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## **Qualifications of Operators and Inspectors of Resources Recovery Facilities**

### **Sec. 22a-238-1. Qualifications of inspectors of resources recovery facilities**

#### **(a) Definitions.**

“Certificate” means certificate of competency issued by the Commissioner stating that the inspector has met the requirements of the certification program.

“Certified inspector” means the inspector appointed by any municipality where a resources recovery facility is located or any group of municipalities participating in a resources recovery facility whose qualifications are approved in accordance with this section.

“Resources recovery facility” means a facility utilizing processes aimed at reclaiming the material or energy values from municipal solid wastes.

#### **(b) Application.**

Any individual desiring to be certified shall file an application with the Commissioner with the consent of the chief executive officer of the municipality where a resources recovery facility is located or each of the chief executive officers of a group of municipalities participating in a resources recovery facility. Such applicant shall be an employee of one or more of said municipalities. The application shall be submitted on forms provided by the Commissioner and shall include but not be limited to the following:

(1) the name of the applicant and his or her address and phone number during normal business hours and in the event of an emergency;

(2) the experience, education and training of the applicant related to the duties of an inspector of resources recovery facilities;

(3) the signature of the applicant and the chief executive officer or chief executive officers appointing said applicant; and

(4) any additional information which the Commissioner deems necessary.

#### **(c) Qualifications of resources recovery facility inspectors.**

(1) Applicants shall meet the following education, training and practical experience:

(A) knowledge of methods and procedures of carrying out investigations on causes and control of air pollution;

(B) knowledge of methods and procedures of carrying out investigations on causes and control of water pollution;

(C) knowledge of proper hazardous materials and waste management practices;

(D) knowledge of proper solid waste disposal and management practices;

(E) skill in performing surveillance, inspection and investigation activities;

(F) ability to read and interpret statutes, regulations and policies concerning management of resources recovery facilities;

(G) ability to interpret written or statistical data;

(H) four years of experience in at least one of the following fields: air pollution control, water pollution control, hazardous waste management, solid waste management or any combinations thereof. College training in a related field may be substituted for experience on the basis of thirty semester hours equal to one year to a maximum of four years;

(2) The department shall evaluate an applicant's qualifications by one of the following methods:

(A) a written examination;

(B) an oral examination; or

(C) a review of the information contained on the application showing the applicant's experience and training.

If the department needs to clarify information provided on the application an interview shall be scheduled with the applicant. The Commissioner shall give at least thirty days prior notice of the date, time, place and, if applicable, the subject matter of the examination of interview.

(3) If an application has been denied, the applicant may require a hearing and such hearing shall be held if required. The hearing shall be conducted in accordance with Chapter 54 and Section 22a-3a-1 of the Regulations of Connecticut State Agencies.

**(d) Issuance and maintenance of certificate.**

(1) Upon satisfactory fulfillment by the applicant of the requirements of this subsection, the Commissioner shall issue to the applicant a certificate designating his or her competency. Evidence of such certification shall be available at the time of any surveillance, inspection or investigation of a resources recovery facility.

(2) All applicants shall be required to complete to the satisfaction of the Commissioner an initial training course and subsequent courses thereafter to maintain certification.

(3) Valid certificates shall be subject to renewal every five years from the date of issuance.

(4) The Commissioner shall give at least thirty days prior notice of the date, time, place and subject matter of the instruction.

**(e) Revocation of certificate.**

The Commissioner may revoke the certificate of an inspector when it is determined that the inspector obtained a certificate through fraud, deceit or the submission of inaccurate data on qualifications; has practiced fraud or deception in the performance of his or her duties; that reasonable care, judgement or the application of his or her knowledge or ability was not used in the performance of his or her duties; or that the inspector is incompetent or unable properly to perform his or her duties or has not successfully completed training courses as may be required by the Commissioner. The Commissioner shall give prior written notice of revocation to the certified inspector and the chief executive officer or officers employing said inspector setting forth the reasons for the proposed action. Within twenty days of receipt of notification the inspector may request a hearing, and such hearing shall be held if requested. The hearing shall be conducted in accordance with Chapter 54 of the General Statutes and section 22a-3a-1 of the Regulations of Connecticut State Agencies.

**(f) Termination.**

The appointing authority may relinquish certification of a certified inspector by written notice to the Commissioner. Such termination shall take place immediately.

(Effective March 23, 1988)