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Brief Description of Subject Matter: The purpose of this document is to provide guidance for developing a RCRA personnel training program, as required by 329 IAC 3.1-7 and 10, incorporating 40 CFR 262.34(a)(4), referencing specific requirements enumerated in 40 CFR 265.16. This guidance applies to large quantity generators and to facilities under interim status. Site-specific requirements for permitted facilities will be developed during the Part B permitting process.

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HAZARDOUS WASTE PERSONNEL TRAINING

Hazardous Waste Management Branch
Office of Solid and Hazardous Waste Management
Indiana Department of Environmental Management

Revised October 1996

RCRA PERSONNEL TRAINING PROGRAM

The purpose of this document is to provide guidance for developing a RCRA personnel training program, as required by 329 IAC 3.1-7 and 10, incorporating 40 CFR 262.34(a)(4), referencing specific requirements enumerated in 40 CFR 265.16. This guidance applies to large quantity generators and to facilities under interim status. Site-specific requirements for permitted facilities will be developed during the Part B permitting process.

This guidance document is intended to assist in understanding the key points of the personnel training requirements and to help in preparing a complete and appropriate personnel training program specific to a particular company's operation. Because every hazardous waste management facility is unique in operation and complexity, the type and scope of training needed will vary, and therefore, careful personnel training program evaluation by the regulated community is important to insure compliance with the regulations.

The intent of the RCRA personnel training requirement is to reduce the potential for mistakes which might threaten human health or the environment by insuring that facility personnel working in jobs where they handle hazardous waste will be thoroughly familiar with their duties and responsibilities. To achieve this goal, the regulations set forth certain criteria which hazardous waste managers must follow in developing RCRA personnel training programs.

In general, the RCRA personnel training requirements allow hazardous waste managers to develop and customize the training program so that the level and type of training given is that which is necessary to the facility personnel (supervisory and nonsupervisory personnel) to achieve and maintain compliance with the hazardous waste management standards to which the company is subject (e.g., manifesting requirements, marking, labeling, handling and storage of containers, packaging requirements, operating recordkeeping, groundwater monitoring requirements, etc.). Consequently, the hazardous waste manager is required to provide training to facility personnel on how to comply with the types of hazardous waste management activities which are relevant to the positions in which they are employed.

Besides providing training to facility personnel to insure hazardous waste management compliance, the hazardous waste manager is also required to develop the training program so that these personnel are familiar with emergency procedures and are able to effectively respond to an emergency situation. Therefore, all facility personnel assigned to hazardous waste management positions must be familiarized with the company's emergency procedures. (see 40 CFR 265.16(a)(3)).

Familiarizing all facility personnel, regardless of their positions, with basic emergency procedures such as the company's signal(s) used to begin an evacuation and the primary and secondary evacuation routes is strongly recommended, and is a required component of hazardous waste contingency plan development and implementation (40 CFR 265, Subpart D).

How does a RCRA inspector insure that facility personnel have received adequate RCRA personnel training at a regulated company? The regulation requires that certain documentation and records be kept up-to-date and made available to an inspector during an inspection. These are:

1. Job titles for each position at the facility related to hazardous waste management, and the name of the employee filling the job (40 CFR 265.16(d)(1));
2. A written job description for each position related to hazardous waste management (40 CFR 265.16(d)(2));

3. A written description of the type and amount of both introductory training and continuing training that will be given to each person related to hazardous waste management (40 CFR 265.16(d)(3)); and
4. Records that document that training or on-the-job experience has been given to and completed by facility personnel (40 CFR 265.16(d)(4)).

JOB TITLES

Job titles are to be keyed to the job descriptions and must identify the names of employees filling the positions. An inspector may select a few employee names from the list and ask to be introduced to them. This may indicate whether the list is up-to-date and an inspector can find out from the employee exactly what his or her hazardous waste management duties include. If the list is not current, or if the job titles do not match a job description, the job titles would be deemed inadequate and the company would be required to make appropriate corrections.

JOB DESCRIPTIONS

Job descriptions must address all of the hazardous waste management activities that are occurring at the facility. For example, a generator should have job descriptions that discuss manifesting duties, packaging duties, marking, labeling, handling and management of container duties, and emergency coordinator duties. (See 40 CFR 265.56 for emergency coordinator duties.) For treatment/storage/disposal (TSD) facilities, job descriptions that discuss security duties, inspection (visually and analytically) duties for incoming wastes, operating recordkeeping duties, groundwater monitoring duties, etc., would be required in addition to the generator activities.

Job descriptions must also include the skills, education, and/or other qualifications needed by employees to fill each hazardous waste management position.

If all of the hazardous waste management activities occurring at a company are not covered in the job descriptions, one of two things can be assumed. The hazardous waste manager is not aware of all of the requirements and responsibilities under the hazardous waste management regulatory program, or the job descriptions are not well thought out and written. Either situation can lead to non-compliance and the job descriptions would be deemed inadequate.

WRITTEN DESCRIPTION OF TRAINING

A description of both introductory and continuing training given to facility personnel must be included in the training records. Note that the regulations allow the hazardous waste manager to provide training in one of three ways: a formal training program (one which is offered outside the company), in-house training, or on-the-job training.

It is not necessary for all facility personnel to be trained by attending a formal program. One approach would be to send only supervisory personnel to a formal program. In this way, they can acquire the appropriate hazardous waste knowledge and training skills and then relay the knowledge and skills to the remaining facility personnel by conducting more focused, on-the-job training. Choosing on-the-job or in-house training options, as opposed to a formal training program, allows for more flexibility in the training

programs. A formal program will usually be more general than a set of in-house training programs designed for each hazardous waste management position.

Regardless of the type of training chosen, it is the company's responsibility to define the scope of the training programs. For example, personnel assigned to aid the emergency coordinator in carrying out measures to control releases, fires, or explosions would need a variety of training such as:

- The chemical characteristics of the wastes which they are assigned to control (i.e., reactivity potential, flammabilities, incompatibilities, etc.);
- Procedures for using, inspecting and maintaining facility emergency equipment;
- Types of protective equipment and clothing to be worn;
- Knowledge of communication and alarm systems;
- Predetermined responses and methods to control releases, fires or explosions; and
- Ability to shut down operations.

Personnel responsible for the day-to-day management of hazardous waste (i.e., inspecting waste storage areas, handling the waste, etc.) would need training which may include:

- The chemical characteristics of the wastes they are assigned to handle or inspect;
- Knowledge of what to do or who to notify in the event of a release, fire or explosion;
- Type of protective equipment and clothing to be worn;
- Proper operation of trucks, forklifts or other machinery to be used in waste movement; and
- Proper container packaging, marking and labeling.

The training programs selected should insure that the employees have or will have acquired the necessary knowledge and management skills needed to perform their jobs in a competent manner that will protect human health and the environment.

The type and scope of training must be described in detail. For example, if the training is done in a classroom setting, the training description should include the hazardous waste management practices taught, the materials used and the length of the program. If the training occurs during the job, the training description should include the requisite tasks and responsibilities for the position, the techniques used, and a schedule to be followed by the instructors. The more detailed the written description of training, the more apparent it will be to the inspector that the company is providing its personnel with proper training.

The regulations also require that the RCRA personnel training program be directed by someone trained in hazardous waste management; however, specific requirements are not given. Program instructors, especially those conducting classroom type training, should be experts in the field of hazardous waste management, since answers to questions that could arise during the class may require a background of considerable experience and expertise. For on-the-job training, the instructor should be a supervisor who is skilled in the current methods of proper hazardous waste management. There should be some kind of written documentation of the qualifications of the training instructor included in the written description of training.

TRAINING RECORDS

Because facility personnel must complete a training program within six months of their assignment to the company, or within six months of being assigned to a new hazardous waste management duty, and facility personnel must receive and complete an annual review of the initial training, it is important to make sure training is given at proper intervals and the training documents are kept up-to-date. While the regulations do not precisely define the period of time intended by "annual", the term implicitly means every 12 months, and it would be expected that the annual review of training be administered within a short period of time of the anniversary of the previous training for each employee requiring it. This will satisfy the intent of the requirement that the training be given frequently enough to refresh personnel's knowledge and skills and incorporate changes in materials and practices involving hazardous waste management at the facility, but allow for reasonable flexibility in scheduling the review training. There is no prescribed format in the regulations as to how the hazardous waste manager must document training sessions. One way would be to provide a list of training dates with the employee names and their handwritten signatures to indicate that they had received training. If the documentation indicates that the facility personnel have received training at the proper times, this requirement would be deemed adequate.

SATELLITE ACCUMULATION

The next part of this guidance document will discuss RCRA personnel training requirements in circumstances where satellite accumulation of hazardous waste is occurring.

In the January 3, 1983, Federal Register, EPA proposed a regulatory change to the hazardous waste management regulations which would allow companies to accumulate small quantities of hazardous waste at or near the point of generation without having to comply with the 90-day accumulation standards. In the December 20, 1984, Federal Register, this regulatory change was presented in its final form. The Indiana Department of Environmental Management has since adopted this regulatory change which is found at 40 CFR 262.34.

This regulatory change allows companies to accumulate as much as 55 gallons of hazardous waste in labeled containers, at or near the point of generation and under the control of the operator, without having to comply with the 90-day accumulation standards (i.e., personnel training, contingency plan, etc.). These areas are referred to as "satellite accumulation areas". After exceeding the 55-gallon limit, the container(s) must be marked with the date of accumulation, removed from the satellite accumulation area, and placed at a regulated centralized 90-day accumulation area or permitted storage area within 72 hours. If the company fails to remove the waste within 72 hours, then the satellite accumulation area is subject to the 90-day accumulation requirements.

Facility personnel working in satellite accumulation areas are not required by regulation to receive RCRA training. These employees, however, are not allowed to move and transport the satellite accumulation containers to a centralized 90-day accumulation or permitted storage area unless they have received

hazardous waste management training. Only persons who are trained in the handling of hazardous waste and predetermined responses to leaks, spills, and fires should be moving the waste to a centralized storage area. Furthermore, the satellite accumulation containers may need to be repackaged, remarked, or relabeled when they reach the centralized storage area. Therefore, the responsibility to change and/or insure that pretransport packaging and RCRA container marking and labeling is done correctly must fall upon a person who has received RCRA personnel training.

In conclusion, employees who work in satellite accumulation areas are not required to complete RCRA personnel training. Employees who move the satellite accumulation containers to a centralized 90-day accumulation or permitted storage area would be expected to have RCRA personnel training. Lastly, an employee who must repackage, remark, or relabel a satellite accumulation container to comply with the hazardous waste management regulations must have RCRA training.

CONTRACTORS

In some instances, an owner or operator whose company is subject to RCRA regulation may contract hazardous waste services from an outside firm. In many cases, this means that the outside firm's personnel will be performing hazardous waste management activities at the regulated company. Examples would be contracted personnel who clean up hazardous waste releases, inspect and analyze incoming wastestreams, inspect, maintain or clean hazardous waste equipment, or load hazardous waste for transportation.

In the regulation, facility personnel are defined in 40 CFR 260.10 as: "All persons who work at or oversee the operations of a hazardous waste facility, and whose actions or failure to act may result in non-compliance with the requirements of applicable portions of 40 CFR parts 264 and 265."

In cases where contracted personnel are performing hazardous waste management activities at a regulated company, they are considered "facility personnel" under the regulation. Therefore, it is the ultimate responsibility of the regulated company to insure that these personnel receive training prior to or during their term of employment.

It is up to the discretion of the hazardous waste manager as to who provides the RCRA personnel training to contracted personnel. For example, if the hazardous waste manager recognizes that the contracted personnel have received adequate training by their own firm in hazardous waste management procedures, then the hazardous waste manager needs only to familiarize them with his company's emergency procedures and further training is not necessary. However, if the contracted personnel are not adequately trained in hazardous waste management procedures, then the hazardous waste manager must provide the necessary training or arrange for the training to be given by their firm.

Regardless of who does the training, where the training occurs, or how the training is given (classroom or on-the-job), it is the final responsibility of the regulated company to insure that the training is documented in conformance with the requirements of the regulation. Therefore, training records (job titles, job descriptions, training description and records documenting training) must be kept at the regulated company during the time that contracted personnel are on-site and for a period of three years after they leave. This means that if RCRA personnel training of contracted personnel has occurred at the regulated company, their training records should closely mirror the regulated company's personnel training records for the regular staff. On the other hand, if the contracted personnel have been trained by their own firm, a duplicate of their firm's personnel training records which must comply with the requirements of the

regulations must be kept at the regulated company. In either situation, if the training records do not meet the regulatory requirements, then they would be deemed inadequate.

In conclusion, for RCRA regulatory purposes, contracted personnel who perform hazardous waste management activities are considered "facility personnel" and must receive adequate training. The ultimate responsibility of insuring that training is given to contracted personnel rests with the regulated company. RCRA personnel training records and documentation must be located and kept at the regulated company.