

COMMONWEALTH OF VIRGINIA
Department of Environmental Quality

Subject: Division of Land Protection and Revitalization Guidance Memo LPR-SW-01-2011A
**OPERATIONS MANUAL REQUIREMENTS FOR SOLID WASTE
MANAGEMENT FACILITIES**

To: Regional Land Protection Program Managers

From: Jeffery Steers 
Director, Division of Land Protection and Revitalization

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Copies: Regional Directors, Deputy Regional Directors

Summary:

This guidance explains Operations Manual requirements contained in Virginia Solid Waste Management Regulations ([9VAC20-81-10 et al](#)), and replaces LPR Guidance Memo No. 01-2011, dated March 28, 2011.

Electronic Copy:

An electronic copy of this guidance is available on DEQ's website at <http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/LawsRegulationsGuidance/Guidance.aspx>

Contact Information:

Please email Linda.Richardson@deq.virginia.gov or call (804) 698-4318 with any questions regarding the application of this guidance.

Disclaimer:

This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate any particular method nor does it prohibit any alternative method. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.

I. Introduction

[Virginia Solid Waste Management Regulations](#) (VSWMR) require that **all facilities** (full solid waste permit and permit-by-rule) prepare and maintain in their operating record an operations manual in accordance with [9VAC20-81-485](#). The regulations stipulate certain plans that comprise the operations manual, and require review and certification of the manual annually.

The following are topics discussed in Section V of this guidance document:

- Contents of operations manual required by regulation
- Revision of existing operations manuals
- Operational details that continue to be part of the permit (Design Report)
- Compliance with operations manuals
- Responsible official certification

Other potential topics that are not presented in this guidance document will be evaluated on a case-by-case basis by the DEQ.

II. Background

Amendment 7 to the [VSWMR](#), which became effective March 16, 2011, included provisions that removed the operations manual from the facility's [Part B](#) application and permit. These provisions allow facilities to update or change their operations manual as needed, without a permit modification. This change was intended to facilitate the use of the operations manual as a working document that can be utilized for training and a "how to" guide for operational staff.

III. Authority

§ 10.1-1402 of the Virginia Waste Management Act, Chapter 14 (§ 10.1-1400 *et seq.*) of Title 10.1 of the Code of Virginia, authorizes the Virginia Waste Management Board to promulgate regulations necessary to carry out its powers and duties and the intent of the Act, to supervise and control waste management activities in the Commonwealth, and to protect human health and the environment.

IV. Definitions

The definitions in § [10.1-1400](#) of the Code of Virginia and [9VAC20-81-10](#) of the VSWMR apply to this guidance document.

V. Guidance

The intent of this guidance is to summarize permittee responsibilities pertaining to a facility's operations manual as required under [VSWMR, 9VAC20-81-10 et seq.](#)

V.1. Content of operations manual required by regulation

All solid waste disposal facilities and other solid waste management facilities are required to prepare and maintain an operations manual in their operating record consistent with current operations and regulatory requirements ([9VAC20-81-485](#)). The operations manual must contain at least the following plans:

- Operations plan
- Inspection plan
- Health and safety plan
- Unauthorized waste control plan
- Emergency contingency plan
- Landscaping plan (solid waste disposal facilities only)

V.2. Revision of existing operations manuals

All facilities are allowed by regulation to revise their operations manual as needed. When the facility revises its operations manual, the revised manual must be certified by the Responsible Official, and that certification placed in the operating record with the operations manual. See Section V.5. for more details regarding certification. Operations manual certifications will be reviewed by the DEQ during compliance inspections.

V.3. Operational details that continue to be part of the permit (Design Report)

Certain operational information submitted with [Part B applications](#) are permit conditions and may only be revised by a permit modification, specifically:

- Hours of operation (*See DEQ Form SW PTB*)
- Daily disposal limit (*See DEQ Form SW PTB and [Guidance Memo 02-2008 Landfill Waste Disposal Limits](#)*)
- Wastes to be accepted (*See DEQ Form SW PTB*).
- Traffic routing (*See [Submission Instruction 02](#)*)
- Refuse-cover balance computations (*See [Submission Instruction 02](#)*)
- Stockpile sizing estimates (*See [Submission Instruction 02](#)*)

In addition to the required information submitted in the Design Report, in accordance with [9VAC20-81-430](#), the director may include additional permit conditions necessary to protect public health or the environment or to ensure compliance with 9VAC20-81. If contradictions arise between the facility's operations manual and conditions contained in the permit, the permit conditions shall prevail.

V.4. Compliance with operations manuals

In accordance with 9VAC20-81-485, the operations manual must reflect current operations at the permitted facility. During inspections, the DEQ may review the operations manual and current operations to ensure consistency. If the operations manual contradicts the regulatory standards, the regulatory standards shall prevail unless a variance has been granted.

V.5. Responsible Official certification

Section [9VAC20-81-485](#) of the VSWMR requires the responsible official for each facility certify the operations manual meets the requirements of 9VAC20-81 and reflects current operations. This certification is required on an annual basis (**at least once every 12 months**), or whenever the operations manual is revised.

The suggested text for the responsible official certification is provided below:

“I certify that this document and all attachments were prepared under my direction or supervision in accordance with 9VAC20-81-485 and certify the standards of the Virginia Solid Waste Management Regulations 9VAC20-81 are met.”

Responsible Official: Print name, Title

Signature: Signature and Date

“Responsible Official” is defined in the regulation, [9VAC20-81-10](#).