ARTICLE 12. SOLID WASTE MANAGEMENT ACTIVITY REGISTRATION

Rule 1. General Provisions

329 IAC 12-1-1 Enforcement
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1
Affected: IC 13-30-2; IC 36-9-30

Sec. 1. This article shall be enforced through the provisions of IC 13-14-10, IC 13-15, IC 13-20-2, or IC 13-30-3, or any combination thereof as appropriate. *(Solid Waste Management Board; 329 IAC 12-1-1; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1952; errata filed Dec 6, 1999, 9:41 a.m.: 23 IR 813; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-1-2 Penalties
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1
Affected: IC 13-30-2; IC 36-9-30

Sec. 2. Penalties for violation of this article shall be governed by IC 13-30-4 through IC 13-30-6 and IC 13-30-8. *(Solid Waste Management Board; 329 IAC 12-1-2; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1952; errata filed Dec 6, 1999, 9:41 a.m.: 23 IR 813; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-1-3 Reporting
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1
Affected: IC 13-30-2; IC 36-9-30

Sec. 3. (a) Any permittee required to monitor under this article or by any permit issued pursuant to this article, shall maintain all records of all monitoring information and monitoring activities, including:
(1) the date, exact place, and time of the sampling or measurements;
(2) the person or persons who performed the sampling or measurements;
(3) the date or dates analyses were performed;
(4) the person or persons who performed the analyses;
(5) the analytical techniques or methods used; and
(6) the results of such measurements or analyses.
(b) All records of monitoring activities and results shall be retained by the permittee for five (5) years. The five (5) year period shall be extended:
(1) automatically during the course of any unresolved litigation between the commissioner and a permittee; or
(2) as required by the permit conditions.
(Solid Waste Management Board; 329 IAC 12-1-3; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1952; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-1-4 Variances
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1
Affected: IC 13-30-2; IC 36-9-30

Sec. 4. The commissioner may grant a variance from compliance with provisions of this article in accordance with the provisions of IC 13-14-8-8 through IC 13-14-8-11. *(Solid Waste Management Board; 329 IAC 12-1-4; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1952; errata filed Dec 6, 1999, 9:41 a.m.: 23 IR 813; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-1-5 Severability
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1
Affected: IC 13-30-2; IC 36-9-30

Sec. 5. If any provision of this article, or the application thereof to any person or circumstance is held invalid, the invalidity

shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application. *(Solid Waste Management Board; 329 IAC 12-1-5; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1952; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

Rule 2. Definitions

329 IAC 12-2-1 Definitions

Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 1. In addition to the definitions found in IC 13-11-2, the definitions in this rule apply only to this article. *(Solid Waste Management Board; 329 IAC 12-2-1; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1952; errata filed Dec 6, 1999, 9:41 a.m.: 23 IR 813; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-2 "Access road" defined

Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 2. "Access road" means a road that leads to the entrance of a solid waste management activity, normally a county, state, or federal highway. *(Solid Waste Management Board; 329 IAC 12-2-2; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1952; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-2.1 "Accredited examination" defined

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 2.1. "Accredited examination" means a written examination accredited by the commissioner for the purposes of testing individuals seeking to become certified as solid waste facility operators. *(Solid Waste Management Board; 329 IAC 12-2-2.1; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1479; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-2.2 "Accredited examination provider" defined

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 2.2. "Accredited examination provider" means a person or a postsecondary learning institution that provides an accredited examination for the purpose of certifying operators in accordance with 329 IAC 12-7 and 329 IAC 12-8. *(Solid Waste Management Board; 329 IAC 12-2-2.2; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1479; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-2.3 "Accredited training course" defined

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 2.3. "Accredited training course" means a course accredited by the commissioner for the purposes of providing solid waste facility operator training for recertification. *(Solid Waste Management Board; 329 IAC 12-2-2.3; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1479; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-2.4 "Accredited training course provider" defined

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 2.4. "Accredited training course provider" means a person or a postsecondary learning institution that provides an accredited training course for the purpose of recertifying operators in accordance with 329 IAC 12-7 and 329 IAC 12-9. *(Solid Waste Management Board; 329 IAC 12-2-2.4; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1480; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-3 "Altered tire" defined (Repealed)

Sec. 3. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-4 "Base flood" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 4. "Base flood" means a flood that has a one percent (1%) or greater chance of recurring in any year or a flood of a magnitude equaled or exceeded once in one hundred (100) years, on the average, over a significantly long period. In any given one hundred (100) year interval, such a flood may not occur or more than one (1) such flood may occur. *(Solid Waste Management Board; 329 IAC 12-2-4; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1953; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-5 "Board" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 5. "Board" means the solid waste management board. *(Solid Waste Management Board; 329 IAC 12-2-5; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1953; errata filed Dec 6, 1999, 9:41 a.m.: 23 IR 813; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-5.1 "Certificate" defined
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 5.1. "Certificate" means a document issued by the commissioner to an individual meeting the testing requirements of 329 IAC 12-7 and 329 IAC 12-8. *(Solid Waste Management Board; 329 IAC 12-2-5.1; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1480; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 234)*

329 IAC 12-2-5.2 "Certified operator" defined
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 5.2. "Certified operator" means an individual:
(1) with responsibility for the daily operation of the facility; and
(2) who holds a current certificate of training issued by the commissioner.
(Solid Waste Management Board; 329 IAC 12-2-5.2; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1480; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)

329 IAC 12-2-6 "Collection container system" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 6. "Collection container system" means a group of containers for solid waste collection from noncommercial, nonindustrial, and noninstitutional sources, and made available for use by the general public such as a county wide collection box system. *(Solid Waste Management Board; 329 IAC 12-2-6; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1953; readopted filed Sep 7, 2001,*

1:35 p.m.: 25 IR 235)

329 IAC 12-2-7 "Commissioner" defined (Repealed)

Sec. 7. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-8 "Contaminant" defined (Repealed)

Sec. 8. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-9 "Customer" defined (Repealed)

Sec. 9. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-10 "Department" defined (Repealed)

Sec. 10. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-11 "Disposal" defined (Repealed)

Sec. 11. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-11.1 "Facility" defined
Authority: IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 25-31; IC 36-9-30

Sec. 11.1. "Facility" may consist of one (1) or more permitted processing, storage, disposal, or operational units used for processing, storing in conjunction with processing or disposal, or disposing of solid waste. The term includes:
(1) all conterminous land and structures related to the permit;
(2) other appurtenances related to the permit; and
(3) improvements on the land related to the permit.
(Solid Waste Management Board; 329 IAC 12-2-11.1; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1480; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)

329 IAC 12-2-12 "Garbage" defined (Repealed)

Sec. 12. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-13 "Generating facility" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 13. "Generating facility" has the meaning as set forth in 329 IAC 11-2-12. *(Solid Waste Management Board; 329 IAC 12-2-13; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1954; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)*

329 IAC 12-2-14 "Generator" defined (Repealed)

Sec. 14. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-15 "Grading" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 15. "Grading" means the contouring of land so that surface water flow and erosion are controlled according to a predetermined plan. *(Solid Waste Management Board; 329 IAC 12-2-15; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1954; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)*

329 IAC 12-2-16 "Ground water" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 16. "Ground water" means water below the land surface in the zone of saturation. *(Solid Waste Management Board; 329 IAC 12-2-16; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1954; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)*

329 IAC 12-2-17 "Hazardous waste" defined (Repealed)

Sec. 17. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-18 "Incinerator" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 18. "Incinerator" has the meaning set forth in 329 IAC 11-2-16. *(Solid Waste Management Board; 329 IAC 12-2-18; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1954; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)*

329 IAC 12-2-19 "Industrial process waste" defined (Repealed)

Sec. 19. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-20 "Infectious waste" defined (Repealed)

Sec. 20. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-21 "Infectious waste incinerator" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 21. "Infectious waste incinerator" has the meaning set forth in 329 IAC 11-2-19. *(Solid Waste Management Board; 329 IAC 12-2-21; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1955; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)*

329 IAC 12-2-21.1 "Interim operator" defined
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 21.1. "Interim operator" means an individual:
(1) with responsibility for the daily operation of the facility; and
(2) that does not yet hold a current certificate issued by the commissioner.
(Solid Waste Management Board; 329 IAC 12-2-21.1; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1480; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)

329 IAC 12-2-22 "Legal description" defined (Repealed)

Sec. 22. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-23 "New tire" defined (Repealed)

Sec. 23. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-24 "On-site road" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 24. "On-site road" means a road for the passage of vehicles from a solid waste management activity entrance to the activity area. *(Solid Waste Management Board; 329 IAC 12-2-24; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1955; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 235)*

329 IAC 12-2-25 "Open burning" defined (Repealed)

Sec. 25. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-26 "Open dump" defined (Repealed)

Sec. 26. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-27 "Operating personnel" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 27. "Operating personnel" means persons necessary to properly operate a solid waste management activity. *(Solid Waste Management Board; 329 IAC 12-2-27; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1955; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-27.1 "Operator" defined
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 27.1. "Operator" means the person or persons responsible for the overall operation of a facility or part of a facility. *(Solid Waste Management Board; 329 IAC 12-2-27.1; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1480; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-27.2 "Owner" defined
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 27.2. "Owner" means the person who owns a facility or part of a facility. *(Solid Waste Management Board; 329 IAC 12-2-27.2; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1480; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-28 "Passenger tire equivalent" or "PTE" defined (Repealed)

Sec. 28. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-29 "Person" defined (Repealed)

Sec. 29. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-30 "Pollution control waste" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 30. "Pollution control waste" includes liquid, solid, semisolid, or gaseous waste generated as a direct or indirect result from the removal of contaminants from air, water, or land that may include, but is not limited to, such waste as water and wastewater treatment sludges, baghouse dust, scrubber sludges, chemical spills, or remedial activity clean-up wastes. *(Solid Waste Management Board; 329 IAC 12-2-30; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1956; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-31 "Processing" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 31. "Processing" has the meaning set forth in 329 IAC 11-2-30. *(Solid Waste Management Board; 329 IAC 12-2-31; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1956; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-31.5 "Recertification" defined
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 31.5. "Recertification" means the procedures under 329 IAC 12-7 and 329 IAC 12-9 to renew a certification for a certified operator meeting the applicable training requirements. *(Solid Waste Management Board; 329 IAC 12-2-31.5; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1480; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-32 "Recovery" defined (Repealed)

Sec. 32. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-33 "Registered professional engineer" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 33. "Registered professional engineer" means a professional engineer registered by the state of Indiana under IC 25-31. *(Solid Waste Management Board; 329 IAC 12-2-33; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1956; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-34 "Remanufactured tire" defined (Repealed)

Sec. 34. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-35 "Residue" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 35. "Residue" has the meaning set forth in 329 IAC 11-2-33. *(Solid Waste Management Board; 329 IAC 12-2-35; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1956; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-36 "Resource recovery" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 36. "Resource recovery" has the meaning set forth in 329 IAC 11-2-34. *(Solid Waste Management Board; 329 IAC 12-2-36; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1956; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-37 "Retailer" defined (Repealed)

Sec. 37. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-38 "Salvaging" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 38. "Salvaging" means the controlled and organized removal of materials from solid waste for utilization. *(Solid Waste Management Board; 329 IAC 12-2-38; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1956; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-39 "Scavenging" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 39. "Scavenging" means the uncontrolled and unauthorized removal of materials from solid waste. *(Solid Waste Management Board; 329 IAC 12-2-39; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1957; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 236)*

329 IAC 12-2-40 "Shredded waste tire" defined (Repealed)

Sec. 40. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-41 "Site" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 41. "Site" means the land area on which the registered solid waste management activity is situated. *(Solid Waste Management Board; 329 IAC 12-2-41; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1957; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-42 "Sludge" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 42. "Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant. *(Solid Waste Management Board; 329 IAC 12-2-42; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1957; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-43 "Solid waste" defined (Repealed)

Sec. 43. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-44 "Solid waste facility" or "facility" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 44. "Solid waste facility" or "facility" means all contiguous land and structures, other appurtenances, and improvements on the land used for processing, storing in conjunction with processing or disposal, or disposing of solid waste and may consist of several processing, storage, or disposal operational units, for example, one (1) or more landfills, surface impoundments, or combinations thereof. *(Solid Waste Management Board; 329 IAC 12-2-44; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1957; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-45 "Solid waste land disposal facility" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 45. "Solid waste land disposal facility" has the meaning set forth in 329 IAC 10-2-176. *(Solid Waste Management Board; 329 IAC 12-2-45; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1957; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-46 "Solid waste management" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 46. "Solid waste management" means the systematic administration of activities that provide for the collection, source separation, storage, transportation, transfer, processing, treatment, or disposal of solid waste. *(Solid Waste Management Board; 329 IAC 12-2-46; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1957; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-47 "Solid waste processing facility" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 47. "Solid waste processing facility" has the meaning set forth in 329 IAC 11-2-43. *(Solid Waste Management Board; 329 IAC 12-2-47; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1958; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-48 "Special waste" defined (Repealed)

Sec. 48. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-49 "Surface impoundment" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 49. (a) "Surface impoundment" means a facility or part of a facility that:
(1) is a natural topographic depression, manmade excavation, or diked area formed primarily of earthen materials, although it may be lined with manmade materials;
(2) holds or is designed to hold an accumulation of liquid wastes or wastes containing free liquids; and
(3) is not an injection well.
(b) Examples of surface impoundments may include the following:
(1) Holding, storage, settling, and aeration pits.
(2) Holding, storage, settling, and aeration ponds.

(3) Holding, storage, settling, and aeration lagoons.
(Solid Waste Management Board; 329 IAC 12-2-49; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1958; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)

329 IAC 12-2-50 "Surface water" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 50. "Surface water" has the meaning set forth in 329 IAC 11-2-46. *(Solid Waste Management Board; 329 IAC 12-2-50; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1958; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-51 "Tire" defined (Repealed)

Sec. 51. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-52 "Transfer station" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 52. "Transfer station" has the meaning set forth in 329 IAC 11-2-47. *(Solid Waste Management Board; 329 IAC 12-2-52; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1959; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-53 "Transformed tire" defined (Repealed)

Sec. 53. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-54 "Vector" defined
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1; IC 13-19-4-10
Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 54. "Vector" means any animal capable of harboring and transmitting micro-organisms from one (1) animal to another or to a human. *(Solid Waste Management Board; 329 IAC 12-2-54; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1959; readopted filed Sep 7, 2001, 1:35 p.m.: 25 IR 237)*

329 IAC 12-2-55 "Washout" defined (Repealed)

Sec. 55. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-56 "Waste tire" defined (Repealed)

Sec. 56. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-57 "Waste tire processing operation" defined (Repealed)

Sec. 57. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-58 "Waste tire storage site" defined (Repealed)

Sec. 58. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-59 "Waste tire transporter" defined (Repealed)

Sec. 59. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-60 "Water pollution" defined (Repealed)

Sec. 60. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-61 "Waters" defined (Repealed)

Sec. 61. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

329 IAC 12-2-62 "Wholesaler" defined (Repealed)

Sec. 62. *(Repealed by Solid Waste Management Board; filed Sep 7, 2001, 1:35 p.m.: 25 IR 239)*

Rule 3. Exclusions

329 IAC 12-3-1 Exclusions; general

Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1
Affected: IC 13-30-2; IC 36-9-30

Sec. 1. The following solid waste management activities are not subject to the provisions of this article:
(1) Disposing of only uncontaminated rocks, bricks, concrete, road demolition waste materials, or dirt.
(2) Land application activities regulated by 327 IAC 6 and 327 IAC 7.
(3) Confined feeding control activities regulated by IC 13-18-10.
(4) Wastewater discharge activities regulated by 327 IAC 5.
(5) Processing, except for incineration, in which the waste, other than tires, has been segregated from the general solid waste stream prior to arrival at the processing site.
(6) Processing, except for incineration, of solid waste which takes place at the generating facility.
(7) Processing and disposal of uncontaminated and untreated natural growth solid waste including tree limbs, stumps, leaves, and grass clippings.
(8) Disposal of sawdust which is derived from processing untreated natural wood.
(9) The disposal of coal ash, transported by water, into an ash pond which has received a water pollution control facility construction permit under 327 IAC 3.
(10) The operation of surface impoundments, however, the final disposal of solid waste in such facilities at the end of their operation is subject to approval by the commissioner except as excluded under subdivisions (9) and (11).
(11) The disposal of coal ash at a site receiving a total of less than one hundred (100) cubic yards per year from generators who each produce less than one hundred (100) cubic yards per year.
(12) Uses and disposal of coal waste as exempted from regulation in IC 13-19-3-3.
(13) The legitimate use of iron and steelmaking slags including the use as a base for road building, but not including use for land reclamation except as allowed under subdivision (15).
(14) The legitimate use of foundry sand which has been demonstrated as suitable for restricted waste site Type III under the provisions of 329 IAC 10-9, including the use as a base for road building, but not including use for land reclamation except as allowed under subdivision (15).
(15) Other uses of solid waste may be approved by the commissioner if the commissioner determines them to be legitimate uses that do not pose a threat to public health and the environment.

(Solid Waste Management Board; 329 IAC 12-3-1; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1960; errata filed Dec 6, 1999, 9:41 a.m.: 23 IR 813; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-3-2 Exclusion; hazardous waste
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1
Affected: IC 13-30-2; IC 36-9-30

Sec. 2. (a) Hazardous wastes are regulated by and shall be treated, stored, and disposed of in accordance with 329 IAC 3.1. Hazardous waste that is regulated by 329 IAC 3.1 is not subject to the provisions of this article.

(b) No hazardous waste that is regulated by 329 IAC 3.1 shall be disposed at any solid waste facility regulated under this article.

(c) For the purposes of this article, "hazardous waste that is regulated by 329 IAC 3.1" does not include hazardous waste that is generated in quantities less than one hundred (100) kilograms per month and is therefore excluded from regulation under the hazardous waste management article, 329 IAC 3.1. Such small quantities of hazardous waste shall be disposed of in accordance with 329 IAC 10.

(d) Facilities permitted under 329 IAC 3.1 are not required to obtain permits under this article for the storage, treatment, or disposal of nonhazardous solid waste where such solid waste is treated or disposed of as a hazardous waste at the receiving hazardous waste facility. *(Solid Waste Management Board; 329 IAC 12-3-2; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1960; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

Rule 4. Collection Container Systems

329 IAC 12-4-1 Collection container systems
Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1
Affected: IC 13-30-2; IC 36-9-30

Sec. 1. (a) Collection container systems are subject to this rule.

(b) The operator of a collection container system shall file with the commissioner a notification that includes the following information:

(1) A United States Geological Survey (USGS) topographical quadrangle map or maps, seven and one-half (7½) minute or equivalent, showing the collection container site or sites.

(2) A brief narrative description of the proposed operation, including the following:

(A) Anticipated sources and quantities of the incoming solid waste.

(B) Names and locations of all solid waste incinerators and solid waste land disposal facilities that must be the destination for waste from the collection containers.

(C) Frequency of collection container pickup for transport to the receiving facility.

(D) Procedures for controlling odors, fire, vectors, litter, and handling bulk waste at the site or sites.

(c) The operator of the collection container system shall comply with the operational requirements specified in the following:

(1) Solid waste must be confined to the designated storage, loading, and unloading areas of the site. The collection container system and adjacent areas must be maintained clean and litter free.

(2) The collection container system must be cleaned as necessary to prevent a nuisance or public health hazard.

(Solid Waste Management Board; 329 IAC 12-4-1; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1961; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

Rule 5. Waste Tires (Repealed)
(Repealed by Solid Waste Management Board; filed Oct 10, 2000, 3:10 p.m.: 24 IR 333)

Rule 6. Disposition of Waste Tires (Repealed)
(Repealed by Solid Waste Management Board; filed Oct 10, 2000, 3:10 p.m.: 24 IR 333)

Rule 7. Solid Waste Facility Operator Certification

329 IAC 12-7-1 Applicability

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 1. (a) This rule shall apply to individuals responsible for operation of the following facilities in accordance with 329 IAC 10:

(1) Permitted solid waste incinerators and waste to energy facilities.
(2) Permitted municipal and nonmunicipal solid waste land disposal facilities.
(3) Permitted restricted waste sites and construction/demolition sites.
(b) The operators of the following facilities are deemed certified under this rule:
(1) Permitted hazardous waste treatment, storage, and disposal facilities that comply with the training requirements under 329 IAC 3.1-9.
(2) Incinerators described under 329 IAC 11-19-2(a).

(Solid Waste Management Board; 329 IAC 12-7-1; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1481; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-7-2 General provisions

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 2. (a) Solid waste management facilities to which this rule applies must have at least one (1) interim or certified operator at the facility at all times when the solid waste management facility designated under section 1(a) of this rule is in operation. If the interim or certified operator is absent from the facility, the interim or certified operator shall remain available through contact by electronic communication device or telephone.

(b) Except as provided in subsection (c), (e), or (f), an individual shall not perform the duties of an operator unless that individual has a valid certificate from the commissioner.

(c) An individual who performs the duties of an operator on or before the effective date of this rule shall be considered an interim operator and may continue to perform the duties of a certified operator. However, an interim operator shall pass an accredited examination and receive a certificate under this rule and 329 IAC 12-8 no later than one (1) year after the effective date of this rule.

(d) For each interim operator, the solid waste management facilities designated in section 1(a) of this rule shall keep the following information in the operating record:

(1) The name of the interim operator.
(2) The date on which the interim operator was designated responsible for the operation of the facility.
(e) A solid waste management facility may operate a facility with an interim operator if the certified operator:
(1) leaves the employment of the facility; or
(2) is unable to fulfill the responsibilities of certified operator for a period of time.
(f) An interim operator designated under subsection (e) may serve for up to one hundred twenty (120) days after the departure of the certified operator.
(g) A request for an extension of the one hundred twenty (120) day time period may be made by:
(1) submitting a written request for extension to the commissioner; and
(2) providing an explanation of the reason the extension is being requested.
(h) The certificate shall be posted in the office at the facility for the certified operator. Certified operators shall have available at the permitted facility a photographic identification card, such as driver's license or other picture identification card, when serving as the facility's certified operator. The certificate and photographic identification card shall both be available for inspection by the department representatives during an inspection. *(Solid Waste Management Board; 329 IAC 12-7-2; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1481; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-7-3 Operator certification: certification; classification and application

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 3. (a) A certification shall be issued by the commissioner to an individual who demonstrates the skill and knowledge necessary to operate the appropriate type of solid waste management facility through:

(1) testing for the initial certification; or

(2) attendance in an accredited training course for recertification.

(b) Certificates shall be classified as follows:

(1) Category I certification for operators of solid waste incinerators and waste to energy facilities.

(2) Category II certification for operators of municipal and nonmunicipal solid waste land disposal facilities.

(3) Category III certification for operators of restricted waste sites and construction/demolition sites.

(4) Category IV certification for a specific facility.

(c) An individual certified to operate a Category II facility shall also be considered certified to operate a Category III facility.

(d) An individual seeking certification or recertification must complete an application provided by the approved examination provider or the accredited training course provider that contains the following:

(1) The name of the individual seeking certification or recertification.

(2) The name, full address, and telephone number of the facility at which the individual is currently employed if applicable.

(3) The type of facility at which the individual is currently employed if applicable.

(4) The type of certification sought by the applicant.

(5) A statement to be signed by the individual seeking certification or recertification. The statement must read, "I certify under penalty of law that this document and all attachments are to the best of my knowledge true, accurate, and complete.".

(e) An initial certificate granted under subsection (a)(1) or section 5 of this rule shall be valid for one (1) year from the date of issuance.

(f) Individuals certified or recertified in accordance with 40 CFR 60.56a(d) may request to receive Category IV certification or recertification by submitting the following to the commissioner:

(1) An application containing the information specified in subsection (d)(1) through (d)(5).

(2) A copy of the current certification obtained under 40 CFR 60.56a(d).

(3) Documentation of receipt of any annual training or update required under 40 CFR 60.56a(d). *(Solid Waste Management Board; 329 IAC 12-7-3; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1481; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535; filed Jan 22, 2001, 9:46 a.m.: 24 IR 1618; errata filed Mar 19, 2001, 10:31 a.m.: 24 IR 2470)*

329 IAC 12-7-4 Certification; verification

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 4-21.5-3-4; IC 13-15-10; IC 36-9-30

Sec. 4. (a) Within one (1) week after each examination, providers of an approved examination shall provide verification of testing to the commissioner by submission of the following:

(1) The completed application for all individuals taking the approved examination.

(2) The examination scores for all individuals taking the approved examination.

(b) Within one (1) week after each course, accredited training course providers shall provide verification of training to the commissioner by submission of the completed application for all individuals trained in the accredited training course.

(c) The verification from the provider of an approved examination or the accredited training course provider shall be reviewed by the commissioner and compared to the list of people having had their certification revoked as provided for in section 7(a) of this rule.

(d) The commissioner will deny certification to an individual that has a revoked certification for which the time period of the penalty has not lapsed.

(e) A denied certification may be appealed under IC 4-21.5-3-4. *(Solid Waste Management Board; 329 IAC 12-7-4; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1482; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-7-5 Reciprocity

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 5. (a) Any individual seeking certification who has been certified as a solid waste facility operator by an accrediting institution in another state may be designated a certified operator for a facility that is comparable to the facility that the individual was certified to operate in another state.

(b) A request for a certificate from the commissioner may be made by submitting the following:

(1) An application on forms prescribed by the commissioner.

(2) A copy of a solid waste facility operator certification from an accrediting institution in another state.

(c) Upon receipt of a certificate from the commissioner, the individual seeking reciprocity may begin to operate a facility comparable to the facility for which certification was received from another state. *(Solid Waste Management Board; 329 IAC 12-7-5; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1482; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-7-6 Operator certification: recertification

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 6. (a) To renew, an operator must take an accredited training course approved by the commissioner under 329 IAC 12-9. A certified operator must complete an accredited training course prior to expiration of the operator's valid certificate.

(b) A certified operator completing one (1) or more accredited training courses in the twelve (12) months prior to the expiration of that operator's valid certificate shall be recertified. Recertification renews that operator's valid certificate for one (1) year from the expiration date of the certificate that was valid at the time of the training. *(Solid Waste Management Board; 329 IAC 12-7-6; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1482; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535; filed Jan 22, 2001, 9:46 a.m.: 24 IR 1619; errata filed Mar 19, 2001, 10:31 a.m.: 24 IR 2470)*

329 IAC 12-7-7 Certification revocation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 4-21.5; IC 13-15-10; IC 36-9-30

Sec. 7. (a) The commissioner may make a decision to revoke a certificate if the certified operator commits any of the following:

(1) Repeatedly violates a requirement or requirements of:

(A) 329 IAC 10 regarding operation of a solid waste facility;

(B) 329 IAC 11 regarding incinerator operation; or

(C) 329 IAC 12 regarding operator certification.

(2) Endangers human health, safety, or the environment by knowingly or intentionally violating operating procedures of a solid waste facility.

(3) Falsifies information provided to the department, a provider of an accredited examination, or accredited training course provider for certification purposes.

(4) Falsifies information on an extension request for interim status.

(b) A revoked certificate must be for a period established by the commissioner, but not less than six (6) months.

(c) The certification may be revoked following the procedures under IC 4-21.5.

(d) Unless specified otherwise by the commissioner in a revocation of certification, a certified operator having a revoked certification must pass an accredited examination after the time period designated under subsection (b) of the revocation has expired to become certified after a revocation.

(e) Permanent revocation of certification may be made by the commissioner for an operator with multiple violations or revocations. *(Solid Waste Management Board; 329 IAC 12-7-7; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1483; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-7-8 Duplicate certificate

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 8. In order to replace a certificate that has been lost or stolen, a certified operator must do the following:

(1) Submit a request for a duplicate certificate to the commissioner.

(2) Include a statement indicating the reason a duplicate certificate is needed.

(Solid Waste Management Board; 329 IAC 12-7-8; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1483; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

Rule 8. Solid Waste Facility Operator Testing Requirements

329 IAC 12-8-1 Applicability

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 1. This rule shall apply to a person or postsecondary learning institution that provides an accredited examination for the purpose of certifying individuals under 329 IAC 12-7 and this rule. *(Solid Waste Management Board; 329 IAC 12-8-1; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1483; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-8-2 Examination requirements

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 2. (a) Examinations shall consist of at least fifty (50) multiple choice questions. Hands-on testing may also be included as part of the examination to demonstrate knowledge and skill of the subject matter.

(b) An individual taking the accredited examination must receive a score of at least seventy percent (70%) correct responses to receive certification.

(c) Except as indicated in subsection (d), the examination shall include a question or questions that address each of the topics outlined in section 2, 3, or 4 of this rule.

(d) The examination for a Category IV site shall include a question or questions that address each of the topics applicable to the type of site for which the examination was developed.

(e) Books, notes, charts, or other informational sources must not be used by the applicant during the examination.

(f) Accredited providers of an accredited examination shall develop a new examination for purposes of this rule and 329 IAC 12-7 at least once every three (3) years.

(g) All examinations developed by the provider of an accredited examination for the purpose of testing solid waste facility operators must not be shown or given to any person except for the following:

(1) The commissioner for approval under section 7 of this rule.

(2) The individual taking the examination during the time that the examination is administered.

(Solid Waste Management Board; 329 IAC 12-8-2; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1483; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-8-3 Examination requirements for Category I certification

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 3. (a) In order to qualify for accreditation as an accredited examination provider for Category I certification for operators of solid waste incinerators and waste to energy facilities, the written examination must meet the requirements of this section.

(b) The commissioner may approve an examination under the Category IV certification for a specific type of site. Except for operators certified or recertified in accordance with 329 IAC 12-7-3(f), site-specific examinations under Category IV for operators of solid waste incinerators and waste to energy facilities must address any Category I topics in subsection (c) that are applicable to the type of site for which the examination has been developed.

(c) A Category I certification examination shall adequately address the following topics:

(1) Purpose of training course.

(2) Terms and formulas to include the following:
- (A) Engineering units.
- (B) Heating value.
- (C) Emissions measurements.
- (D) Standard conditions.

(3) Incineration fundamentals to include the following:
- (A) Burning in air.
- (B) Compound weights.
- (C) Heat content of waste.
- (D) Incinerator calculations.
- (E) Alkali requirements.
- (F) Exhaust oxygen.
- (G) 3-Ts of combustion and combustion processes.
- (H) Complete combustion.
- (I) Combustion air.
- (J) Incinerator operating modes.
- (K) Incinerator capacity.
- (L) Fundamental incinerator design principles.

(4) Incinerators to include the following:
- (A) The incinerator system.
- (B) Types of incinerators.
- (C) Multiple chamber incinerators.
- (D) Controlled air incinerators.
- (E) Rotary kiln incinerators.
- (F) Other systems.

(5) Incinerator system components and accessories to include the following:
- (A) Incinerator combustion chambers.
- (B) Auxiliary fuel systems.
- (C) System air supply.
- (D) Waste handling.
- (E) Charging systems.
- (F) Stoking and agitating systems.
- (G) Ash or residue removal and handling systems.
- (H) Waste heat recovery system.
- (I) Exhaust or flue-gas handling systems.

(6) Incinerator emissions and air pollution control requirements to include the following:
- (A) Incinerator emissions.
- (B) Regulatory emission requirements and measurements.
- (C) Air pollution control (APC).
- (D) Ash and liquid discharge disposal.

(7) Controls, instrumentation, and monitoring to include the following:
- (A) Incinerator control systems.
- (B) Control features.
- (C) Sensors, set points, and controls.
- (D) Sensing elements.
- (E) Signal transmission.
- (F) Indication.
- (G) Control panels.
- (H) Logging operating data.
- (I) Regulatory monitoring requirements.

(8) Operation and performance to include the following:
(A) Incinerator operator parameters.
(B) Incinerator operations.
(C) Combustion chamber temperature controls.
(D) Waste heat boiler.
(E) Air pollution control system operation.
(F) Shutdown procedures.
(G) Incinerator system performance.
(H) Basic reasons for poor performance.
(I) Incinerator operators.
(J) Maintenance and repair.
(K) Finding and correcting problems.
(L) Regulatory requirements.
(9) Environmental safety and risks to include the following:
(A) Public perceptions.
(B) Stack emissions.
(C) Types of risk.
(D) Relationships and comparisons with other everyday risks.
(E) Other environmental issues and potential risks.
(10) Medical waste to include the following:
(A) Waste definitions.
(B) Waste quantities.
(C) Waste composition and characteristics.
(D) Waste treatment and disposal alternatives.
(11) Disease transmission to include the following:
(A) Occupational and environmental.
(B) Factors for disease transmission.
(C) Risk factors.
(D) Protecting against disease transmission.
(E) Labeling and packaging of biomedical waste.
(F) Internal infectious waste policies and procedures.
(12) Occupational and environmental safety to include the following:
(A) Occupational safety and health administration (OSHA).
(B) Incinerator workplace.
(C) Waste handling and exposure.
(13) Specific state requirements to include the following:
(A) Regulations and requirements.
(B) Interpretation of requirements.
(C) What must be done to comply with regulations.
(D) Local reference list of agencies to call and contact.
(E) Ash handling and disposal.

(Solid Waste Management Board; 329 IAC 12-8-3; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1484; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-8-4 Examination requirements for Category II certification

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 4. (a) In order to qualify for accreditation as an accredited examination provider for Category II certification for operators of municipal and nonmunicipal solid waste disposal facilities, the written examination must meet the requirements of this section.

(b) The commissioner may approve an examination under the Category IV certification for a specific type of site. For operators of municipal and nonmunicipal solid waste disposal facilities, the examination for operator certification under Category IV must address any Category II topics in subsection (c) that are applicable to the type of site for which the examination has been developed.

(c) A Category II certification shall adequately address the following topics:

(1) Purpose of training course.

(2) An overview of municipal and nonmunicipal solid waste disposal facilities in integrated municipal solid waste management to address the following:

(A) Generation of municipal solid wastes.

(B) Physical and chemical composition of solid wastes.

(C) Municipal solid waste management.

(3) Basics of site selection.

(4) Complying with design requirements to the following:

(A) Specifications.

(B) Types of plans.

(C) Plan reading.

(D) Municipal and nonmunicipal solid waste facility landfill methods.

(5) Waste acceptance and screening to include the following:

(A) Wastes prohibited by state and federal law and regulations.

(B) Commonly prohibited wastes.

(C) Wastes requiring special handling.

(D) Special wastes.

(E) Screening methods for prohibited wastes.

(F) Record keeping and notification requirements.

(G) Public information and education.

(6) Waste decomposition to include the following:

(A) Fate of wastes.

(B) Effects of decomposition.

(C) Subsidence and differential settlement.

(D) Landfill gas generation and migration.

(E) Leachate generation, migration, and control.

(7) Control processes for landfill gas and leachate to include the following:

(A) Landfill gas and leachate characteristics.

(B) Managing landfill gas.

(C) Protection of facilities built on landfills.

(D) Landfill gas recovery and use.

(E) Managing leachate.

(8) Operational techniques shall adequately address the following:

(A) Design and operational plans.

(B) Operational practices.

(C) Cover systems.

(D) Operation of a lined facility.

(E) Operational problems.

(F) Site operation to minimize environmental and health problems.

(9) Closure and long term care shall adequately address the following:

(A) Site closure.

(B) Closure considerations.

(C) Closure plan.

(D) Long term care and environmental monitoring.

(E) Landfill site end uses.

(F) Final cover design.
(G) Vegetation.
(H) Financing closure and postclosure care.

(Solid Waste Management Board; 329 IAC 12-8-4; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1485; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-8-5 Examination requirements for Category III certification

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 5. (a) In order to qualify for accreditation as an accredited examination provider for Category III certification for operators of restricted waste sites and construction/demolition sites, the written examination must meet the requirements of this section.

(b) The commissioner may approve an examination under the Category IV certification for a specific type of site. For operators of restricted waste sites and construction/demolition sites, the examination for operator certification under Category IV must address any Category III topics in subsection (c) that are applicable to the type of site for which the examination has been developed.

(c) A Category III certification shall adequately address the following topics:
(1) Purpose of training course.
(2) The role of restricted waste and construction/demolition sites in waste management to address the following:
(A) Types of restricted wastes.
(B) Generation of restricted wastes.
(C) Physical and chemical composition of restricted wastes.
(D) Overview of restricted waste management.
(3) Basics of site selection.
(4) Complying with design requirements to the following:
(A) Specifications.
(B) Types of plans.
(C) Plan reading.
(D) Landfill methods.
(5) Waste acceptance and screening to include the following:
(A) Wastes prohibited by state and federal law and regulations.
(B) Commonly prohibited wastes.
(C) Wastes requiring special handling.
(D) Screening methods for prohibited wastes.
(E) Record keeping and notification requirements.
(F) Public information and education.
(6) Waste decomposition to include the following:
(A) Subsidence and differential settlement.
(B) Leachate generation, migration, and control.
(7) Operational techniques shall adequately address the following:
(A) Design and operational plans.
(B) Operational practices.
(C) Cover systems.
(D) Operation of a lined facility.
(E) Operational problems.
(F) Site operation to minimize environmental and health problems.
(8) Closure and long term care shall adequately address the following:
(A) Site closure.
(B) Closure considerations.

(C) Closure plan.
(D) Long term care and environmental monitoring.
(E) Landfill site end uses.
(F) Final cover design.
(G) Vegetation.
(H) Financing closure and post-closure care.

(Solid Waste Management Board; 329 IAC 12-8-5; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1485; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-8-6 Accredited examination providers; qualifications for accreditation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 6. A person or postsecondary learning institution wishing to be approved as a provider of an examination for solid waste facility operator certification shall provide the following:

(1) Documentation that the examination meets or exceeds the applicable requirements of section 3, 4, or 5 of this rule.
(2) Verification of testing to the commissioner in accordance with 329 IAC 12-7-4.
(3) At least two (2) weeks in advance of the examination, notice to the commissioner of the location and time accredited examinations are to be conducted.
(4) Allow department representatives to attend and take the examination, for the purposes of auditing, evaluating, and monitoring, any examination without charge to the department. The department is not required to give advanced notice of such an audit.

(Solid Waste Management Board; 329 IAC 12-8-6; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1486; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-8-7 Accredited examination providers; application for accreditation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 7. (a) A provider of an examination seeking accreditation of an examination by the commissioner shall complete the following:

(1) Submit a completed application on forms prescribed by the commissioner.
(2) Provide the following information:
(A) The provider's name, full address, telephone number, and primary contact person.
(B) The type of examination.
(C) A copy of the examination and information on scoring.
(D) Detailed statement about the development of the examination.
(E) Schedule and plans for revisions of the examination.

(b) A letter of accreditation from the commissioner shall be issued to a provider that receives approval of an examination.
(c) A letter of accreditation from the commissioner shall be valid for three (3) years from the date it is issued.
(d) Examination providers shall not be approved to provide examinations unless they have a valid letter of accreditation from the commissioner.
(e) Within thirty (30) days of any change to an examination, a provider of an accredited examination shall submit a copy of the changed examination to the commissioner. *(Solid Waste Management Board; 329 IAC 12-8-7; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1486; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-8-8 Reaccreditation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 8. (a) An accredited examination provider seeking reaccreditation by the commissioner shall:

(1) have possessed a valid letter of accreditation from the commissioner within the previous six (6) months for providing accredited examinations for operators; and

(2) submit a completed application on forms prescribed by the commissioner and include updated information as required in section 7(a)(2) of this rule.

(b) Upon review, the commissioner shall make an initial determination as to the eligibility of the examination for reaccreditation. The commissioner shall issue a letter of reaccreditation to an accredited examination provider that fulfills the requirements of this rule.

(c) A letter of reaccreditation shall be valid for three (3) years from the date of issuance.

(d) Within thirty (30) days of a change, an accredited examination provider shall notify the commissioner in writing of a change in the examination or primary contact person. *(Solid Waste Management Board; 329 IAC 12-8-8; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1487; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-8-9 Representation of examination accreditation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 9. No person shall make a representation as providing an accredited examination for the purpose of accrediting an individual under 329 IAC 12-7 and this rule without being currently accredited by the commissioner under this rule. *(Solid Waste Management Board; 329 IAC 12-8-9; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1487; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-8-10 Accreditation revocation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 4-21.5; IC 13-15-10; IC 36-9-30

Sec. 10. (a) The commissioner may revoke the accreditation of an examination if the examination provider commits any of the following:

(1) Violates a requirement of this rule.

(2) Falsifies information on an application to provide accredited examinations for individuals taking the examination.

(3) Falsifies information on individuals taking the examination.

(4) Fails to meet a qualification specified in sections 2 through 5 of this rule.

(5) Fails to provide a quality examination based on documented complaints registered with the commissioner about an examination.

(6) Has a continual failure rate of more than twenty percent (20%) of the individuals taking the examination.

(b) The accreditation may be revoked following procedures under IC 4-21.5. *(Solid Waste Management Board; 329 IAC 12-8-10; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1487; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

Rule 9. Solid Waste Facility Operator Training Requirements

329 IAC 12-9-1 Applicability

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 1. This rule shall apply to a person or postsecondary learning institution that provides an accredited training course for the purpose of recertifying individuals under 329 IAC 12-7, 329 IAC 12-8, and this rule. *(Solid Waste Management Board; 329 IAC 12-9-1; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1487; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-9-2 Accredited training course requirements for recertification
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 2. (a) Training courses shall be classified as follows:
(1) Category I recertification training course for operators of solid waste incinerators and waste to energy facilities.
(2) Category II recertification training course for operators of municipal and nonmunicipal solid waste land disposal facilities.
(3) Category III recertification training course for operators of restricted waste sites and construction/demolition sites.
(4) Category IV recertification training course for a specific facility.
(b) The accredited training course must include, at a minimum, applicable topics relating to the appropriate category of solid waste facility operation as follows:
(1) An update on applicable Indiana legislation and regulations.
(2) Discussion of applicable department policy.
(3) Information on new or improved technologies.
(4) Information on changes to processes.
(5) Information on changes in management practices.
(c) The accredited training course must be at least four (4) hours in length. *(Solid Waste Management Board; 329 IAC 12-9-2; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1487; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-9-3 Accredited training course providers; qualifications for accreditation
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 3. A person or postsecondary learning institution wishing to be approved as a provider of an accredited training course shall do the following:
(1) Provide documentation that the training course or courses meet or exceed the applicable requirements of section 2 of this rule.
(2) Provide verification of training to the commissioner in accordance with 329 IAC 12-7-4.
(3) Allow department representatives to attend, for purposes of auditing, evaluating, and monitoring, any training course without charge to the department. The department is not required to give advanced notice of such an audit.
(4) At least two (2) weeks in advance of the first day of the course, provide notice to the commissioner of location and time of accredited training courses.
(Solid Waste Management Board; 329 IAC 12-9-3; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1488; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 12-9-4 Accredited training course providers; application for accreditation
Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 4. (a) A training course provider seeking accreditation of a training course by the commissioner shall complete the following:
(1) Submit a completed application on forms prescribed by the commissioner, including the following:
(A) The training course provider's name, full address, telephone number, and primary contact person.
(B) The name and category of the training course.
(2) Provide the following additional information:
(A) The course curriculum and course objectives.
(B) A letter from the training course provider that clearly indicates how the course meets the applicable requirements of section 2 of this rule, including the following information:
(i) Length of training in hours.
(ii) Amount and type of practical exercises.

(iii) Topics and objectives for the course.

(C) Provide a copy of all course materials, such as the following:

(i) Student manuals.

(ii) Instructor notebooks.

(iii) Handouts.

(D) Provide the names and qualifications of all potential course instructors, including academic credentials and field experience in solid waste management.

(b) A letter of accreditation shall be issued to a training course provider that receives accreditation from the commissioner.

(c) A letter of accreditation from the commissioner shall be valid for three (3) years from the date it is issued.

(d) Training course providers shall not be approved to provide accredited training courses for recertification unless they have a valid letter of accreditation from the commissioner.

(e) The use of subcontractors to conduct accredited training courses must be approved by the commissioner before such courses are provided.

(f) No later than thirty (30) days after a change, an accredited training course provider shall notify the commissioner in writing of a change in the course curriculum, instructional staff, or primary contact person. *(Solid Waste Management Board; 329 IAC 12-9-4; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1488; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-9-5 Reaccreditation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 5. (a) A training course provider seeking reaccreditation of an accredited training course by the commissioner shall:

(1) have possessed a valid letter of accreditation from the commissioner within the previous six (6) months for providing accredited training courses for operators; and

(2) submit a completed application on forms prescribed by the commissioner and include updated information as required in section 4(a)(2) of this rule.

(b) Upon review, the commissioner shall make a determination as to the eligibility of the training course for reaccreditation. The commissioner shall issue a letter of reaccreditation to a training course provider that fulfills the requirements of this rule.

(c) A letter of reaccreditation shall be valid for three (3) years from the date of issuance.

(d) No later than thirty (30) days after a change, an accredited training course provider reaccredited under this section shall notify the commissioner in writing of a change in the course curriculum, instructional staff, or primary contact person. *(Solid Waste Management Board; 329 IAC 12-9-5; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1488; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-9-6 Representation of training course accreditation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 6. No person shall make a representation as conducting an accredited training course for the purpose of accrediting an individual under 329 IAC 12-7 and this rule without being currently accredited by the commissioner under this rule. *(Solid Waste Management Board; 329 IAC 12-9-6; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1489; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

329 IAC 12-9-7 Accreditation revocation

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 4-21.5; IC 13-15-10; IC 36-9-30

Sec. 7. (a) The commissioner may revoke the accreditation of a training course if the training course provider commits any of the following:

(1) Violates a requirement of this rule.

(2) Falsifies information on an application under section 4 of this rule to provide accredited training courses for operators.
(3) Falsifies certified operator information.
(4) Fails to meet a qualification specified in sections 2 through 5 of this rule.
(5) Fails to provide a quality course based on an audit by department personnel.
(b) The accreditation may be revoked following procedures under IC 4-21.5. *(Solid Waste Management Board; 329 IAC 12-9-7; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1489; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

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