

Regulated under Part 111, Hazardous Waste Management, Michigan Compiled Laws (MCL) 324.11101 ~~et seq.~~ (Part 111) of Michigan's Natural Resources and Environmental Protection Act; 1994 PA 451, as amended and Subtitle C of the Resource Conservation and Recovery Act of 1976, as amended (RCRA) and any administrative rules or regulations promulgated pursuant to these acts.

Rule 306(1)(d) promulgated under the Natural Resources and Environmental Protection Act **1994 PA 451**, Chapter 3: Waste Management, Part **111** Hazardous Waste Management, requires facilities that generate over 1000 kilograms (2200 lbs.) of hazardous waste or **1** kilogram (2.2 lbs.) of acutely or severely toxic hazardous waste, in a calendar month, to conduct and document personnel training.

General Comments

1. Training under the Federal Communication Standards (right-to-know) will not suffice for hazardous waste training. The purpose, content, authority, frequency, required attendance and recordkeeping requirements are different. However, portions of your developed program can be incorporated into the hazardous waste training.
2. All personnel are not required to be trained, and for this reason prior identification of key personnel is essential. Training is required for all personnel who are involved with hazardous waste management, such as personnel at the areas of generation, their supervisors, hi-low drivers who move the hazardous waste, shipping dock employees, emergency coordinators, waste handlers, operator of distillation unit, etc.
3. Keep in mind there is a distinction between hazardous waste and hazardous materials. This training is required for the management of hazardous waste.
4. It is important to understand the purpose, content requirements, timing and frequency of training, scope and documentation requirements to be able to develop and implement this training.

Requirements

1. **When must personnel be trained?**
Personnel must receive initial training within six months after the date of their employment or assignment to a job that is related to the management of hazardous waste. After the initial training facility personnel must be trained annually. Remember, if you add a shift the additional staff will require training.

Requirements continued

2. **Where and what topics are required?**

The training can either be classroom instruction or on-the-job training that teaches personnel how to respond effectively to emergencies. This is accomplished by familiarizing them with emergency procedures, emergency equipment, emergency systems (such as: communication or alarm systems, response to fires or explosions, shutdown of operations, response to unplanned sudden or non-sudden releases of hazardous waste or hazardous waste constituents to air, soil or surface water) and management procedures (including contingency plan implementation) relevant to the positions in which they are employed.

3. **Who can conduct the training?**

The program must be directed by a person trained in hazardous waste management procedures.

4. **Who must be trained?**

Identifying who must receive training can be accomplished in a number of ways, such as determining which activities are needed to keep the facility in compliance, whose actions or failure to act will result in violations, or by following the hazardous waste from point of generation to removal off-site and determine whose job is in any way related to the generation, handling or management. This includes employees on any shift.

5. **What documents are required?**

When training is conducted it must be documented and the documentation must be kept at the facility. Documentation must include the job title, job description and names of employee(s) for each position at the facility related to the management of hazardous waste. The documentation also must include a written description of the types and amount of both the introductory and continuing training that will be given to each person filling a position as described above. The following further breaks down the documentation with explanations and examples:

The job title and employee name should not be a sign-up list identifying who attended training. Rather, this is a list against which attendance records can be compared to ensure that all identified staff have received training. If you also indicate when the employee first started in this job, a determination if they received their training before the six month deadline will be simple.

The preamble to the regulation discussed that the "only interest in the job descriptions of facility personnel is to enable the Agency" (inspector) "to determine if each person is receiving a level of training that is commensurate with the person's duties and responsibilities."

The description of the type and amount of training must be specific and detailed enough to allow the inspector to evaluate the content of the training program for adequacy.

The actual training records are necessary to document who was trained. This is where the development of sign-in sheets is needed. For cross reference it is easier if you start with a typed listing of the employees name, job title and shift, with a space for a signature and date.

Approach to Training

As previously stated, the regulations allow for training to consist of formal classroom training or on-the-job training (or a combination). The format is not strictly prescribed. This allows some flexibility in selecting the training methods that best fit your needs. As stated in the preamble, it is

expected, however, that "the content, schedule, and techniques to be used in the on-the-job training program must be described in the training records maintained at the facility . . ." and ". . . given the variability in waste types, management processes, and employee functions at hazardous waste facilities, the Agency believes that it is neither necessary nor desirable to rigidly specify training courses in regulations. . . ." Thus, you can tailor your training specifically to those hazardous waste procedures relevant to your facility and staff organization. It is standardized only to the extent that it must meet the requirements of the regulation as to intent and minimum content, and must be documented in the required format.

265.16 Personnel Training

40 CFR Ch. I (7-1-93 Edition)

(a) (1) Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this part. The owner or operator must insure that this program includes all the elements described in the document required under paragraph (d)(3) of this section.

(2) This program must be directed by a person trained in hazardous waste management procedures, and must include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed.

(3) At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including where applicable:

- (i) Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;
- (ii) Key parameters for automatic waste feed cut-off systems;
- (iii) Communications or alarm systems;
- (iv) Response to fires or explosions;
- (v) Response to ground-water contamination incidents; and
- (vi) Shutdown of operations.

(b) Facility personnel must successfully complete the program required in paragraph (a) of this section within six months after the effective date of these regulations or six months after the date of their employment or assignment to a facility, or to a new position at a facility, whichever is later. Employees hired after the effective date of these regulations must not work in unsupervised positions until they have completed the training requirements of paragraph (a) of this section.

(c) Facility personnel must take part in an annual review of the initial training required in paragraph (a) of this section.

(d) The owner or operator must maintain the following documents and records at the facility:

- (1) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job;
- (2) A written job description for each position listed under paragraph (d)(1) of this Section. This description may be consistent in its degrees of specificity with descriptions for other similar positions in the same company location or box-gaining unit, but must include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position;
- (3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (d)(1) of this section;
- (4) Records that document that the training or job experience required under paragraph (a), (b), and (c) of this section has been given to, and completed by, facility personnel.

(e) Training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for a least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.