

(15) Operator training. The owner or operator of a landfill, or other solid waste management facility required by this chapter to have trained operators or spotters, shall not employ a person to perform, nor may any person perform, the duties of an operator or spotter at such facility unless that person is a trained operator or trained spotter, or an interim operator or interim spotter.

(a) Owners and operators of facilities shall ensure that operators employed at the facility are properly trained to operate the facility, and that spotters are properly trained to identify and properly manage any hazardous or prohibited materials which are received at the facility. A training plan shall be included as part of the permit application. The training plan shall either include a list and schedule of those classes offered to the public which will be attended by the facility's operators and spotters, or shall include a description of the facility's in-house training program. All training courses, whether public or in-house, must be approved by the Department in accordance with Section 403.716, F.S. Any in-house operator training program which includes an examination required by this subsection must be administered by an independent third party. Any other in-house operator training program must be administered by a trained operator. Any in-house spotter training program must be administered by a trained operator or a trained spotter. The training plan, along with records documenting how the training plan is being implemented, shall be kept at the facility at all times and be made available for inspection by Department staff. The Department will maintain a list of relevant training courses which are available in this State.

(b) In order to be considered trained, operators of the following facilities shall complete the following training requirements at courses described in the facility's operating plan:

1. Operators of Class I, II, or III landfills, and operators of construction and demolition debris disposal facilities, shall complete 24 hours of initial training, and shall pass an examination as part of that training. Within three years after passing the examination, and every three years thereafter, operators shall complete an additional 16 hours of continued training.

2. Operators of waste processing facilities shall complete 16 hours of initial training, and shall pass an examination as part of that training. Within three years after passing the examination, and every three years thereafter, operators shall complete an additional 8 hours of continued training.

(c) In order to be considered trained, spotters shall complete 8 hours of initial training at courses described in the facility's operating plan. Within three years after attending the initial training, and every three years thereafter, spotters shall complete an additional 4 hours of continued training.

(d) Training requirements for operators and spotters at landfills and construction and demolition debris disposal facilities shall be effective on May 27, 2001. Training requirements for operators and spotters at waste processing facilities, and training requirements for spotters at land clearing debris disposal facilities, shall be effective July 1, 2001.

(e) Operators and spotters who received initial training prior to May 27, 2001, will still be considered trained. Such persons shall complete the continued training requirements that were in effect prior to May 27, 2001, after which they shall comply with the continued training requirements of this subsection. Facilities operating on May 27, 2001, shall modify their training plans to comply with this subsection by the time any operators or spotters employed by the facility are required to meet these requirements.

(f) Notwithstanding the definition in Rule 62-701.200, F.A.C., and solely for purposes of this subsection, “operator” means any person, including the owner, who is principally engaged in, and is in charge of, the actual operation, supervision, and maintenance of a solid waste management facility and includes the on-site person in charge of a shift or period of operation during any part of the day, such as facility managers, supervisors and equipment operators. It does not include office personnel, laborers, equipment operators not in a supervisory capacity, transporters, corporate directors, elected officials, or other persons in managerial roles unless such persons are directly involved in on-site supervision or operation of a solid waste management facility. A trained operator may perform the duties of a trained spotter.

(g) For purposes of this subsection, “interim operator” means a person who has, in the opinion of the facility manager, shown competency in his chosen occupation through a combination of work experience, education and training and who has at least one year of experience at that facility or a similar facility. An interim operator may perform the duties of an operator, but only under the supervision of a trained operator.

(h) For purposes of this subsection, “spotter” means a person employed at a solid waste management facility whose job it is to inspect incoming waste and to identify and properly manage any hazardous or prohibited materials which are received at the facility. Spotters shall be stationed where they can thoroughly inspect each shipment of waste for prohibited materials. Placement of spotters shall be specified in the facility’s operation plan.

(i) For purposes of this subsection, “interim spotter” means a person who has, in the opinion of the facility manager, shown competency in his chosen occupation through a combination of work experience, education and training. An interim spotter may perform the duties of a spotter, but only under the supervision of a trained operator or trained spotter.