pine City, Minnesota 55063

59 Mr. Wayne W. Lange
Pipestone County Courthouse
Pipestone, Minnesota 56164

60 Mr. Bernard Lieder, P.E.
Polk County Hwy. Engineer
Courthouse
Crookston, Minnesota 56716

41 Mr. Larry Gasow
Sibley County Courthouse
Gaylord, Minnesota 55334

42 Mr. Jim Wimmer/Ken Hopke
Stearns County Courthouse
P.O. Box 604
St. Cloud, Minnesota 56301

43 Mr. David Severson
Steele County Sanitarian
Courthouse
Owatonna, Minnesota 55060

44 L. B. Schaub
Stevens County Engineer
Courthouse
Morris, Minnesota 56267

45 Mr. Chuck Cheeney
County Auditor
Marshall County Courthouse
Warren, Minnesota 56762

46 Mr. Wayne Flohrs
Martin County Zo. and Solid
Waste Officer
Room 124, Security Bldg.
Fairmont, Minnesota 56031

47 H. A. Knieff
Meeker County Engineer
Courthouse
Litchfield, Minnesota 55355

48 Mr. Mahlon Dahl
Mille Lacs County Zoning Admin.
Courthouse
Milaca, Minnesota 56353

49 Ms. Kathy Kendall
Morrison County Landfill Board
Zoning Officer
Little Falls, Minnesota 56345

50 Mr. William Buckley
Mower County Sanitarian
Courthouse
Austin, Minnesota 55912

31 Mr. Douglas Wood/Colleen Halpine
Ramsey Co. Comm. Health Ser.
Div. of Environ. Health
934 Woodhill Drive, Room 118
Roseville, Minnesota 55113

32 Mr. Orin Linder
Red Lake County Courthouse
Red Lake Falls, Minnesota 56750

33 Mr. Gary Zick
Solid Waste Management Officer
Redwood County Courthouse
Redwood Falls, Minnesota 56283

34 Mr. Clifford A. Thoreson
Renville County Planning and
Zoning Administrator
Courthouse
Olivia, Minnesota 56277

35 Mr. Mert Hoover, Director
Rice County Solid Waste Dept.
Courthouse
Faribault, Minnesota 55021

36 Mr. Fred O. Warden
Rock County Highway Engineer
P.O. Box 308
Luverne, Minnesota 56156

37 Mr. Orris Rasmussen
Roseau County Engineer
Courthouse
Roseau, Minnesota 56751

38 Mr. Jim Kurtz/Bill Langenbrunner
St. Louis Co. Health Dept.
504 East Second Street
Duluth, Minnesota 55805

39 Mr. Al Frechette
Scott County Environ. Health Officer
Courthouse
Shakopee, Minnesota 55379

40 Mr. Brian Benson
Sherburne County Sanitatian
County Admin. Bldg.
Elk River, Minnesota 55330

21 Mr. Marvin Wellnitz, Zo. Admin.
Watonwan County Hwy. Dept.
P.O. Box 396
St. James, Minnesota 56081

22 Mr. Glen MacTaggart
Wilkin County Engineer
419 Wilkin Avenue
Breckenridge, Minnesota 56520

23 Mr. Gene L. Mossing, Sanitarian
Winona County Community
Health Services
Courthouse
Winona, Minnesota 55987

24 Mr. Chuck Davis
Wright County Sanitarian
Courthouse
Buffalo, Minnesota 55313

25 Mr. Bob Olson
Yellow Medicine County Planner
Box 675
Clarkfield, Minnesota 56223

26 Washington Co. Sanitary Landfill
c/o Betsey Hannum
5451 Indian Mound
Wayzata, Minnesota 55391

27 Sibley Co. Sanitary Landfill
Sibley County Courthouse
Gaylord, Minnesota 55334

28 City of McKinley
Sanitary Landfill
City Hall
McKinley, Minnesota 55761

29 City of Rochester
Sanitary Landfill
City of Rochester
415 4th Street, S.E.
Rochester, Minnesota 55901

30 Mr. Michael D. Howe
Pope County Environmental
Planning Office
Glenwood, Minnesota 56334

11 City of Barnesville
Sanitary Landfill
City of Barnesville
Barnesville, Minnesota 56514

12 Lyon Sanitary Landfill
c/o William Ritter
P.O. Box 36
Marshall, Minnesota 56258

13 Minneapolis Transfer Station
c/o Gene Horn
6630 N. Cortlawn Circle
Golden Valley, Minnesota 55426

14 Mr. Frances Perrizo
Swift County Auditor
Courthouse
Benson, Minnesota 56215

15 Mr. Al Steuck
Todd County Zo. Admin.
Courthouse
Long Prairie, Minnesota 56347

16 Mr. Les Deyo
Traverse County Solid Waste Officer
Courthouse
Wheaton, Minnesota 56296

17 Mr. Charles McDonald
Wabasha County Auditor
Wabasha, Minnesota 55981

18 G. J. Kempf
Wadena County Zoning Admin.
Courthouse
Wadena, Minnesota 56482

19 Mr. Bob McPartlin
Waseca County Engineer
Courthouse
Waseca, Minnesota 5609

20 Mr. Chuck Swanson/Paul Brandt
Washington County Courthouse
11660 Myeron Road North
Stillwater, Minnesota 55082

1 McLeod Co. Sanitary Landfill
Bullert Construction Co.
1219 Franklin Street
Glencoe, Minnesota 55336

2 City of Wadena Sanitary Landfill
City of Wadena
P.O. Box 30
Wadena, Minnesota 56482

3 Richard E. Edwards
Environmental Engineering
3M - Bldg. 21 - 2W/58
P.O. Box 33331
St. Paul, Minnesota 55133

4 Nobles Co. Sanitary Landfill
c/o John F. Schaap
Route 2, Box 141
Worthington, Minnesota 56187

5 Flying Cloud Sanitary Landfill
Browning-Ferris Industries
10055 Flying Cloud Drive
Eden Prairie, Minnesota 55343

6 Greater Morrison Area
Sanitary Landfill
c/o Kathy Kendall
Old Courthouse Building
Little Falls, Minnesota 56345

7 Crosby American Hoist
Demolition Landfill
Crosby Amer. Prop. Inc.
63 South Robert Street
St. Paul, Minnesota 55107

8 Kanabec Sanitary Landfill
c/o Douglas Buckley
Route 2
Mora, Minnesota 55051

9 Bueckers Sanitary Landfill #1
c/o Ervin J. Bueckers
Melrose, Minnesota 56352

10 Korf Brothers
Sanitary Landfill
c/o Henry Korf, Jr.
Rural Route 2
Pine City, Minnesota 55063

PROPOSED RULES

Pursuant to Minn. Laws of 1980, § 15.0412, subd. 4h, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules;

and

4. that the rule may be modified if modifications are supported by the data and views submitted.

If, during the 30-day comment period, seven or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of § 15.0412, subds. 4 through 4g, which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Pollution Control Agency
Water Quality Division

Proposed Adoption of Rules Relating to Certification of Waste Disposal Facility Operators and Inspectors

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Pollution Control Agency (agency) intends to adopt without a public hearing rules that require operators and inspectors of waste disposal facilities to obtain a certificate of competency from the agency. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. § 15.0412, subd. 4h (1980).

The proposed rules are authorized by Minn. Stat. § 116.41, subd. 2 (1980). The proposed rules if adopted would:

1. establish a certificate committee to oversee the training and certification program;
2. establish educational training, experience and examination requirements for individuals that need to be certified;
3. establish the procedures for applying for examination;
4. establish standards for use, issuance and renewal of certificates;
5. establish fees for certification;
6. establish criteria for imposing sanctions against a certificate holder; and
7. establish a deadline by which individuals must become certified.

The agency has prepared a statement of need and reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon by the agency to support the proposed rule. Copies of the statement of need and reasonableness and of the proposed rule are available and may be obtained by contacting:

Art Dunn or Clarence Manke
Operator Training Unit
Division of Water Quality
Minnesota Pollution Control Agency
1935 West County Road B-2
Roseville, Minnesota 55113
Telephone: (612) 296-7764

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Interested persons have 30 days, specifically until March 31, 1982, to submit comments on the proposed rules. The proposed rules may be modified if the data and views submitted to the agency warrant modification and the modification does not result in a substantial change in the proposed rule.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event that a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. § 15.0412, subd. 4-4f (1980).

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to Art Dunn, at the address and telephone number previously stated, no later than March 31, 1982. If a person desires to request a public hearing, the agency requests that the person identify the particular provisions objected to, the suggested modifications to the proposed language, and the reasons and data relied on to support the suggested modifications.

Upon adoption of the rules by the agency board, the rules as proposed, this notice, the statement of need and reasonableness, all written comments received, and the final rule as adopted will be sent to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as adopted, should submit a written statement of such request to Art Dunn at the address previously stated.

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11 (1980) as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250 not including *his own* traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

March 1, 1982

Louis J. Breimhurst
Executive Director

Rules as Proposed (all new material)

6 MCAR § 4.6088 Certification of operators and inspectors of waste disposal facilities. Rules 6 MCAR §§ 4.6088-4.6100 implement the requirement of Minn. Stat. § 116.41, subd. 2, that the Minnesota Pollution Control Agency shall require operators and inspectors of waste disposal facilities to obtain a certificate of competency from the agency.

6 MCAR § 4.6089 Definitions.

A. Scope. For the purposes of 6 MCAR §§ 4.6088-4.6100, the following terms and abbreviations shall have the meanings specified. Terms which are not specifically defined shall be construed to be in conformance with Minn. Stat. chs. 115, 115A and 116, their context, and professional usage.

B. Agency. "Agency" means the Minnesota Pollution Control Agency.

C. Agency director. "Agency director" means the Executive Director of the Minnesota Pollution Control Agency or its designated staff.

D. Certification. "Certification" means a process by which individuals must show competency in their chosen occupation through a combination of work experience, education, training, and successful completion of an examination as set forth in 6 MCAR §§ 4.6090-4.6100.

E. Contact hour. "Contact hour" means a pertinent instructional or training session of 50 minutes.

F. Disposal facility. "Disposal facility" means a waste facility that is designed or operated for the purpose of disposing of waste on or in the land and has a permit, stipulation agreement, or other written approval from the agency.

G. Inspector. "Inspector" means any individual who routinely reviews waste disposal facilities to determine compliance with applicable statutes, rules, permits, ordinances, or standards. "Inspector" does not include county board members, agency board members, or other individuals employed, appointed, or elected who are not directly involved in routine review of a waste disposal facility. "Inspector" may include individuals who are employed as environmental health specialists or sanitarians,

technicians, zoning administrators, county solid waste officers, pollution control specialists, engineers, soil scientists, and hydrologists.

H. Operator. "Operator" means any individual responsible for conducting work at a waste disposal facility. "Operator" does not include elected officials, office personnel, laborers, corporate directors, or other individuals in managerial roles who are not directly involved in on-site operation of a waste disposal facility. "Operator" includes facility managers, supervisors, and equipment operators.

I. Waste. "Waste" means solid waste, sewage sludge, hazardous waste and construction debris, as those terms are defined in Minn. Stat. § 115A.03.

6 MCAR § 4.6090 Classification of disposal facilities. The agency adopts the following classifications of disposal facilities for training and certification purposes.

A. Type I. A Type I facility is any disposal facility that accepts hazardous waste.

B. Type II. A Type II facility is any disposal facility that accepts solid waste; or a facility permitted to dispose sewage sludge with solid waste; or a facility that uses the landfill method for sewage sludge disposal. This facility type includes sanitary landfills, modified sanitary landfills, and sewage sludge landfills.

C. Type III. A Type III facility is any disposal facility that accepts only non-hazardous source-specific waste from industrial processes or construction debris. This facility type includes demolition landfills and industrial waste landfills.

D. Type IV. A Type IV facility is any disposal facility that applies on the land any sewage sludge or semi-solid, liquid, or contained gaseous waste from commercial or industrial operations. This facility type includes spray irrigation, subsurface injection, and land application facilities.

6 MCAR § 4.6091 Certification committee.

A. Establishment. The agency shall establish a certification committee consisting of nine voting members and two non-voting members. The voting members shall be appointed by the agency for three-year terms and shall serve without compensation. The initial appointments shall be three three-year terms, three two-year terms and three one-year terms. The initial term lengths will be determined by lot once the appointments are made. There shall be equal representation of operators and inspectors on the committee. There shall be one citizen representative. Not more than one voting member shall be a member of the agency staff. Voting members, except the citizen representative, must be certified. There shall be two non-voting members who are agency staff members responsible for training and certification. Robert's Rules of Order shall govern committee meetings.

B. Duties of the committee. The committee shall maintain accurate records of all meetings. The committee shall also review and make recommendations in the following areas to the agency director or, when appropriate, to the agency:

1. Applicants to be certified based on information provided in their applications and examination results;
2. Changes to 6 MCAR §§ 4.6088-4.6100;
3. Changes in examinations and training to meet needs;
4. Action on operator and inspector complaints relating to certification and training; and
5. The number of initial or renewal contact hours to be given for nonagency training courses.

C. Transitional committee. The advisory committee that was established by the agency director to develop 6 MCAR §§ 4.6088-4.6100 shall function as the certification committee until 24 months after the effective date of 6 MCAR §§ 4.6088-4.6100.

6 MCAR § 4.6092 Individuals required to be certified.

A. Operators. Operators of waste disposal facilities shall be certified to operate the appropriate type of facility. The number of certified operators at a waste disposal facility which has three or fewer operators shall be at least one. The number of certified operators at a waste disposal facility which has four to seven operators shall be at least two. The number of certified operators at a waste disposal facility that has eight or more operators shall be at least three.

B. Inspectors. Inspectors of waste disposal facilities shall be certified to inspect the appropriate type of facility.

C. Waiver. Operators of Type IV liquid industrial waste land application facilities that are certified under 6 MCAR

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§§ 5.001-5.003 are not required to be certified under 6 MCAR §§ 4.6088-4.6100 unless they also operate a land application facility for solids or semi-solids. Operators of Type IV liquid industrial waste land application facilities shall have the option to be certified under 6 MCAR §§ 5.001-5.003 or 6 MCAR §§ 4.6088-4.6100.

6 MCAR § 4.6093 Certification of facility operators.

A. In general. To be certified an operator must demonstrate the skill, knowledge, and experience necessary to operate the appropriate type of facility by qualifying for and passing the appropriate examination required by 6 MCAR § 4.6096.

B. Type I requirements. Before taking an examination, an applicant for certification as an operator of a Type I facility shall:

1. Have a bachelor's degree in an appropriate branch of biological, physical, or chemical science or engineering or equivalent experience;

2. Complete at least 15 contact hours of training offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type I facility within three years prior to the date of application; and

3. Have at least six months work experience as a Type I facility operator.

C. Type II requirements. Before taking an examination, an applicant for certification as an operator of a Type II facility shall:

1. Have a high school diploma or equivalent or equivalent experience;

2. Complete at least 15 contact hours of training offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type II facility within three years prior to the date of application; and

3. Have at least six months work experience as a Type II facility operator.

D. Type III requirements. Before taking an examination, an applicant for certification as an operator of a Type III facility shall complete at least four contact hours of training offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type III facility within three years prior to the date of application.

E. Type IV requirements. Before taking an examination, an applicant for certification as an operator of a Type IV facility shall:

1. Have a high school diploma or equivalent or equivalent experience;

2. Complete at least nine contact hours of training offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type IV facility within three years prior to the date of application; and

3. Have at least six months work experience as a Type IV facility operator.

6 MCAR § 4.6094 Certification of facility inspectors.

A. In general. To be certified, an inspector shall demonstrate the knowledge, skill, education, and experience necessary to inspect the appropriate type of waste disposal facility by qualifying for and passing a written examination required by 6 MCAR § 4.6096.

B. Facility inspector requirements. An individual who seeks certification as an inspector of a waste disposal facility shall meet the same educational requirements and contact hours of training outlined for operators of the corresponding facility types as specified in 6 MCAR § 4.6093 before taking an examination. Each applicant shall also have conducted at least ten inspections of the appropriate type of waste disposal facility in the presence of a certified inspector. This inspection requirement does not apply to inspectors of Type I facilities until 24 months after a Type I facility is given a permit to operate in this state.

C. Waiver. The agency director shall waive the requirement of B. for supervised inspections for individuals applying for an inspector certificate within 24 months after the effective date of 6 MCAR §§ 4.6088-4.6100 if the applicant produces evidence of employment as an inspector for that type of facility for at least one year immediately preceding application and has conducted at least ten inspections of the appropriate facility type during that year.

6 MCAR § 4.6095 Application for examination.

A. Form. Application for examination shall be made in writing on a form provided by the agency director and shall be submitted at least 15 days prior to the examination date.

B. Fee. The examination fee shall accompany the application.

C. Review of application. The agency director shall review the application for certification and determine the accuracy of the information included in the application. If the agency director determines that additional information or documentation is

necessary to assess the eligibility of the applicant to take the examination, the director shall notify the applicant. The applicant shall provide the information prior to examination.

D. Notification. The agency director shall notify an applicant of eligibility for examination at least five days before the examination date.

6 MCAR § 4.6096 Examinations.

A. Content. The agency director shall prepare separate operator and inspector examinations for the different types of waste disposal facilities. The examinations shall test the applicant's knowledge in any one or more of the following areas: basic math, science, public health, rules and laws, facility operation, and facility maintenance.

B. Conditions of testing. The examination shall be closed book.

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

D. Results; review. The agency director shall notify the applicant in writing of the examination results. Examinations shall not be returned to the applicant. Upon request, within 60 days after notification of the results, the applicant shall be allowed to review the examination.

E. Re-examination. An applicant who fails to pass the examination shall not retake the same examination for a period of three months.

6 MCAR § 4.6097 Certificates.

A. Use of certificate.

1. Operators shall not be allowed to inspect facilities unless they have a valid inspector certificate.
2. Operators having a Type II facility operator certificate shall be allowed to operate a Type III facility.
3. Inspectors shall not be allowed to operate facilities unless they have a valid operators certificate.
4. Inspectors having a Type II facility inspector certificate shall be allowed to inspect a Type III facility.

B. Issuance. Certificates shall be issued by the agency director when all necessary conditions prescribed in 6 MCAR §§ 4.6088-4.6099 have been met. Certificates shall be valid for three years.

C. Renewal. A certified individual shall apply for certificate renewal within 30 days of certificate expiration. Renewal certificates shall be issued by the agency director when the agency director receives the application, renewal fee, and evidence that the person has, during the preceding three years, obtained credit for attending training courses offered through the agency or other waste disposal facility training courses approved by the agency director for the number of contact hours specified in Exhibit 6 MCAR § 4.6097 C.-1. for the appropriate type of facility. Individuals who are certified under both 6 MCAR §§ 4.6088-4.6100 and 6 MCAR §§ 5.001-5.003 shall be allowed to renew their Type IV certificate by submitting the renewal application, fee and information required by 6 MCAR § 5.003 and evidence of completion of the training hours specified in Exhibit 6 MCAR § 4.6097 C.-1. After confirming that the individual meets the requirements for certificate renewal, the agency director shall issue one certificate which evidences renewal of both the certificate issued under 6 MCAR §§ 4.6088-4.6100 and the certificate issued under 6 MCAR §§ 5.001-5.003.

Exhibit 6 MCAR § 4.6097 C.-1.

Required Training for Certificate Renewal

Facility	Training
Type I	18 Contact hours
Type II	18 Contact hours
Type III	9 Contact hours
Type IV	9 Contact hours

D. List of courses. The agency director shall annually prepare and make available to the operators and inspectors a list of accredited training courses and approved educational activities for which credit may be obtained.

E. Reinstatement. An individual whose certificate has expired may apply to the agency director for reinstatement of the certificate in the same classification. Before a certificate will be reissued the individual must submit the following:

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

1. An application for reinstatement;

2. A nonrefundable fee for a reinstatement certificate; and

3. Evidence of completion of the minimum number of contact hours described in C. since the certificate was last issued or renewed.

F. Denial of reinstatement. An individual who is denied reinstatement shall follow the procedure imposed for a new applicant. In such cases the reinstatement fee shall be credited towards the fee for examination and new certificate.

G. Reciprocity. Operators or inspectors who are certified in states other than Minnesota shall be entitled to certification to operate or inspect the appropriate type of facility in Minnesota if they can provide evidence of meeting requirements equivalent to those of 6 MCAR §§ 4.6088-4.6100.

6 MCAR § 4.6098 Fees.

A. Schedule of fees. Fees for certification shall be as follows:

1. Application examination — $15.00;

2. Issuance of certificate—$15.00;

3. Re-examination from failure to pass an examination—$15.00;

4. Renewal of certificate—$15.00;

5. Replacement of certificate—$5.00; and

6. Reinstatement or reciprocity certificate—$30.00.

B. Refund of fees. The agency director shall return fees received only from individuals who are rejected for examination.

6 MCAR § 4.6099 Sanctions.

A. Criteria. The agency director 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. Submission 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 operator or inspector duties.

B. Investigation. Upon receiving a signed written complaint which alleges the existence of grounds for sanctions against a certified individual, the agency director shall initiate an investigation. No revocation, suspension, or other sanction shall be imposed before notice is given to the certified individual 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 Procedures Act, Minn. Stat. ch. 15.

D. Return of certificate. Upon revocation or suspension, certified individuals shall return to the agency their certificate and current renewal certificates.

E. Re-certification. An individual whose certificate has been revoked shall not be entitled to apply for re-certification until at least one year following the effective date of revocation or for any longer period of time specified in the revocation order.

F. Reinstatement after suspension. The agency director 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.

6 MCAR § 4.6100 Certification deadlines. Individuals requiring certification who are employed as operators or inspectors of a disposal facility shall obtain certification within 24 months after the effective date of 6 MCAR §§ 4.6088-4.6100. After this initial 24-month time period, operators or inspectors needing certification must become certified within ten months after obtaining employment. During this ten-month time period, they shall be allowed to operate or inspect the appropriate type of waste disposal facility if they meet the educational requirements necessary for certification and, within 30 days after obtaining employment, submit their application for certification and a signed statement of intention to complete all other requirements for certification within the ten-month time period.

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Rules of the Pollution Control Agency, 6 MCAR §§4.6088 - 4.6100, Waste Disposal Facility Operator and Inspector Certification

FINDINGS OF FACT AND CONCLUSIONS

The above-entitled matter came on for decision before the Minnesota Pollution Control Agency (Agency) on the 27th day of July, 1982. After affording all interested persons the opportunity to present written and oral data, statements and arguments to the Agency, in accordance with statutory requirements regarding the adoption of noncontroversial rules, after considering the Statement of Need and Reasonableness and the written comments submitted to the Agency, after considering all of the evidence adduced upon the records, files and proceedings herein, the Agency, being fully advised in the premises, hereby adopts the following Findings of Fact and Conclusions.

FINDINGS OF FACT

1. The Agency published its notice of intent to adopt the above-captioned rules, together with the proposed rules, in the State Register on March 1, 1982.

2. On February 25, 1982, the Agency gave the same notice by United States mail to all persons who have registered their names with the Agency pursuant to Minn. Stat. §15.0412, subd. 4 (Supp. 1981) and to 780 other interested persons.

3. The notice of the Agency's intent to adopt the rules

afforded all interested persons 30 days to submit data and views on the proposed rules and to request a hearing on the proposed rules. The notice was in all respects in compliance with the requirements of Minn. Stat. §15.0412, subd. 4h (Supp. 1981).

4. The Agency prepared a Statement of Need and Reasonableness and made it available to the public upon the date of mailing of the notice of intent to adopt the rules.

5. The 30 day comment period, as set out in the notice, expired on March 31, 1982.

6. During the comment period, the Agency received twenty written comments. Of these, twelve contained a request for a public hearing; two of these requests were conditional in nature. Nine requests for public hearing were rescinded. There are only three outstanding requests for public hearing.

7. The Agency finds that certain modifications to the proposed rules are supported by the data and views submitted to the Agency within the comment period. Specifically, the Agency makes the following findings with respect to each of the modifications:

a. Comments regarding proposed 6 MCAR §4.6089 G., definition of "Inspector."

The comment was made that this definition should be clarified so that individuals classified as quality control or process control inspectors would not be required to be certified. The Agency did not intend to require such personnel to be certified

and agrees that the definition should be clarified. Therefore, the first sentence of the definition has been amended as follows: "'Inspector' means any individual who has governmental authority to routinely reviews waste disposal facilities to determine compliance with applicable statutes, rules, permits, ordinances or standards."

b. Comments regarding proposed 6 MCAR §4.6089 H., definition of "Operator."

Several comments were received on the definition of the word "operator." These comments may be summarized as follows:

1. The second sentence of the definition contains a double negative which results in confusion.
2. The list of occupations in the second sentence of the definition should be arranged to flow more smoothly.
3. Transporters of waste should be exempted.
4. The word "supervision" should be inserted to allow for facility supervisors to become certified if appropriate.
5. An exemption for private individuals that land apply sewage sludge should be included as provided in Minn. Stat. §116.41, subd. 2 (Supp. 1981).
6. The term "equipment operator" should be defined.

The Agency agrees that amendments should be made to the proposed rule to clarify the definition of "operator." The

definition has been changed to provide as follows:

> "Operator" means any individual responsible for conducting work at a waste disposal facility. "Operator" does not include ~~elected officials~~, office personnel, laborers, transporters, corporate directors, elected officials, or other individuals in managerial roles ~~who~~ unless such individuals are ~~not~~ directly involved in on-site supervision or operation of a waste disposal facility. "Operator" does not include private individuals who store or landspread sewage sludge on property owned or farmed by that individual. "Operator" includes facility managers, supervisors, and equipment operators.

The Agency also agrees that it would clarify the rule to include a definition of "equipment operator." Therefore, the following definition has been added as 6 MCAR §4.6089 G.:

> Equipment operator. "Equipment operator" means an individual on the site who performs the necessary actions of properly disposing of the waste.

The inclusion of this definition also clarifies the rules as to the fact that these individuals must be counted as operators when determining the number of individuals required by 6 MCAR §4.6092 A. to be certified at a facility.

c. Comments regarding proposed 6 MCAR §4.6090, Classification of disposal facilities."

Representatives of the food processing industry objected to having their facilities classified as Type IV facilities. These objections were based upon the following facts:

1. Food processing waste differs in characteristics and method of disposal from sludges.
2. Food processing waste is non-hazardous.

3. Training programs for persons handling food processing waste should be different from that required for persons handling sludges.

4. The requirement of 6 MCAR §4.6092 E. for six months work experience for operators is not practical, as their spray season lasts from six weeks to five months. This would prevent their operators from being certified until several years had passed.

5. The educational requirements necessary for certification are too stringent due to the simplicity of the operation of their facilities.

The Agency agrees that these are valid concerns. Therefore the rules have been amended to provide a separate facility type for land application of liquid waste. Establishment of this new facility type required several changes in the rules. 6 MCAR §4.6090 D. was amended and a new section E. was added, as follows:

D. Type IV. A Type IV facility is any disposal facility that applies on the land any sewage sludge or ~~semi-solids liquids, or contained gaseous waste~~ semisolids from commercial or industrial operations. ~~This facility type includes spray irrigation, subsurface injection, and land application facilities.~~

E. Type V. A Type V facility is any disposal facility that applies on the land any nonhazardous liquid waste from commercial, industrial or agricultural operations.

The change in the number of types of facilities necessitates an amendment to 6 MCAR §4.6091 A. to make a change in the number

of individuals on the certification committee from nine to eleven, so that fair representation of the facility types on the committee will be maintained. This also necessitated adjusting the number of three-year terms and two-year terms on the committee.

As proposed, 6 MCAR §4.6092, entitled "Waiver," applied to Type IV facilities. The division of Type IV facilities into two classifications of facilities creates a need to amend this rule to change the reference to Type IV and to delete the reference to "liquid industrial waste land application" facilities, which are now included under Type V facilities.

6 MCAR §4.6093, which establishes requirements for certification, has also been amended to add a section F.:

> Type V requirements. Before taking an examination, an applicant for certification as an operator of a Type V facility shall:
>
> 1. Within three years prior to the date of application, complete at least nine contact hours of training courses offered through the agency or other training courses approved by the agency director which are designed to ensure competency at a Type V facility; and
>
> 2. Have at least one spray season's work as a Type V facility operator.

The Agency believes that these education and work experience requirements are suited to the job requirements at a facility of this type.

Exhibit 6 MCAR §4.6097 C.-1 was also amended to require six contact hours of training for certificate renewal.

6 MCAR §4.6100, entitled "Certification deadlines," which provides a ten-month deadline for obtaining certification, has been amended to add an exception for Type V facility operators. The reason for this change is to allow those operators to obtain the experience which is necessary under 6 MCAR §4.6093 F.3. Since these types of facilities are seasonal in nature, an individual may be hired in March to operate the facility, and the rule as proposed would have required the person to become certified prior to the following January. As industry representatives stated, this would be impractical, as the person is not normally employed during the winter months when no spraying is occurring. The availability of training courses will also be limited to early spring months (March and April), which would have resulted in a technical violation of the rule. The amendments correct this problem.

d. Comments regarding proposed Exhibit 6 MCAR §4.6097 C.-1, Required training for certificate renewal.

Industry representatives recommended changing the required training hours for Type III facility operators from nine to six. They indicated that requiring nine contact hours for certificate renewal was unreasonable and unnecessary, especially considering that only four contact hours is required for initial certification. They requested that the hours be reduced so that the training requirements could be completed in one day. The Agency believes that this request is reasonable and has amended

the rule accordingly.

e. Comments regarding proposed 6 MCAR §4.6100, Certification deadlines.

Language has been added to this rule to clarify that the certification deadlines in the rule begin to run on the effective date of the rule only if the individual is employed as an operator or inspector on that date. This is not a change in the rule but clarifies its intent.

7. The Agency adopts the Statement of Need and Reasonableness, in its entirety, as the factual basis for the rules. The Agency hereby incorporates the Statement of Need and Reasonableness into these findings.

CONCLUSIONS

1. The Minnesota Pollution Control Agency duly acquired and has jurisdiction over this proceeding.

2. The Agency published and served due, timely and adequate notice of the intent to adopt the rules without a public hearing.

3. All relevant legal and procedural requirements of statute and rule have been complied with.

4. The modifications to the proposed rules are supported by the data and views submitted to the Agency within the comment

period and do not result in a substantial change in the proposed rules.

MINNESOTA POLLUTION CONTROL AGENCY

VIRGIL HERRICK
Chairman

LOUIS J. BREIMHURST
Executive Director

Dated: July 27, 1982

STATE OF MINNESOTA
CONTROL COUNTY OF RAMSEY

MINNESOTA POLLUTION
AGENCY

In the Matter of the Proposed Adoption
AND of 6 MCAR SS 4.6088-4.6100
Setting Forth Standards for Waste
Disposal Facility Operator and
Inspector Certification

STATEMENT OF NEED
REASONABLENESS

I. INTRODUCTION

Minnesota Statutes section 116.41, subd. 2 (Supp. 1981) requires that the Minnesota Pollution Control Agency (Agency) develop standards of competence for persons operating and inspecting various classes of waste disposal facilities. Further, the Agency is directed to: require operators and inspectors of waste disposal facilities to obtain a certificate of competency from the Agency; conduct examinations to test the competency of individuals; and require certificate renewal.

To assist with development of these rules, an advisory committee was established. Committee membership nominations were requested from professional organizations, local and regional units of government, solid waste industry organizations and a notice was published in the State Register. (See Exhibit 1.) The final selection of committee members was done by Agency staff. The criteria used in selecting committee members included balancing geographical distribution (metro/outstate), occupation (inspector/operator), unit of government (county, regional, local, state), size of operation (large/small) type of operation (demolition/sanitary/industrial waste) and the desire of individuals nominated to serve on the committee. Exhibit 2 is a list of the names and affiliations of the committee members.

Agency staff prepared draft rules in March, June, July, August and September, November and December of 1981. Rule changes were based on recommendations from the advisory committee, other Agency personnel and from comments obtained at six informational meetings held in Rochester, Marshall, Virginia, Brainerd, Detroit Lakes and Roseville in July and August 1981. Notices of these meetings were sent to all known permitted waste disposal facilities, all county zoning officers, and all known potential inspectors of waste disposal facilities. The end result of these meetings and discussions has produced the proposed rules for certification of waste disposal facility operators and inspectors. Additional meetings were held with representatives of the Minnesota Wastewater Operators Association in December 1981 to resolve potential conflicts and problems that may affect members of their association.

Once these rules are adopted, individuals currently employed that require certifications have up to 24 months to become certified. The process of certification will involve the following steps: determine the appropriate facility type; complete application form; receive necessary training to meet minimum contact hours; take examinations; pay certification fee if all criteria are met; and once certified, continue to receive contact hours of training as necessary to renew certificate.

The Agency Director will review applications to determine eligibility of applicants; provide training and review other non-agency training; prepare and grade examinations; issue certificates; maintain accurate records; and review complaints.

II. STATEMENT OF NEED

As population increases and technology and laws changed, we have developed into a throw-away society. This has resulted in increasing quantities of waste being generated and the quantity is expected to increase. There is an increased public awareness of the problems of waste management as is evidenced by the difficulty encountered when attempting to site new facilities. Several attempts have been made to recycle or recover waste streams to reduce the reliance on land disposal facilities. Some have been successful and others, due to cost overruns and the inability to procure contracts for waste or energy, have been financial disasters.

In a 1979 report, Barr Engineering estimates that between 40,000 to 55,000 tons of solid waste are generated per week in Minnesota. (Barr Engineering, Minnesota Resource Recovery Plan, prepared for the Agency, September, 1979.) These figures do not include demolition waste, industrial waste, sewage sludge or hazardous waste. Nearly all of this waste is deposited on or in the land. There are 227 permitted solid waste disposal facilities in Minnesota. These types of facilities include demolition waste landfill, mixed municipal waste landfills, industrial waste landfills, spray irrigation systems, and, in the future, hazardous waste landfills. Until waste generation decreases drastically or other methodologies are employed to reduce the dependence on land as the disposal site for waste, there will be a potential for land and subsequent ground water contamination from waste disposal activities.

Historically, landfills were thought to be the solution to open burning dumps. However, improperly designed or operated facilities can create

more problems than they alleviate. The major problem that develops in landfills is the generation and migration of leachate. Leachate is a liquid that develops when moisture comes in contact with solid waste. Moisture acts as a carrier of any materials that are contained in the waste. These materials can migrate through the landfill and enter the groundwater.

It is estimated that there are between 200,000 and 300,000 groundwater wells in Minnesota. Two-thirds of the people in this state rely on groundwater as their source of drinking water. Groundwater does not normally move rapidly, therefore its self purification capabilities are limited. Once groundwater is contaminated it may take years to become useable without providing expensive treatment. Contaminated groundwater will adversely effect the utilization of that water for agricultural, industrial and domestic purposes.

Employment of the basic principles of landfill operation can reduce the quantities of leachate generated, thus reduce the adverse impact from land disposal activities on the groundwaters of the state.

Improper operation of waste disposal facilities can result in a wide variety of other problems. Landfill gas, primarily methane, is generated during decomposition of waste. Methane has migrated outside landfill boundaries and resulted in explosion, loss of life, property damage and crop destruction. Nuisances and potential public health concerns exist from rodents, insects, dust, noise, litter, disposal of unauthorized wastes and fires. There is a potential for property depreciation adjacent to disposal facilities.

Public agencies charged with monitoring waste disposal facilities spend countless hours answering and investigating complaints about facility operation and maintenance. Currently there is no statewide program in existence to relate these principles of operation to facility operators. Through implementation of a training and certification program, operators of facilities will be informed of methods to reduce the problems and eventual costs of operation. These rules provide the mechanism that will require facility operators to be trained in the principles of waste disposal.

Training is only one phase of assuring competency of individuals. There must also be a mechanism for displaying this competency. This mechanism is certification. Certification is a process where an individual demonstrates the skill, knowledge and ability to properly employ the principles of facility operation. This can be achieved through a combination of education, experience, training and passing an examination.

Through implementation of a training and certification program the awareness level of operators of facilities will be elevated. This can only result in better facility operations which will reduce the potential for adverse impact on groundwaters of the state and reduce other operational problems and complaints.

Inspectors of waste disposal facilities are usually employed by either county or state government. Those counties that have adopted solid waste disposal ordinances and have employed individuals to administer and enforce the ordinances have inspectors on staff. State inspectors are employed by the Agency and work out of the regional and central offices.

The qualifications and experience of existing state and local inspectors spans a broad range. During a recent survey of inspectors that attended the public information meetings, 69% indicated that they have less than four years experience. Historically, individuals that are employed to inspect facilities have little or no experience. This results in inaccurate inspections due to lack of knowledge of facility operation. Often, too much emphasis is placed on aesthetics or blatantly obvious violations with the subtle and potentially dangerous conditions being overlooked. Another problem encountered is that an inspector may recognize a violation of rules or ordinances and not have a recommendation to solve the problem.

There is also a broad range of educational background of inspectors. (The same survey revealed that 11% have less than 12 years of school, 42% have between 12 and 16 years of school and 47% have over 16 years.) This is due, in part, to the wide variety of occupations that make up the inspector force within this state. These occupations include engineers, geologists, public health sanitarians, zoning administrators, environmental technicians and pollution control specialists. In some cases, the solid waste officer is a county auditor, assessor, park director or planner. This results in a wide background of experiences and individuals that may or may not have specialized knowledge or training in the area of solid waste disposal.

There is overlaping jurisdiction in some counties of the state for solid waste disposal inspection and enforcement. Whenever individuals from more than one layer of government are responsible for inspecting a facility, there is a potential problem of inconsistency between inspectors

and inspections. This results in confusion as the facility operator is sometimes given conflicting orders and direction to resolve problems.

A training and certification program will assist new inspectors in becoming knowledgeable, improve the competency of experienced inspectors, and reduce inconsistencies between inspectors by having the knowledge of all inspectors raised to at least minimum levels.

As has been mentioned before, a survey was conducted during the regional workshops that occured in July and August. One purpose of the survey was to obtain information from operators and inspectors regarding their experiences, responsibility, education and desired training times and location. The survey was also done to determine the current knowledge level of operators and inspectors in relation to the large number of tasks that need to be preformed and their perception of the relative importance of each task to their duties as operators or inspectors.

The following is a list of general topic areas that were included in the survey and the percent response given to each area by operators and inspectors. The sub topic areas under each general area have been averaged to obtain the values shown. The column labled "knowledge" reflects the percentage of response that indicated the person felt they have <u>less</u> than adequate knowledge in a given area. The column labled "importance" reflects the percentage of those responses that indicated the person felt having knowledge in those areas was either moderately important or very important. The entire survey is included as an appendix to this document. (Exhibit 3.)

	Topic Areas	Operators		Inspectors	
		Knowledge	Importance	Knowledge	Importance
A.	Plans and Specification Reading and Interpretation	11%	98%	24%	97%
B.	Site Design and Construction	28%	93%	34%	92%
C.	Site Operation: Recognition and Solution of Problems	18%	95%	36%	95%
D.	Waste Decomposition Processes and Problems	45%	97%	49%	98%
E.	Equipment Use and Maintenance	13%	96%	63%	85%
F.	Safety	9%	99%	35%	96%
G.	Monitoring for Environmental Problems	59%	99%	54%	98%
H.	Site Management	6%	93%	35%	92%
I.	Rules and Procedures	21%	95%	30%	97%
J.	Enforcement and Inspections	34%	84%	31%	99%

There was a maximum of 63 inspectors and 39 operators responding to the survey. Nearly all of the survey sheets were not completely marked, therefore, the total responses for any given topic area do not match with another area. There are approximately 150 individuals in this state that would qualify as inspectors, therefore; there was approximately 42% participation in the survey.

As can be seen from the survey results, a large percentage of inspectors indicate they have less than adequate knowledge in the areas included on the survey and feel that additional knowledge in these areas is essential to performance of their duties.

There are 227 permitted disposal facilities for solid waste in the state. Of that, there were 39 responses to the survey or approximately 17% response. The knowledge column show that the operators responding to the survey feel that they have more knowlege in the survey areas than inspectors. This may be true for those responding to the survey, however, there is a significant number (83%) of operators that did not participate in the survey. Even without those responses, there are a significant number of individuals that have training needs in several of the areas included in the survey.

III. STATEMENT OF REASONABLENESS

The Agency is currently involved in administration of a training and certification program for wastewater treatment facility operators. This program is mandated by Minnesota Statutes section 115.73 (1971) and is being regulated by 6 MCAR SS 5.001-5.003. A voluntary certification program was developed in the early 1950's and the mandatory certification program started in 1971. Many of the provisions in the proposed rules for certification of waste disposal facility operators and inspectors are based on provisions in the wastewater certification rules and experience gained by agency staff throughout the years of administration of the program.

The following discussion addresses the reasonableness of the specific rule provisions of 6 MCAR SS 4.6088-4.6100.

6 MCAR S 4.6089

The definitions that are used in these rules are self explanatory. The words "Agency" and "Agency Director" are included so that the reader can make a distinction between the two. These words are used several times throughout the rules and the reader must be able to understand who is responsible for the authority or duties specified.

"Certification" has been defined as a process that must be followed so that an individual can demonstrate his or her competency. It is the opinion of the advisory committee that no one action or ability of an individual should qualify that person for certification. For this reason, certification is a multifaceted process that must include experience, education, training and examination.

"Contact Hour" is an accepted term that is used in existing certification and registration programs. Its application in this rule is to provide for specific training requirements prior to becoming certified or recertified.

"Disposal Facility" is defined in Minn. Stat. S 115A.03, subd. 9 (1980). The advisory committee felt that this definition should be included in these rules so that persons reading the rules will know the scope of the certification program. The committee felt that it was the

intent of the Act to require operators and inspectors of facilities that have an agency permit or are operating under agency authority to become certified and not facilities permitted (passively allowed to exist) by the Agency.

"Inspector" must be carefully defined to preclude requiring certification of individuals who are not performing the duties of an inspector. Too broad a definition can result in county board, agency board and agency or program administrators having to become certified. The listing of job titles that may be included as inspectors is necessary to identify the types of individuals that conduct inspections at waste disposal facilities. This list is not all encompassing but is given only to show the general occupational categories that can be required to be certified if their job function includes routine facility inspection.

When defining the word "Operator" the same potential for an overbroad definition existed. Therefore, a listing of inclusive and exclusive job functions was provided. The intent of certification or operators is to have the individuals on site at a disposal facility competent in the operation of the facility. The people that would be on site would include site facility managers, supervisors and equipment operators. These are the individuals that either operate the equipment or directly supervise that operation therefore they should have the most knowledge about facility operation. Another reason that the job function is included in the definition is to preclude corporate individuals from being the only certified operator for a facility when that individual may never be present at the site.

"Waste" is defined in Minn. Stat. S 115A.03, subd. 34 (1980). The definition includes construction debris which is defined in Minn. Stat. S 115A.03, subd. 7 (1980). This term is included to provide the reader with a clear understanding of the scope of the certification program and the facility types that require certified operators and inspectors.

6 MCAR S 4.6090

The Waste Management Act requires that the Agency develop standards of competency for operators and inspectors of different classes of facilities. This rule establishes the different classes that are to be used for training and certification purposes.

There were many discussions that centered on the best method of classifying facilities. The main considerations that were common to all discussion included: the different skills and knowledge necessary to operate and inspect facilities that accept different waste types; waste types that must be handled differently to reduce the potential for adverse environmental impact; and the degree of hazard of a waste types.

Based on these considerations, the rule establishes four waste disposal facility types for which an individual can obtain a certificate to operate or inspect.

Type I is a hazardous waste disposal facility. Inspectors and operators of facilities that dispose of hazardous waste will have to become certified for Type I facilities. This includes landfills and land application systems.

Type II facilities include sanitary landfills, modified landfills and sewage sludge landfills. These facilities are included in one type because the operational and potential environmental problems and solutions are similar. These include groundwater monitoring and protection, waste handling, gas generation and migration, and nuisance recognition and control.

Type III facilities are selective categories of solid waste that are easier to operate, have less of a potential for adverse impact, and have similar operational requirements. Type III facilites include construction (demolition) waste landfills and non-hazardous industrial waste landfills.

Type IV facilities are non-hazardous waste land application facilities. This includes sewage sludge and industrial wastewaters that are surface applied or directly injected into the land.

6 MCAR S 4.6091

This rule establishes a certification committee and sets forth the duties of that committee. It is reasonable that operators and inspectors be equally represented on the committee to preclude one segment from dominating committee policy. Ideally, there should be at least one member on the committee from each type of facility. However, this is

not mandated in the rule in the event that no one from a particular facility type wishes to serve on the committee. Another reason that this is not mandated is that inspectors of Type III facilities will, in all probability, hold Type II certificates. Therefore, there will be very few inspectors that inspect only Type III facilities.

Initially the rule advisory committee felt that Agency staff should be excluded from voting membership as Agency staff already have access to policy makers. They felt that allowing Agency staff to be included on the committee would result in over representation of the Agency and negate any impact that the committee has on establishing policy. Further discussion resulted in limiting voting membership to one Agency staff person as there will be a large number of staff people that will have to be certified as inspectors.

Since establishment of a committee is not mandated in the Act, members must serve without compensation.

Committee duties are designed to: reduce the potential for Agency bias in training; reduce the potential for Agency bias when reviewing other training program; and act as a link between staff and operator and inspectors to minimize conflicts that may develop.

Establishment of a transitional committee is necessary to provide a mechanism to conduct the committee duties until the first group of individuals are certified. Since the individuals that assisted in development of these rules have the best knowledge on why the rules are written as they are, they will function as the advisory committee until 24 months after the rules are effective.

6 MCAR S 4.6092

This rule requires operators and inspectors to obtain a certificate of competency from the Agency for the appropriate type of facility. Throughout the public information meetings there was very little opposition to requiring operators to be certified. There was opposition to requiring all operators of a particular facility be certified. The rule, as proposed, takes this into consideration by establishing the minimum number of individuals that need to be certified at a site based on the number of operators employed. The advisory committee felt that large operations should have more than one operator certified. This will result in a greater potential for a certified person to be at the facility when it is open. This rule also requires that each facility have at least one certified operator. This will insure that there is one individual at each facility that is familiar with proper site operation.

There was no opposition to the requirement that all inspectors be certified. As with operators, inspectors must be certified to inspect the appropriate facility type. As discussed previously on pages 5 through 9 it is reasonable to require that all inspectors be certified.

By definition, solid waste includes semi-solids, liquids or contained gaseous materials resulting from commercial or industrial activities. 6 MCAR SS 5.001-5.003 are rules that establish certification for municipal wastewater operators. Industrial wastewater treatment facility operators are not required to be certified under 6 MCAR SS 5.001-5.003. However, many industrial facility operators do hold operator certificates on a voluntary basis. The waiver section is included to allow those facility

operators to choose which program they want to be certified under and also, not require duplicate certificates unless they also land apply solids or semi-solids.

6 MCAR S 4.6093

Type I

The qualifications for certification as Type I facility operator are the most stringent due to the complexity of operations and the potential degree of hazard resulting from improper facility operation. Operators of these facilities must have knowledge in science or engineering to properly employ the principles of disposal.

Fifteen contact hours is equivalent to two and one half days of training. These courses can be provided by non-Agency programs as expertise in hazardous waste disposal facilities operation are available from a variety of sources.

The experience requirement for all types of facility operators is necessary so that individiuals have some practical knowledge about facility operation. This will result in more fruitful discussion from course participants as the trainees will be able to discuss areas of concern with a broadened knowledge base. The experience requirement is particularly important for Type I operator because of the potential adverse impact from hazardous waste facilities.

Type II

A Type II facility operator deals with a wide variety of problems such as leachate and decomposition gas generation and migration. Recognition of these problems and the ability to determine the corrective action necessary to abate the problem is essential. The educational requirements are less than for a Type I facility because there is less need for scientific or technical knowledge when searching for solutions to problems. A high school degree or equivalent is necessary to comprehend these concepts. The contact hours of training are the same as Type I due to multitude of potential problems and solutions that need to be discussed.

Type III

Type III facility operators will be handling a homogenous waste product. The multitude of operational problems experienced at a Type II facility are not present at a Type III facility; therefore less training is needed to cover the essential elements of operation. Since the potential for for environmental harm is less, the training programs will be less technical in nature. There are no educational requirements because of the less technical nature of the programs.

Type IV

Type IV facilities are land application systems for sewage sludge and industrial wastewaters. Currently, much of the sewage sludge generated by municipal wastewater treatment is land applied for soil enhancement.

In most communities, this is being done by the operators of the wastewater treatment plants.

The communities that do not land apply sludge either incinerate the sludge or contract with a private firm to land apply or landfill the material. If the sludge is land applied under contract, the individuals that hold the contract will have to become certified.

The training programs for land application of sewage sludge will be incorporated into existing training programs for wastewater treatment plant operators, and the educational requirement for a Type IV operator are the same as for a Class D wastewater treatment plant operator.

The skills and knowledges for operators of landfills versus land application facilities differ significantly. Therefore, landfills are not included as a Type IV facility.

Contact hours of training necessary to take a Type IV examination are less than for a Type II facility operator due to fewer potential operational problems at a Type IV site. Requirements for a Type IV facility are more than for a Type III facility due to a greater complexity of operation at a Type IV site. Training requirements are set at nine contact hours because there have been several land application training courses that need this amount of time to cover the necessary material.

6 MCAR S 4.6094

The educational and training requirements for facility inspectors are the same as for operators of the corresponding facility type. It is reasonable to require the same standards for both because the inspector's job is to check on the performance of the facility operator.

The experience requirement for inspectors has been quantified by requiring that ten inspections be conducted at a facility by the individual seeking certification. This will reduce the problem of unexperienced people inspecting facilities. In previous draft rules, the experience requirement specified that a person be employed for a period of time prior to examination. This was changed in the proposed rules to require a certain number of inspections because, under the previous drafts, a person could be employed as an inspector without ever doing an inspection.

A waiver of the experience requirement was included to allow for the initial certification to occur. Twenty-four months are provided to allow adequate time to develop the training courses, examinations and deliver an adequate number of training and exam sessions. Type I facility inspectors are exempt from the 10 inspection requirement until 24 months after a Type I facility is operational. This will provide the same time frame for Type I inspectors to become certified as is given to other types. Since there are no Type I facilities in the state, the process will be delayed until these facilities are operational thus precluding unnecessary cost of sending individuals out of state to obtain experience inspecting this type of facility.

6 MCAR S 4.6095.

This rule requires that the potential certified individual and the Agency Director meet deadlines in the certification process. A 15 day application lead time allows the Agency to review the application and determine the eligibility of the applicant to take the exam. It also requires the Agency Director to notify the applicant of his or her status so that individuals do not waste time and money to go to an exam session if they are not eligible to take the exam. A five-day notification will accomplish this.

6 MCAR S 4.6096.

This rule establishes the criteria for passing and reviewing an examination. The provisions included in this rule are based on current practices and provisions included in the Agency's certification program for wastewater treatment operators. Separate examinations are necessary to cover the differences between facility types. Closed book examinations will not be unfair as any math formulae needed to answer questions will be provided to all persons being tested.

Seventy percent has been used as a cut off for passing in nearly all training and educational systems. It is reasonable to expect that the individual achieve a 70% grade to become certified. This is the same score used for wastewater treatment operator certification.

Exams will not be returned to the applicant to preclude writing new exams for each course. This will result in each applicant taking the

same examination and not allow an unfair advantage to individuals that know someone that has a copy of an exam. Applicants may, however, come in person to the Agency offices to review the exam and discuss areas of weakness so that they can adequately prepare for future exams.

Re-examination can not occur until three months after the failure to pass an exam. This will preclude individuals from memorizing questions and answers and immediately writing another exam.

6 MCAR S 4.6097.

This rule establishes use, issuance, renewal and reinstatement criteria for certificates. Certificate use allows individuals to operate or inspect different types of facilities if they hold operator or inspector certificates for another type. This section was included because the knowlege and skills necessary to be certified for a Type III facility are similar, but less than, for a Type II facility. Individuals capable of operating or inspecting a Type II facility should be able to operate or inspect a Type III facility. Type I and IV facilities require totally different knowledge and skills to operate or inspect so there is no provision for use of these certificates without being certified for those facility types.

Certificates will be issued once all necessary conditions for certification have been met. Certificates are valid for three years. During that three year time period the certified individual must receive additional contact hours of training to maintain the certificate. This will insure

that they are kept aware of current operational practices, new technology, and receive reinforcement on the basic principles of operation and inspection.

As has been mentioned previously, municipal wastewater facility operators are required to be certified. This is the only occupational group that has been identified by the agency as having a mandatory certification program. Since these individuals must have a certificate to maintain their employment it would be inequitable to require duplicate certificates and fees. The Agency, and wastewater operators, believe and agree that training and certification for land application of sludge is essential. However, the wastewater operators feel that one certificate should suffice as proof of competence. Since there has been no method to display competencey with land application of sludge the rules require that everyone needing sludge certification obtain an inital certificate. All subsequent or renewal certificates will then be incorporated into their existing certificate if the criteria for recertification are met. This will eliminate duplicate certification and fees while insuring competency of the individuals.

Contact hours needed for certificate renewal are based on the fact that each full day of training contains approximately six contact hours. This will require an average of one day of training per year as a minimum for recertification of operators and inspectors of Type I and II facilities. These facility types can present the greatest degree of hazard due to the nature of the waste being received and the complexity of facility operation therefore requiring more training for recertification is reasonable. All other facility types present a lesser degree of

hazard, therefore, fewer hours are needed for reissuance of the certificate. To require continuing education in a profession is reasonable if the individuals are expected to be kept aware of changing rules, technology and operational practices that will result in better performance of work tasks.

6 MCAR S 4.6098

This rule establishes fees for certification. The fees are usual and customary and are the same as those currently charged for certification of wastewater treatment plant operators. These fees are considerably less than those charged by some registration, licensing and certification programs. The fees will, based on current estimates, offset administrative costs incurred in maintaining records, mailing and copying of forms and exams.

6 MCAR S 4.6099

This rule provides a mechanism for revocation or suspension of certificates if warranted. Individuals that submit inaccurate data to obtain certification, if subsequently discovered, should be subject to sanctions. The same applies to individuals that falsify claims for recertification. Incompetence, negligence or inappropriate conduct will be more difficult to assess. While it is anticipated that charges of their nature will occur infrequently, there is a need to include provisions for these types of items if an individuals actions warrant investigation and potential sanction imposition. The potential for imposition of santions is needed to provide credibility to any certification program.

6 MCAR S 4.6100.

This rule requires all inspectors and operators that need certification to become certified within 24 months after the effective date of these rules. This will result in adequate lead time to develop and deliver the necessary training programs and examinations. It will also provide adequate lead time for individuals to properly plan and budget for training and certification time and expenses.

A section on timing of certification is included to give new employees that need to become certified a reasonable time period to obtain the proper certification.

In some parts of the state, mainly rural Minnesota, regional landfill authorities have been established. These authorities contract with a private firm to operate the publically owned disposal facility. If there were no provision in the rule that allowed an operator to work at a facility for some time period prior to obtaining certification, this would exclude many people from bidding on contracts, resulting in a monopoly by some bidders.

Inspectors must also be given a reasonable time period to become certified after obtaining employment. During this time period they can gain the experience inspecting facilities that is necessary to take the certification exam. If a situation arises where an inspection is necessary at a facility and no certified individual is available, this provision will allow a non-certified individual to conduct the inspection.

The operators and inspectors that are working without being certified must inform the Agency by submitting their application for certification and a statement of intent to complete the certification program within 10 months. This will result in the Agency knowing who those people are, as well as requiring a commitment from them to complete the certification process. Prior to permitting an individual to use this clause, the individual must meet the educational requirements necessary for certification. This will reduce the possibility of an individual with no education being hired to operate a hazardous waste disposal facility when there is very little chance that certification would occur.

IV. CONCLUSION

Based on the foregoing, the proposed rules 6 MCAR SS 4.6088-4.6100 are both needed and reasonable.

DATED: 3/11/82

Louis J. Breimhurst
Executive Director

EXHIBIT I

Pollution Control Agency
Division of Water Quality

Notice of Intent to Solicit Applicants To Serve on Advisory Committee To Assist in Developing Rules for Certification of Individuals Operating and Inspecting Various Classes of Solid Waste Disposal Facilities

Notice is hereby given that the Minnesota Pollution Control Agency (MPCA) is establishing an advisory committee to assist in developing standards of competence for persons operating and inspecting various classes of solid waste disposal facilities pursuant to Minnesota Statute Section 116.41, subdivision 2. The statute requires that all operators and inspectors of facilities obtain a certificate of compentence, and that the Agency conduct training courses, examinations and recertification at reasonable time intervals.

All interested or affected persons or groups who desire to participate on this committee are requested to respond by March 31, 1981. Please send comments and statements of application to:

Clarence Manke or Art Dunn
Operations/Training Unit
Minnesota Pollution Control Agency
1935 West County Road B-2
Roseville, Minnesota 55113
(612) 297-3717 or 297-3716

Exhibit II

Certification Rule Advisory Committee

Name	Affiliation
Roger Plumb/Harold DeVries	City of Rochester Landfill, Operator
Al Frechette	Scott County, Inspector
Wayne Golly	Pine County, Zoning Administrator
David Gurney	Dakota County, Inspector
Ken Hopke	Stearns County, Inspector
Robert Hutchinson	Anoka County, Inspector
Barb Kelly	Minnesota Waste Association
Ron Larson	Pine Bend Landfill, Operator
Mike Lein	Rice County, Inspector
Carl Michaud	Metro Council, Planner
Mike McGowan	Freeway Landfill, Operator
Joe Pahl	Louisville Landfill, Operator
James Peterson	Citizen
Elaine Ritter	Ritters Landfill, Operator
Truman Throndset	Freeborn County, Solid Waste Officer
Larry Welt	Dakhue Landfill, Operator
Kurt Williamson	Crosby American Prop Demo Landfill, Operator
Lothar Wolter	Minnesota Association of Township Officials
Andy Zejack	Minnesota Wastewater Operators Association

NEEDS AND KNOWLEDGE ASSESSMENT

Waste Disposal Facility Operators and Inspectors — SUMMARY

TASK		KNOWLEDGE LEVEL 1	2	3	4	5	IMPORTANCE 1	2	3	4	5	
. Plans & Specifications												
1. Read Plans	61	16	15	46	20	3	57	37	5	1	-	60
2. Interpert	62	13	18	45	21	3	53	38	9	-	-	60
3. Follow	58	16	12	50	16	7	52	28	11	7	2	61
4. Recognize limits of Plan	58	14	20	39	19	8	47	38	15	-	-	58
5. Determine slopes	62	18	15	42	21	5	57	43	18	2	-	60
6. Determine elevations	61	16	15	36	28	5	51	52	15	2	-	61
7. Equipment use	60	7	17	37	32	8	53	36	24	3	3	58
8. Math	60	20	28	45	5	2	29	31	48	2	-	58
9. Importance of following plans	57	26	30	32	7	5	53	39	4	-	5	57
. Site Design & Construction												
1. Potential volume	59	5	22	34	32	7	29	38	28	2	3	58
2. Clearing of land	61	3	13	44	31	8	16	16	46	14	9	57
3. Access	61	5	20	46	21	8	22	15	47	12	3	59
4. Building & Utilities	61	3	16	36	34	10	9	21	37	23	11	57
5. Fencing	61	3	26	48	20	3	12	22	49	14	3	59
6. Soils	60	10	20	47	18	5	56	37	2	2	3	59
7. Water	56	14	23	39	23	-	73	20	4	-	2	49
a. Surface	61	15	20	41	25	-	67	27	5	-	2	60
b. Ground	58	16	24	31	29	-	70	23	5	-	2	56
8. Land form Limitations	59	10	15	34	32	8	40	35	21	-	4	57
9. Trench Method	59	10	19	41	24	7	29	52	14	2	3	58
10. Area Method	58	10	16	41	26	7	28	52	13	2	5	60
11. Method of determining volumes received	59	10	17	29	37	5	22	30	42	3	3	60
12. Control of surface water	59	12	17	44	25	-	60	30	8	-	2	60
13. Control of Groundwater	60	8	18	25	42	7	65	30	2	2	2	60
14. Geology	60	8	13	23	43	7	51	36	12	-	2	59
15. Ideal site characteristics	60	10	18	35	33	3	46	33	16	2	2	57
. Site Operation												
1. Traffic flow	59	2	8	42	46	2	12	19	58	7	5	59
2. Control Access	60	3	17	53	25	2	20	28	40	5	7	60
3. Handling of wastes a. Mixed municipal refuse	61	2	18	51	23	7	34	46	17	-	2	59

Numbers in far left and right columns reflect total response to each item.

Numbers in other columns are % response

KNOWLEDGE:
1. No training needed
2. More than adequate
3. Adequate
4. Less than adequate
5. No knowledge

IMPORTANCE:
1. Very important
2. Important
3. Moderately important
4. Not important
5. Not applicable

NEEDS AND KNOWLEDGE ASSESSMENT
Waste Disposal Facility Operators and Inspectors

TASK		KNOWLEDGE LEVEL					IMPORTANCE					COMMENTS
		1	2	3	4	5	1	2	3	4	5	
b. bulky waste	60	2	7	48	35	8	20	25	47	7	–	59
c. Institutional waste	60	3	8	40	38	10	33	37	23	5	2	57
d. Dead animals	58	2	14	50	24	10	18	37	35	10	–	60
e. Hazardous wastes	58	7	14	19	52	9	71	25	3	–	–	59
f. Non compactable waste	59	–	10	51	32	7	27	30	37	7	–	60
g. Sludges	60	7	13	28	47	5	13	45	10	–	2	60
h. Liquids	59	2	17	32	41	8	31	37	10	–	2	59
i. Compactability	60	3	17	38	37	5	30	46	21	3	–	61
Cover												
a. Daily	62	16	21	48	13	2	46	39	15	–	–	61
b. Intermediate	59	12	24	46	15	3	37	50	12	2	–	60
c. Final	61	15	16	46	21	2	60	33	7	–	–	60
d. Maintenance	59	5	19	46	29	2	42	35	22	2	–	60
e. Drainage control	61	8	13	44	34	–	45	38	13	3	–	60
f. Erosion control	61	7	18	41	34	–	45	47	8	–	–	60
g. Soils	61	8	15	41	34	2	47	44	7	2	–	59
h. Compaction	61	10	11	52	25	2	38	47	13	2	–	60
j. Prevent waste of cover	59	8	3	46	36	7	28	43	22	7	–	58
k. Confinement	57	7	7	51	35	–	27	44	24	3	2	59
Acceptable wastes	61	10	25	44	20	2	48	42	8	2	–	60
Unacceptable wastes	61	8	23	31	36	2	57	28	5	–	–	61
Dust control	61	3	18	49	25	5	15	42	32	8	2	59
Oder control	59	5	14	41	36	5	18	40	32	10	–	60
Litter control	60	7	17	55	20	2	16	48	29	7	–	58
Rodent control	61	5	21	46	28	–	31	37	31	2	–	59
Insect control	57	2	12	51	32	4	27	36	34	2	2	59
Animal control	59	3	14	51	29	3	24	37	34	5	–	59
Open buring	61	8	16	49	21	5	32	40	27	2	–	60
Hot loads	61	5	13	34	36	11	34	39	22	5	–	59
Scavenging	60	5	23	37	30	5	17	23	48	8	3	60
Salvaging	57	7	21	39	28	5	16	25	44	12	4	57
Inclimate weather	60	5	15	45	30	5	24	34	36	3	2	58
Site development	57	2	12	46	35	5	32	46	23	–	–	57
Site closure	59	8	15	39	32	5	43	45	7	5	–	60
Vegitation selection	60	3	8	33	43	12	30	47	22	–	2	60
Vegitation maintenance	59	3	8	36	39	14	26	45	28	–	2	58

KNOWLEDGE:
1. No training needed
2. More than adequate
3. Adequate
4. Less than adequate

IMPORTANCE:
1. Very important
2. Important
3. Moderately important
4. Not important

NEEDS AND KNOWLEDGE ASSESSMENT
Waste Disposal Facility Operators and Inspectors

TASK		KNOWLEDGE LEVEL					IMPORTANCE					COMMENTS
		1	2	3	4	5	1	2	3	4	5	
Waste Decomposition												
1. Leachate												
a. Generation	61	10	21	36	31	2	48	47	5	-	-	60
b. Migration	61	8	13	33	44	2	52	48				60
c. Control	61	5	10	38	44	3	58	39	2	2	-	57
d. Recognition	62	11	18	42	27	2	62	33	5	-	-	60
e. Problems	61	5	20	38	36	2	55	43	2	-	-	60
2. Methane gas												
a. Generation	58	7	14	28	47	5	28	59	9	3	2	58
b. Migration	59	2	12	14	64	8	34	52	9	3	2	58
c. Control	58	-	12	10	71	7	31	46	8	3	2	59
d. Recognition	58	2	12	21	59	7	36	51	8	3	2	59
e. Problems	57	-	14	16	61	9	33	55	7	3	-	58
3. Settlement												
a. Recognition	59	3	22	42	27	5	23	53	22	2	-	60
b. Problems	59	3	19	39	36	3	23	55	20	-	2	60
c. Control	58	5	14	41	31	9	30	46	22	-	2	63
Equipment Use and Maintenance												
1. Selection	62	5	5	35	37	18	31	36	22	7	5	59
2. Limitations	59	5	-	29	44	22	25	42	25	7	2	57
3. Cost analysis	60	3	-	27	40	30	21	28	33	11	7	57
4. Efficiency	61	2	2	30	41	23	25	28	32	9	7	57
5. Operation	59	-	3	31	41	23	19	29	34	5	7	58
6. Maintenance	58	-	5	26	38	31	18	32	30	9	12	57
7. Repair	58	-	2	24	33	41	14	34	27	13	13	56
8. Planning for emergencies	58	2	5	38	33	22	30	28	33	4	5	57
Safety												
1. First aid	61	3	15	46	30	7	29	31	34	7	-	59
2. Accident prevention	60	2	15	55	25	3	30	39	25	4	2	56
3. Recognition of unsafe practices and hazards	63	15	13	52	27	3	38	43	16	3	-	58
4. Public safety	60	5	15	53	22	5	40	38	19	3	-	58

KNOWLEDGE:
1. No training needed
2. More than adequate
3. Adequate
4. Less than adequate
5. No knowledge

IMPORTANCE:
1. Very important
2. Important
3. Moderately important
4. Not important
5. Not applicable

NEEDS AND KNOWLEDGE ASSESSMENT
Waste Disposal Facility Operators and Inspectors

TASK		KNOWLEDGE LEVEL					IMPORTANCE					COMMENTS
		1	2	3	4	5	1	2	3	4	5	
5. Fire safety	61	2	11	51	31	5	28	45	22	3	2	60
6. Operating safety	58	2	10	50	31	7	32	42	25	2	–	57
7. Spills	61	3	18	23	48	8	41	39	20	–	–	59
Monitoring												
1. Leachate												
a. Sample collection	63	10	13	35	38	5	42	51	7	–	–	59
b. Sample preservation	61	11	15	31	38	5	47	44	9	–	–	57
c. Importance	57	12	16	44	25	4	51	40	8	–	2	53
d. Well protection	58	12	12	40	33	3	51	40	9	–	–	55
e. Well maintenance	58	9	12	36	40	3	46	43	9	2	–	56
2. Methane												
a. Methods of detection	58	2	3	26	53	16	43	38	18	2	–	56
b. Instrument use	58	3	–	10	62	24	39	34	21	5	–	56
c. Instrument care	60	3	–	15	57	25	35	36	24	5	–	55
d. Dangers.	59	2	10	32	44	12	42	44	12	2		59
Management												
1. Motivation	58	3	12	55	26	3	26	29	38	3	3	58
2. Public relations	58	5	24	52	16	3	22	42	24	3	3	59
3. Public compliants	58	7	21	50	19	3	24	48	22	3	2	58
4. Employee relations	57	–	19	51	25	5	19	24	46	5	7	54
5. Accounting	57	–	11	40	39	11	14	21	48	7	10	58
6. Records												
a. Volume	55	2	9	45	38	5	19	28	48	2	3	58
b. Water	57	4	7	44	40	5	21	28	42	4	5	57
c. Accident/safety	58	2	10	41	41	5	18	39	34	5	4	56
7. Hours of operation	57	2	9	54	30	5	16	22	43	14	5	58
8. Communicate.	54	2	15	57	19	7	18	34	37	3	3	57
Rules/Proceedures												
1. Knowledge of rules	59	17	31	31	19	3	38	42	17	3	–	60
2. Understanding rules	59	17	31	25	24	3	42	48	10	–	–	60
3. Rational of standards	59	14	31	31	22	3	40	42	10	2	–	60
4. Understanding Permits	59	15	31	27	24	3	37	43	17	2	2	59
5. Permit ammendments	56	14	27	27	29	4	36	41	22	2	–	59
6. Co-disposal requests	57	12	23	19	42	4	39	35	23	2	2	57

KNOWLEDGE:
1. No training needed
2. More than adequate
3. Adequate
4. Less than adequate
5. No knowledge

IMPORTANCE:
1. Very important
2. Important
3. Moderately important
4. Not important
5. Not applicable

TASK		KNOWLEDGE LEVEL					IMPORTANCE					COMMENTS
		1	2	3	4	5	1	2	3	4	5	
Enforcement												
1. Conduct inspections	62	19	24	37	19	-	52	36	11	-	-	61
2. Determine violations	63	19	21	30	29	2	57	34	9	-	-	58
3. Determine compliance	63	21	17	33	29	-	53	42	5	-	-	59
4. Collect evidence	62	15	15	40	31	-	46	42	10	2	-	59
5. Preserve evidence	59	15	15	30	37	2	50	34	14	2	-	58
6. Take pictures	61	26	18	31	23	2	42	41	15	2	-	59
7. Write reports	59	20	25	36	19	-	44	37	18	2	-	57
8. Testify	61	13	16	34	33	3	41	34	24	2	-	59
9. Present evidence	59	17	14	36	34	-	39	36	24	2	-	59
10. Limits of evidence	60	13	10	32	45	-	40	36	21	3	-	58
11. Proceedures for enforcement	61	13	20	44	23	-	53	33	11	4	-	55
12. Limitations of rules	60	8	23	38	28	2	42	46	12	-	-	59
13. Communicate	60	8	25	50	17	-	44	37	17	-	-	59
14. Advisary role avoidence	57	9	12	44	35	-	39	37	21	4	-	57
15. Corrective actions to solve problems	60	8	18	45	28	-	55	34	11	-	-	56
16. Rights	60	12	8	50	30	-	41	40	19	-	-	58
17. Duties	60	12	12	52	25	-	48	33	19	-	-	58
18. Responsibilities	60	13	18	40	28	-	54	30	16	-	-	56
19. Types of inspections	61	13	18	36	33	-	40	38	21	2	-	58
20. Limits of inspections	60	13	17	33	37	-	34	39	20	2	-	59
21. Interpertation of rules	59	14	20	39	27	-	46	39	14	2	-	57
22. Records Management	60	10	13	38	35	3	29	37	34	-	-	59
23. Enforcement options	60	15	15	33	35	2	37	39	24	-	-	59
24. How to build a case	58	16	10	26	45	2	41	41	16	2	-	58
25. Educate	58	12	17	36	33	2	40	33	25	2	-	57
26. Complaint resolving	58	14	19	47	19	2	43	31	24	2	-	58
27. Public relations	59	10	24	46	20	-	45	36	17	2	-	58
28. Risk Assessment	59	10	8	37	41	3	34	45	17	3	-	58
29. Types of evidence	59	14	10	37	37	2	36	40	21	3	-	58
Other Items Not Listed												

KNOWLEDGE:
1. No training needed
2. More than adequate
3. Adequate
4. Less than adequate
5. No knowledge

IMPORTANCE:
1. Very important
2. Important
3. Moderately important
4. Not important
5. Not applicable

NEEDS AND KNOWLEDGE ASSESSMENT

Waste Disposal Facility Operators and Inspectors

SUMMARY

TASK		KNOWLEDGE LEVEL					IMPORTANCE					
		1	2	3	4	5	1	2	3	4	5	
. Plans & Specifications												
1. Read Plans	39	31	21	33	11	5	55	26	18	-	-	38
2. Interpret	39	23	26	38	11	3	44	36	19	-	-	36
3. Follow	36	31	31	31	8	-	35	41	22	3	-	37
4. Recognize limits of Plan	37	31	23	31	13	3	41	41	16	3	-	37
5. Determine slopes	37	35	27	30	8	-	36	36	25	3	-	36
6. Determine elevations	38	39	21	29	11	-	41	32	24	3	-	37
7. Equipment use	39	41	41	5	10	3	46	41	11	3	-	37
8. Math	37	38	24	32	5	-	29	23	43	6	-	35
9. Importance of following plans	36	36	25	33	6	-	46	32	22	-	-	37
. Site Design & Construction												
1. Potential volume	38	29	11	42	18	-	42	29	26	-	3	38
2. Clearing of land	38	42	24	29	3	3	29	18	32	16	5	38
3. Access	38	29	32	34	5	-	39	24	32	5	-	38
4. Building & Utilities	37	30	16	41	11	3	11	32	45	11	3	38
5. Fencing	38	26	32	37	5	-	18	32	32	16	3	38
6. Soils	38	11	26	37	21	5	39	47	11	3	-	38
7. Water	32	19	16	28	28	9	56	31	14	-	-	36
a. Surface	37	27	14	30	24	5	53	21	13	-	3	38
b. Ground	36	17	8	39	31	6	53	18	16	-	3	38
8. Land form Limitations	36	19	14	31	33	3	22	44	31	-	3	36
9. Trench Method	37	24	16	38	19	3	31	36	31		3	36
10. Area Method	37	27	30	22	19	3	31	36	31	-	3	36
11. Method of determining volumes received	36	31	22	31	17	-	17	51	29	-	3	35
12. Control of surface water	38	21	29	39	8	3	50	31	6	-	3	35
13. Control of Groundwater	38	8	16	32	29	16	51	35	11	-	3	37
14. Geology	35	9	6	17	54	14	32	30	30	5	3	37
15. Ideal site characteristics	35	14	14	49	20	3	35	49	14	-	3	37
. Site Operation												
1. Traffic flow	34	18	50	26	3	3	31	20	34	6	9	35
2. Control Access	35	20	49	29	-	3	29	31	37	-	3	35
3. Handling of wastes a. Mixed municipal refuse	32	17	25	50	9	-	37	40	23	-	-	25

Numbers in far left and right columns reflect total response to each item.

Numbers in Other Columns are % response.

KNOWLEDGE:
1. No training needed
2. More than adequate
3. Adequate
4. Less than adequate
5. No knowledge

IMPORTANCE:
1. Very important
2. Important
3. Moderately important
4. Not important
5. Not applicable

TASK		KNOWLEDGE LEVEL					IMPORTANCE					COMMENTS
		1	2	3	4	5	1	2	3	4	5	
b. Bulky waste	39	21	23	41	10	5	32	30	35	3	–	37
c. Institutional waste	35	11	9	29	34	17	31	37	26	–	3	35
d. Dead animals	35	34	20	31	11	11	25	25	39	–	11	36
e. Hazardous wastes	37	5	8	19	38	30	28	6	–	2	6	36
f. Non compactable waste	34	12	21	44	21	3	33	31	22	8	3	36
g. Sludges	35	9	3	43	26	20	16	35	14	–	5	37
h. Liquids	35	9	9	29	34	20	19	24	11	–	5	37
i. Compactability	33	24	18	42	15	–	14	35	21	–	–	34
. Cover												
a. Daily	36	33	39	28	–	–	33	33	28	3	3	36
b. Intermediate	37	35	30	35	–	–	27	41	27	5	–	37
c. Final	38	45	24	26	5	–	55	19	16	–	–	37
d. Maintenance	37	30	24	46	–	–	36	39	22	3	–	36
e. Drainage control	38	21	34	32	13	–	5	38	5	–	3	37
f. Erosion control	39	26	26	38	8	3	5	32	13	–	–	38
g. Soils	39	23	15	44	15	3	5	22	22	3	–	37
h. Compaction	36	25	31	36	8	–	40	41	14	–	–	37
i. Prevent waste of cover	37	35	16	38	11	–	42	44	14	–	–	36
k. Confinement	37	27	16	41	14	3	30	33	31	–	–	36
. Acceptable wastes	36	19	19	39	19	3	69	25	6	–	–	36
. Unacceptable wastes	36	6	17	42	33	3	65	32	3	–	–	37
. Dust control	36	25	25	39	11	–	14	25	50	8	3	36
. Odor control	37	14	11	57	16	3	10	21	61	3	–	38
. Litter control	36	22	19	56	3	–	22	33	36	8	–	36
. Rodent control	36	22	14	50	14	–	47	26	31	–	–	35
. Insect control	36	17	14	47	19	3	27	30	32	8	3	37
. Animal control	35	23	14	49	14	–	20	29	35	6	3	34
. Open buring	35	29	26	40	3	3	35	32	22	5	5	37
. Hot loads	35	29	31	23	9	9	50	25	11	6	3	36
. Scavenging	35	29	43	29	–	–	19	22	44	11	3	36
. Salvaging	35	23	34	40	3	–	22	25	33	14	6	36
. Inclimate weather	35	14	37	34	11	3	31	33	25	6	6	36
. Site development	36	14	19	53	14	–	51	32	16	–	–	37
. Site closure	37	19	8	49	22	3	50	29	21	–	–	38
. Vegitation selection	36	11	11	44	33	–	20	39	32	3	–	38
. Vegitation maintenance	33	12	15	52	18	3	21	29	41	9	–	34

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4. Less than adequate
5. No knowledge

IMPORTANCE:
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2. Important
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4. Not important
5. Not applicable

NEEDS AND KNOWLEDGE ASSESSMENT
Waste Disposal Facility Operators Inspectors

TASK		KNOWLEDGE LEVEL					IMPORTANCE					
		1	2	3	4	5	1	2	3	4	5	
Waste Decomposition												
1. Leachate												
a. Generation	36	6	8	44	33	8	49	40	11	–	–	35
b. Migration	34	–	9	44	38	9	47	39	8	–	–	36
c. Control	36	6	11	42	36	6	39	47	8	–	–	36
d. Recognition	34	12	12	35	32	9	49	46	6	–	–	35
e. Problems	37	3	14	38	30	16	50	36	14	–	–	36
2. Methane gas												
a. Generation	36	3	3	31	39	25	34	40	23	3	–	35
b. Migration	38	–	3	37	34	26	40	37	20	3	–	35
c. Control	37	–	3	32	38	27	36	42	19	3	–	36
d. Recognition	36	–	6	31	36	28	37	37	20	6	–	35
e. Problems	35	–	3	37	34	26	38	38	21	3	–	34
3. Settlement												
a. Recognition	35	11	14	57	14	3	19	36	39	6	–	36
b. Problems	37	11	16	54	19	–	19	38	38	5	–	37
c. Control	36	14	14	56	17	–	22	38	35	5	–	37
Equipment Use and Maintenance												
1. Selection	37	27	22	43	8	–	12	32	24	–	3	38
2. Limitations	37	22	22	49	8	–	24	39	24	–	3	38
3. Cost analysis	37	24	19	41	14	3	17	39	11	–	3	36
4. Efficiency	36	25	25	33	17	–	14	42	11	3	–	36
5. Operation	36	31	31	25	14	–	11	38	14	8	–	37
6. Maintenance	36	31	25	31	14	–	12	42	14	3	–	36
7. Repair	36	28	25	28	19	–	35	35	22	3	5	37
8. Planning for emergencies	36	22	28	42	8	–	14	42	11	–	3	36
Safety												
1. First aid	36	17	19	53	11	–	15	39	16	–	–	38
2. Accident prevention	37	19	27	49	5	–	17	45	8	–	–	38
3. Recognition of unsafe practices and hazards	37	22	27	43	8	–	54	38	8	–	–	39
4. Public safety	37	24	30	38	8	–	59	35	5	–	–	37

COMMENTS

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3. Adequate
4. Less than adequate
5. No knowledge

IMPORTANCE:
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2. Important
3. Moderately important
4. Not important
5. Not applicable

NEEDS AND KNOWLEDGE ASSESSMENT
Waste Disposal Facility Operators and Inspectors

TASK		KNOWLEDGE LEVEL					IMPORTANCE					COMMENTS
		1	2	3	4	5	1	2	3	4	5	
. Fire safety	35	17	31	49	3	–	43	46	9	3	–	35
. Operating safety	36	17	36	44	3	–	51	41	5	–	–	37
. Spills	35	14	17	46	14	9	56	28	14	3	–	36
onitoring												
. Leachate												
a. Sample collection	36	14	17	17	44	8	42	42	17	–	–	36
b. Sample preservation	37	14	14	19	41	14	42	39	19	–	–	36
c. Importance	35	17	17	26	31	9	51	30	16	3	–	37
d. Well protection	37	16	14	30	38	3	45	37	18	–	–	38
e. Well maintenance	37	11	11	35	35	8	41	41	19	–	–	37
. Methane												
a. Methods of detection	36	–	6	22	50	22	38	46	11	3	3	37
b. Instrument use	35	–	3	17	51	29	36	44	17	–	3	36
c. Instrument care	36	–	6	17	47	31	37	43	20	–	–	35
d. Dangers.	35	–	9	23	49	20	47	39	14	–	–	36
anagement												
. Motivation	35	9	43	46	3	–	25	47	22	3	3	36
. Public relations	36	14	39	44	3	–	41	35	16	5	3	37
. Public compliants	36	8	42	44	6	–	35	41	16	5	3	37
. Employee relations	35	11	31	54	3	–	36	44	11	6	3	36
. Accounting	35	3	29	57	11	–	25	42	28	3	3	36
. Records												
a. Volume	35	3	29	57	11		25	36	36	3	–	36
b. Water	36	3	22	64	8	3	24	32	41	3	–	37
c. Accident/safety	34	3	32	59	6	–	28	31	33	8	–	36
. Hours of operation	35	17	31	49	3	–	26	29	32	9	3	34
. Communicate.	33	15	39	42	3	–	33	33	27	3	3	33
ules/Proceedures												
. Knowledge of rules	36	19	25	44	11	–	38	40	14	3	–	37
. Understanding rules	37	14	27	46	14	–	41	49	11	–	–	37
. Rational of standards	37	8	24	51	16	–	20	50	21	3	–	38
. Understanding Permits	39	15	26	41	18	–	30	43	19	8	–	37
. Permit ammendments	36	17	22	36	22	3	23	54	14	6	3	35
. Co-disposal requests	31	6	26	26	35	6	23	53	13	7	3	30

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3. Moderately important
4. Not important
5. Not applicable

TASK		KNOWLEDGE LEVEL					IMPORTANCE					COMMENTS
		1	2	3	4	5	1	2	3	4	5	
Enforcement												
1. Conduct inspections	34	9	21	47	15	9	20	46	23	3	9	35
2. Determine violations	35	6	23	51	9	11	26	43	23	-	9	35
3. Determine compliance	35	6	29	43	11	11	24	47	21	-	9	34
4. Collect evidence	34	3	21	50	15	12	23	37	23	6	11	35
5. Preserve evidence	35	3	17	51	17	11	22	36	25	6	11	36
6. Take pictures	34	12	18	47	9	15	17	31	31	9	11	35
7. Write reports	34	9	15	53	15	12	26	26	31	6	11	35
8. [illegible]estify	33	6	9	52	21	12	14	34	26	14	11	35
9. Present evidence	35	6	9	54	17	14	17	34	29	9	11	35
10. Limits of evidence	36	3	6	53	22	17	14	34	34	9	9	35
11. Proceedures for enforcement	33	-	15	33	36	15	22	28	31	6	13	32
12. Limitations of rules	35	-	14	43	29	14	15	41	29	6	9	34
13. Communicate	35	3	26	51	9	11	26	41	21	3	9	34
14. Advisary role avoidence	33	-	9	52	24	15	15	35	38	-	12	34
15. Corrective actions to solve problems	34	3	18	56	12	12	23	52	16	-	10	31
16. Rights	32	3	22	38	22	17	26	46	17	3	9	35
17. Duties	33	6	24	42	15	12	23	40	23	3	11	35
18. Responsibilities	33	9	24	42	12	12	24	47	21	-	9	34
19. Types of inspections	33	-	18	45	24	12	18	50	21	-	12	34
20. Limits of inspections	32	-	25	38	25	13	18	42	21	6	12	33
21. Interpertation of [illegible]ules	31	10	19	42	16	13	27	45	18	-	9	33
22. Records Management	34	6	12	47	24	12	24	32	32	3	9	34
23. Enforcement options	32	-	16	44	22	19	24	30	30	3	12	33
24. How to build a case	33	-	6	30	39	24	21	24	29	9	18	34
25. Educate	34	-	6	56	21	18	23	31	26	6	14	35
26. Complaint resolving	33	-	15	48	21	15	21	41	26	-	12	34
27. Public relations	33	-	21	52	15	12	35	35	18	-	12	34
28. Risk Assessment	33	-	3	48	24	24	21	26	32	9	12	34
29. Types of evidence	32	3	3	47	25	22	15	26	29	15	15	34
Other Items Not Listed												

KNOWLEDGE:
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2. More than adequate
3. Adequate
4. Less than adequate
5. No knowledge

IMPORTANCE:
1. Very important
2. Important
3. Moderately important
4. Not important
5. Not applicable

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption
of Rules of the Pollution Control Agency,
6 MCAR §§4.6088 - 4.6100, Waste Disposal
Facility Operator and Inspector
Certification

STATEMENT OF COMPLIANCE WITH
RULEMAKING PROCEDURES

I, Special Assistant Attorney General Jocelyn F. Olson, do hereby declare that I have examined the proposed rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed.

Jocelyn F. Olson

JOCELYN F. OLSON
Special Assistant
Attorney General

Dated: July 28, 1982

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Rules of the Pollution Control Agency, 6 MCAR §§4.6088 - 4.6100, Waste Disposal Facility Operator and Inspector Certification

AFFIDAVIT REGARDING NOTIFICATION OF TRANSMITTAL TO ATTORNEY GENERAL

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Patricia Schwarz, being duly sworn on oath deposes and says:

That on the 28th day of July, 1982, in the City of Roseville, County of Ramsey, State of Minnesota, she served the attached Notice of Submission to the Attorney General by depositing in the United States mail at said City of Roseville a copy thereof, properly enveloped, with postage prepaid, to all persons on the attached list pursuant to their request for notice that the rules in the above-entitled matter have been submitted to the Attorney General.

Patricia Schwarz
Patricia Schwarz

Subscribed and sworn to before me
this 28th day of July, 1982.

Maryanne Gibbons
Notary Public

MARYANNE GIBBONS
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Commission Expires Sept 26, 1985

INDIVIDUALS WISHING TO BE NOTIFIED WHEN RULES (6 MCAR SS 4.6088-4 4.6100) ARE SENT TO ATTORNEY GENERAL

ELAINE RITTER
Box 36
Marshall, Minnesota 56258

GEORGE LUSHER
Chief Administrator
MWCC
350 Metro Square Building
St. Paul, Mn. 55101

LARRY M. WERTHEIM
Holmes, Grauen, Chartered
470 Pillsbury Center
Minneapolis, Mn. 55402

CARROLL E. RAETHER
Brookston Solid Waste Sanitary Commission
P.O. Box 301
Brookston, Minn. 55711

DOUG ELLIOTT
NSP
414 Nicollet Mall
Minneapolis, Minnesota 55401

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Rules of the Pollution Control Agency, 6 MCAR §§4.6088 - 4.6100, Waste Disposal Facility Operator and Inspector Certification

NOTICE OF SUBMISSION TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 15.0412:

PLEASE TAKE NOTICE that the above-captioned rules have been submitted to the Office of the Attorney General on this date, July 28, 1982, for review as to form and legality. Pursuant to 1 MCAR §1.206 B., the Attorney General will not approve the rules for at least eight days after receipt to allow any person or association time to comment on the legality of the rules, after which that Office will complete its review. If you desire to comment on the legality of the above-captioned rules, you should direct your comments to the Office of the Attorney General, 204 State Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155, telephone (612) 296-1288. Please note that the above-cited rule of the Attorney General also provides that a copy of any written comments submitted to the Attorney General must be submitted simultaneously to this Agency.

If you are interested in determining what changes, if any, were made in the proposed rules after the publication in the State Register and before submission to the Attorney General, you may

contact:

Art Dunn
Division of Water Quality
Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, Minnesota 55113
Telephone: (612) 296-7764

Louis Breimhurst

LOUIS J. BREIMHURST
Executive Director