



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Regional Directors;
Regional Air Compliance Managers;
Central Office Air Managers;

CC: Jeffrey Steers, Deputy Director of Central Office Operations

FROM: Michael Dowd, Director, Air Division *MD*

SUBJECT: ACG-004:
Guidance for Existing Sewage Sludge Incineration (SSI) Operator Training and Qualification Pursuant to 9VAC5-40 Article 55 and 40 CFR 60 Subpart Mmmm

DATE: May 23, 2016

Purpose

The Virginia Department of Environmental Quality (DEQ) is providing this guidance to ensure existing sewage sludge incineration (SSI) unit operators obtain the minimum training and qualification in accordance with Subpart Mmmm of 40 CFR Part 60 as adopted by Article 55 of 9VAC5 Chapter 40.¹

This guidance supersedes the memorandum dated March 1, 2016 entitled "ACG-004: Guidance for Approval of Existing Sewage Sludge Incineration (SSI) Operator Training Pursuant to 9VAC5-40 Article 55 and 40 CFR 60 Subpart Mmmm."

Applicability

This guidance is applicable when reviewing training and qualification records for SSI facilities subject to 40 CFR 60 Subpart Mmmm as adopted by Article 55. This guidance does not address training required by other regulations.

Background

On August 15, 2012, the State Air Pollution Control Board (SAPCB) adopted into Article 55 of 9VAC5 Chapter 40 the emission guidelines requirements of Subpart Mmmm of 40 CFR Part 60

¹ <http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=00d09632638eff6ee3ab6bd163eb6c4d&mc=true&n=pt40.7.60&r=PART&ty=HTML#sp40.7.60.mmmm>
<http://www.deq.virginia.gov/Portals/0/DEQ/Air/Regulations/455.pdf>

(Subpart MMMM), which include training and qualification for SSI unit operators. Specifically, 9VAC5-40-8270 incorporates by reference 40 CFR 60.5130, which states “A SSI unit cannot be operated unless a fully trained and qualified SSI unit operator is accessible...” and that “Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in paragraph (c) of this section.”²

As promulgated, this requirement provides the option of completing training via a state-approved program, or, another program meeting all the requirements of “paragraph (c).” However, 40 CFR 60.5130 (c)(2) requires the following:

“An examination designed and administered by the state-approved program.”

This language within “paragraph (c)” could be interpreted to remove the option and require training only via a state-approved program, which Virginia does not have.

However, EPA’s SSI federal implementation plan (FIP)³ 40 CFR 62.15920(c)(2) requires the following:

“An examination designed and administered by the state-approved program or instructor administering the subjects in paragraph (c)(1) of this section.”

In addition, the preamble to the SSI FIP (40 CFR 62 Subpart LLL) provides the following:

“Section 62.15920(b) of 40 CFR Part 62 clearly states that there are two options for complying with the operator training requirements. The first option is to obtain training and qualification through a state-approved program. The second option is to obtain training and qualification through completing an incinerator operator training course that includes at a minimum the topics listed in 40 CFR 62.15920(c). The rule further requires operators to complete an examination designed and administered by the state-approved program or an instructor administering the training topics listed in the rule.”

Therefore, because EPA did not intend to require training only via a state approved program, DEQ will interpret 40 CFR 60.5130(c)(2) to be equivalent to 40 CFR 62.15920(c)(2), allowing SSI Operators to complete training via a state-approved program, or, by completing all the requirements of “paragraph (c).”

Implementation

SSI operator training and qualification shall at a minimum meet the requirements of 40 CFR 60.5130(c)(1)-(3) as clarified in this guidance. Because Virginia has no state approved program, DEQ is only providing examples of suggested documentation that trainers can use for SSI Operators. These include the following:

- SSI Operator Training and Qualification Checklist
- SSI Operator Training and Qualification Certificate
- SSI Operator Training and Qualification Examination Cover Page

Questions or comments concerning this guidance should be directed to DEQ’s Office of Air Compliance Coordination.

² http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=00d09632638eff6ee3ab6bd163eb6c4d&mc=true&n=pt40.7.60&r=PART&ty=HTML#se40.7.60_15130

³ <http://www3.epa.gov/ttn/atw/129/ssi/SSI%20final%20Federal%20Plan.pdf>

DEQ ACG-004 - Attachment 1

Example Subpart MMMM SSI Operator Training and Qualification Checklist

- Course Agenda**
 - Course location, date(s), and starting/ending times
 - Objective
 - Names of trainer(s) and professional background
 - Topics (including start/ending times)
 - Case studies
 - Name and location of any site visits, including travel time

- Course Requirements**
 - Course outline with the appropriate regulatory citations and where each topic may be found (e.g., Inspection and maintenance of the incinerator and air pollution control devices per 40 CFR 60.5130(c)(1)(vi) can be found on Page 6)
 - Course description including the following:
 - Each topic and the time dedicated to training for each topic
 - Aspects unique to the facility and addressed in detail (e.g., energy recovery from incinerator or known variations in waste stream)
 - Any case studies
 - Course content including the requirements of 40 CFR 60.5130(c)(1)–(c)(3) at minimum

- Course Examination and Certification**
 - Process for confirming identification of operators receiving certification
 - Process for confirming that operators receiving certification attended the entire course
 - Process for delivering, proctoring, and reviewing the examination
 - Location of examination and name of proctor
 - Proposed examination
 - Proposed examination cover page documenting SSI Operator experience
 - Criteria for passing/certification administered by the trainer (i.e., 70% correct out of a minimum of 25 total questions)
 - Process for issuance of certification by trainer to SSI Operators to be certified
 - Details on what is provided to certified SSI Operators (should include at least the following):
 - Copies of the presentations and reference materials
 - A copy of the completed exam with cover page documenting SSI Operator experience
 - A certificate providing the name of the operator, the date of completion, stating the operator completed "Sewage Sludge Incineration (SSI) Operator Training to meet the provisions of 40 CFR 60.5130(c)"

DEQ ACG-004 - Attachment 2

Example Subpart Mmmm SSI Operator Training and Qualification Certificate

Certificates documenting training completion should include the following information:

**CERTIFICATE of
TRAINING and QUALIFICATION**

This document certifies

[OPERATOR NAME]

has completed the following:

Sewage Sludge Incinerator (SSI) Operator Training
to meet the provisions of 40 CFR 60.5130(c)

On MONTH DD, YYYY

DEQ ACG-004 - Attachment 3

Example Subpart Mmmm SSI Operator Training and Qualification Examination Cover Page

SSI Operator Training Certification and Qualification Examination

This exam is administered upon completion of a Sewage Sludge Incinerator operator training course in accordance with Subpart Mmmm of 40 CFR 60.5130(c)

Employee: _____ Date _____

Operator License ID No.: _____

Certification

This training is intended for Experienced SSI Operators and Supervisors with more than three years of experience directly overseeing experienced SSI Operators. Experienced SSI Operators have received in-house and on-the-job training and have demonstrated the following abilities for a minimum of one year:

- Operate the SSI in compliance with regulations and the facility's existing air permit
- Maintain the integrity of the process and its equipment
- Achieve the purpose of the SSI - pathogen destruction and solids reduction

Non-experienced SSI Operators may take this course but will not be certified as a fully qualified SSI Operator until the minimum experience has been accomplished.

SSI Operator Signature: _____

EXAM RESULTS:

NUMBER OF EXAM QUESTIONS: _____

NUMBER OF CORRECT ANSWERS: _____

SCORE (%): _____

(PASSING SCORE IS 70% OR GREATER)

SSI Operator Course Trainer Signature: _____