ENVIRONMENT AND HERITAGE SERVICE

Waste Management and Contaminated Land

TECHNICAL COMPETENCE FOR OPERATORS OF AUTHORISED WASTE FACILITIES

December 2003

1. Background

1.1 Purpose and Scope

1.1.1 This document provides detailed guidance on the provision of Technically Competent Management for licensed or permitted waste management activities. The guidance is intended for use by EHS staff, operators of licensed or permitted activities and applicants for licences or permits.

1.1.2 Technically Competent Management is a requirement of the Waste Management Licensing regime created under Part II of The Waste and Contaminated Land (Northern Ireland) Order 1997 and The Pollution Prevention and Control Regulations (Northern Ireland) 2003 (in relation to 'specified waste management activities'). This guidance is applicable under both regimes.

1.1.3 The Landfill Regulations (Northern Ireland) 2003 introduce a further test of operator competence relating to the provision of 'adequate professional technical development and training', but that test is outside the scope of this document.

1.2 The Origins of Technically Competent Management

1.2.1 Article 3 of The Waste and Contaminated Land (Northern Ireland) Order 1997 requires that the Department of the Environment (the Department) determine whether or not a person is a fit and proper person to hold a waste management licence. As part of this determination the Department must establish that the management of the activities which are to be authorised by the licence will be in the hands of a technically competent person. Article 3(5) provides that the Department may by Regulation, prescribe the qualifications and experience required of a person for this purpose.

1.2.2 Regulations 3 to 5 of The Waste Management Licensing Regulations (Northern Ireland) 2003 (WML Regulations) prescribe the necessary qualifications and experience. Regulation 3 and Schedule 1 state that a person is technically competent if, in relation to a facility of a type listed in Schedule 1 (Table 1), he holds a relevant Certificate of Technical Competence (CoTC) awarded by the Waste Management Industry Training and Advisory Board (WAMITAB).

These requirements apply as much to managers of local authority landfills, civic amenity sites and other facilities as they do to facilities operated by the private sector.

1.2.3 Technical enquiries relating to a specific application or licence should be addressed to: Gary Tate
Environment and Heritage Service
Waste Management and Contaminated Land Unit
Commonwealth House
35 Castle Street
Belfast
BT1 1GU
Tel: 028 90546477

Enquiries relating to the award scheme or CoTC's should be addressed to :
WAMITAB
Peterbridge House
3 The Lakes
Northampton
NN4 7HE
Tel: 01604 231950

1.3 Application of Technically Competent Management under The Waste Management Licensing Regulations (Northern Ireland) 2003.

1.3.1 Regulation 3 of the WML Regulations prescribes that a person is technically competent if he is the holder of the relevant CoTC awarded by WAMITAB. The effect of this provision is that gaining the relevant WAMITAB certificate is the only long-term way to demonstrate technical competence in relation to any of the types of facility listed in that Regulation.

Proof of Technical Competence

1.3.2 Proof of technical competence will be required by the Department in respect of each person in whom the management of a site may be vested. There will be two ways of providing this proof, depending on the type of site involved.

(i) For sites covered by the WAMITAB/NCVQ system, i.e. those listed in Schedule 1 (Table 1) to the WML Regulations, the Department need only confirm the appropriate qualification by production of the relevant WAMITAB certificate by the operator.

(ii) For sites not covered by the above system, the Department needs to make its own assessment of technical competence, based primarily on the nature of the waste facility and the type and level of experience in waste management of the person or persons operating it.

1.3.3 WAMITAB certificates are assessed at the workplace in relation to the actual work of managing the relevant type of facility. To gain a certificate, a candidate must demonstrate a wide range of management competencies and technical knowledge.

Transitional Provisions

1.3.4 Such a certificate is not normally gained in a short period of time and when the WML Regulations come into operation there is likely to be a significant number of existing managers of waste management facilities who need to be able to demonstrate technical competence. Regulation 4 therefore makes provision for transitional periods during which the requirement to hold an appropriate CoTC will not apply.

1.3.5 In general, at the operative date of the Regulations, existing managers will be treated as technically competent for a period fixed in the Regulations, provided they have been registered with WAMITAB as an applicant for a CoTC for the type of facility they are managing. This provision is intended to provide sufficient time to acquire the CoTC.

1.3.6 Another provision allows that from a date fixed by the Regulations, a person aged 55 or over, with at least 5 years experience in the previous 10 years of managing a particular type of facility, will be treated as technically competent for a further 10-year period.

1.3.7 The relevant dates from which the above provisions apply and the periods for which they last are specified in the WML Regulations. Further clarification of how they might apply to individual managers can be obtained from the Environment and Heritage Service.

1.4 Application of Technically Competent Management under The Pollution Prevention and Control Regulations (Northern Ireland) 2003

1.4.1 The Pollution Prevention and Control Regulations (Northern Ireland) 2003 require that if any specified waste management activity is, or is to be authorised at an PPC installation, the Department must not grant or transfer a permit unless the operator is a fit and proper person in relation to that activity. The transitional provisions outlined in paragraphs 1.3.4 to 1.3.7 do not apply.

1.4.2 Specified waste management activities are defined in Regulation 2 of the PPC Regulations as:-

Any one of the following activities-

- the disposal of waste in a landfill, whether or not the disposal falls within Section 5.2 of Part 1 of Schedule 1;
- the disposal of waste falling within Section 5.3 of that part of that Schedule;
- the recovery of waste falling within Paragraphs (i), (ii), (v) or (vii) of Paragraph (c) of Part A of Section 5.4 of that part of that Schedule.

1.4.3 The test for technical competence in respect of Fit and Proper Person (FAPP) is set out in Regulation 4 (5)b as follows:

"the qualifications and experience required of a person for the purposes of Article 3(3)(b) of that Order (ie. The Waste and Contaminated Land (Northern Ireland) Order 1997) which are prescribed under Article 3(5) of that Order shall be treated as the qualifications and experience required of a person for the purposes of paragraph (3)(b)"

2. The System of WAMITAB Awards

2.1 Certificate of Technical Competence

2.1.1 Schedule 1 of The Waste Management Licensing Regulations (Northern Ireland) 2003 provides guidance on the appropriate CoTC required for each type of facility where activities are authorised by a waste management licence. For those facilities excluded from Schedule 1, EHS will carry out an assessment of a manager's competence.

2.1.2 As regulatory requirements and operational practices have changed in recent years, the range and content of CoTC's have been amended accordingly. Some CoTC's are no longer awarded, having been superceded by a more appropriate one. In some instances, holders of older awards may need to upgrade their certificate to be considered technically competent under the new licensing regime. For example, waste types have been classified as hazardous, non-hazardous and inert to match definitions in other legislation e.g. Landfill Regulations. It is likely that many waste types formerly classified as inert will now be defined as non-hazardous and holders of existing Inert Level 3 awards may be required to obtain an appropriate non-hazardous award. The transitional provisions set out in Regulation 5 will apply in such circumstances. Further guidance on the validity of existing CoTC's is detailed in Section 2.3 of this document.

2.1.3 The Special Waste Regulations (Northern Ireland) 1998 are due to be replaced by Hazardous Waste Regulations and until this occurs, for the purposes of technical competence, hazardous waste should be read as special waste.

2.2 New Awards

2.2.1 Tables 2.2a and Table 2.2b below list the entire set of the awards and certificates available from 1st April 2003 in relation to the facility type and the specific activities authorised at the facility.

Table 2.2a Facilities

Number	Type of Facility	Certificate Code
1	Landfill site for hazardous waste	G
2	Landfill site for hazardous waste - single waste stream	G or H
3	Landfill site for non-hazardous waste	G or I
4	Landfill site for non-hazardous waste - single waste stream	G,H,I or J
5	Landfill site for inert waste with a total capacity of greater than 50,000 cubic metres	G,I or K
6	Landfill site for inert waste with a total capacity of greater than 50,000 cubic metres - single waste stream	G,H,I,J,K or L
7	Closed landfill site for hazardous waste	G or M
8	Closed landfill site for hazardous waste - single waste stream	G,H or M
9	Closed landfill site for non-hazardous waste	G,I or M
10	Closed landfill site for non-hazardous waste – single waste stream	G,H,I,J or M
11	Closed landfill site for inert waste with a total capacity of greater than 50,000 cubic metres	G,I,K or M
12	Closed landfill site for inert waste with a total capacity of greater than 50,000 cubic metres - single waste stream	G,H,I,J,K,L or M
13	Treatment plant where hazardous waste is subjected to a chemical or physical process	S
14	Treatment Plant where hazardous clinical waste is subjected to a physical or chemical process	S or Ss
15	Treatment plant where hazardous waste is subjected to a chemical or physical process for the treatment of contaminated land	S or T
16	Treatment plant where non-hazardous waste is subjected to a chemical or physical process	S or U
17	Treatment plant where non-hazardous waste is subjected to a composting process	S,U or W
18	Treatment plant where non-hazardous waste is subjected to a chemical or physical process for the treatment of contaminated land	S,T,U or V
19	Treatment plant where non-hazardous clinical waste is subjected to a chemical or physical process	S,Ss or X
20	Treatment plant where inert waste is subjected to a chemical or physical process	S,U or Y
21	Transfer station for hazardous waste where the capacity of the facility is greater than 5 cubic metres	II

22	Transfer station for hazardous clinical waste where the capacity of the facility is greater than 5 cubic metres	II or JJ
23	Transfer station for non-hazardous waste where the capacity of the facility is greater than 5 cubic metres	II or KK
24	Transfer station for non-hazardous clinical waste where the capacity of the facility is greater than 5 cubic metres	II,JJ or LL
25	Transfer station for inert waste where the capacity is greater than 50 cubic metres	II,KK or MM
26	Civic amenity site where the amount of waste accepted is 5000 tonnes per annum or less	II,KK or NN
27	Civic amenity site where the amount of waste accepted is greater than 5000 tonnes per annum	II or KK
28	Site where waste is burned in an incinerator designed to incinerate waste at a rate of more than 50 kilograms per hour but less than 1 tonne per hour	OO

Table 2.2b Certificates of Technical Competence

COTC Title	Certificate Code	WAMITAB Code
Level 4 in Waste Management Operations - Managing Landfill Hazardous Waste	G	4LH
Level 4 in Waste Management Operations - Managing Landfill Hazardous Waste (Single Waste Stream)	H	4LHSWS
Level 4 in Waste Management Operations - Managing Landfill Non-Hazardous Waste	I	4LNH
Level 4 in Waste Management Operations - Managing Landfill Non- Hazardous Waste (Single Waste Stream)	J	4LNHSWS
Level 3 in Waste Management Operations - Inert Waste (landfill)	K	3INL
Level 3 in Waste Management Operations -Inert Waste (Single Waste Stream)	L	3INLSWS
Level 3 in Waste Management Operations - Closed Landfill	M	3CL
Level 4 in Waste Management Operations - Managing Treatment Hazardous Waste	S	4TMH
Level 4 in Waste Management Operations - Managing Treatment Hazardous Waste (Clinical)	Ss	4TMHC
Level 4 in Waste Management Operations - Managing Treatment Hazardous Waste (Remediation of Contaminated Land)	T	4TMHCL
Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste	U	4TMNH
Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste (Remediation of Contaminated Land)	V	4TMNHCL
Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste (Composting)	W	4COMP

Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste (Clinical)	X	4TMNHC
Level 3 in Waste Management Operations - Inert Waste (Treatment)	Y	3INTM
Level 4 in Waste Management Operations: Managing Transfer Hazardous Waste	II	4TSH
Level 4 in Waste Management Operations: Managing Transfer Hazardous Waste (Clinical)	JJ	4TSHC
Level 4 in Waste Management Operations: Managing Transfer Non-Hazardous Waste	KK	4TSNH
Level 4 in Waste Management Operations: Managing Transfer Non-Hazardous Waste (Clinical)	LL	4TSNHC
Level 3 in Waste Management Operations: Inert Waste (Transfer)	MM	3INTS
Level 3 in Waste Management Operations: Civic Amenity Site	NN	3CAS
Level 4 in Waste Management Operations: Managing Incineration	OO	4INC

2.3 Validity of Awards

2.3.1 This section provides a quick reference to determine which WAMITAB awards (past and present) are currently a valid demonstration of technical competence at each type of waste facility.

2.3.2 This is illustrated, by means of Table 2.3 below which provides:

- the type of facility requiring a CoTC awarded by WAMITAB;
- the waste classification;
- the appropriate present award - valid from 1 April 2003;
- the equivalent valid award that ceased to be awarded on 31 March 2003;
- the equivalent valid award, if applicable, that ceased to be awarded on 9 October 1997.

The relationship between previous awards' waste classifications and the present classifications are shown in the table.

2.3.2 The text in the right hand column show the certificates that are still valid as follows:

Normal text – represents those certificates that are awarded from 1 April 2003;

Bold text – represents those certificates that ceased to be awarded from 31 March 2003;

Italic text – represents those certificates that ceased to be awarded on 9 October 1997.

The table illustrates where the previous awards are still valid. The credibility of the existing CoTC framework has been maintained for those that have already demonstrated competence. So, for example, a person holding the special waste landfill award will be qualified to manage a hazardous waste landfill, a non-hazardous waste landfill or an inert waste landfill.

The table also illustrates the hierarchy of awards for both present and previous awards. For example, a person holding a landfill CoTC for managing a hazardous waste landfill, will be qualified to manage a non-hazardous landfill and also an inert landfill.

Table 2.3 – Hierarchy of awards

Type of Facility	Certificate
Landfill site for hazardous waste	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level IV)
Landfill site for hazardous waste - single waste stream	Level 4 in Waste Management Operations - Managing Landfill Hazardous Waste (Single Waste Stream)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level IV)
Landfill site for non-hazardous waste	Waste Management Operations – Managing Landfill Non-Hazardous waste (Level 4)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Managing Landfill Operations: Biodegradable Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level IV)
	Managing Landfill Operations: Biodegradable Waste (Level IV)
Landfill site for non-hazardous waste - single waste stream	Level 4 in Waste Management Operations - Managing Landfill Non- Hazardous Waste (Single Waste Stream)
	Level 4 in Waste Management Operations - Managing Landfill Hazardous Waste (Single Waste Stream)

	Waste Management Operations – Managing Landfill Non-Hazardous waste (Level 4)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Managing Landfill Operations: Biodegradable Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level IV)
	Managing Landfill Operations: Biodegradable Waste (Level IV)
Landfill site for inert waste with a total capacity of greater than 50,000 cubic metres	Level 3 in Waste Management Operations - Inert Waste (landfill)
	Waste Management Operations – Managing Landfill Non-Hazardous waste (Level 4)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Landfill Operations: Inert Waste (Level 3)
	Managing Landfill Operations: Biodegradable Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Inert Waste (Level III)
	Managing Landfill Operations: Special Waste (Level IV)
	Managing Landfill Operations: Biodegradable Waste (Level IV)
Landfill site for inert waste with a total capacity of greater than 50,000 cubic metres - single waste stream	Level 3 in Waste Management Operations -Inert Waste (Single Waste Stream)
	Level 4 in Waste Management Operations - Managing Landfill Non- Hazardous Waste (Single Waste Stream)
	Level 4 in Waste Management Operations - Managing Landfill Hazardous Waste (Single Waste Stream)
	Waste Management Operations – Managing Landfill Non-Hazardous waste (Level 4)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Level 3 in Waste Management Operations - Inert Waste (landfill)
	Landfill Operations: Inert Waste (Level 3)
	Managing Landfill Operations: Biodegradable Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Inert Waste (Level III)
	Managing Landfill Operations: Special Waste (Level IV)
	Managing Landfill Operations: Biodegradable Waste (Level IV)

Closed landfill site for hazardous waste	Level 3 in Waste Management Operations - Closed Landfill
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level IV)
Closed landfill site for hazardous waste - single waste stream	Level 3 in Waste Management Operations - Closed Landfill
	Level 4 in Waste Management Operations - Managing Landfill Hazardous Waste (Single Waste Stream)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level IV)
Closed landfill site for non-hazardous waste	Level 3 in Waste Management Operations - Closed Landfill
	Waste Management Operations – Managing Landfill Non-Hazardous waste (Level 4)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Managing Landfill Operations: Biodegradable Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level IV)
	Managing Landfill Operations: Biodegradable Waste (Level IV)
Closed landfill site for non-hazardous waste - single waste stream	Level 3 in Waste Management Operations - Closed Landfill
	Level 4 in Waste Management Operations - Managing Landfill Non- Hazardous Waste (Single Waste Stream)
	Level 4 in Waste Management Operations - Managing Landfill Hazardous Waste (Single Waste Stream)
	Waste Management Operations – Managing Landfill Non-Hazardous waste (Level 4)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Managing Landfill Operations: Biodegradable Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level IV)
	Managing Landfill Operations: Biodegradable Waste (Level IV)
Closed landfill site for inert waste with a total capacity of greater than 50,000 cubic metres	Level 3 in Waste Management Operations - Closed Landfill

	Level 3 in Waste Management Operations - Inert Waste (landfill)
	Waste Management Operations – Managing Landfill Non-Hazardous waste (Level 4)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Landfill Operations: Inert Waste (Level 3)
	Managing Landfill Operations: Biodegradable Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Inert Waste (Level III)
	Managing Landfill Operations: Special Waste (Level IV)
	Managing Landfill Operations: Biodegradable Waste (Level IV)
Closed landfill site for inert waste with a total capacity of greater than 50,000 cubic metres - single waste stream	Level 3 in Waste Management Operations - Closed Landfill
	Level 3 in Waste Management Operations -Inert Waste (Single Waste Stream)
	Level 4 in Waste Management Operations - Managing Landfill Non- Hazardous Waste (Single Waste Stream)
	Level 4 in Waste Management Operations - Managing Landfill Hazardous Waste (Single Waste Stream)
	Level 3 in Waste Management Operations - Inert Waste (landfill)
	Waste Management Operations – Managing Landfill Non-Hazardous waste (Level 4)
	Waste Management Operations – Managing Landfill Hazardous waste (Level 4)
	Landfill Operations: Inert Waste (Level 3)
	Managing Landfill Operations: Biodegradable Waste (Level 4)
	Managing Landfill Operations: Special Waste (Level 4)
	Managing Landfill Operations: Inert Waste (Level III)
	Managing Landfill Operations: Special Waste (Level IV)
	Managing Landfill Operations: Biodegradable Waste (Level IV)
Treatment plant where hazardous waste is subjected to a chemical or physical process	Waste Management Operations – Managing Treatment Hazardous waste (Level 4)
	Managing Treatment Operations: Clinical or Special Waste (Level 4)
	Managing treatment operations: special waste (level IV)
Treatment Plant where hazardous clinical waste is subjected to a physical or chemical process	Level 4 in Waste Management Operations - Managing Treatment Hazardous Waste (Clinical)
	Waste Management Operations – Managing Treatment Hazardous waste (Level 4)

	Managing Treatment Operations: Clinical or Special Waste (Level 4)
	Managing treatment operations: special waste (level IV)
Treatment plant where hazardous waste is subjected to a chemical or physical process for the treatment of contaminated land	Level 4 in Waste Management Operations - Managing Treatment Hazardous Waste (Remediation of Contaminated Land)
	Waste Management Operations – Managing Treatment Hazardous waste (Level 4)
	Managing Treatment Operations: Clinical or Special Waste (Level 4)
	Managing treatment operations: special waste (level IV)
Treatment plant where non-hazardous waste is subjected to a chemical or physical process	Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste
	Waste Management Operations – Managing Treatment Hazardous waste (Level 4)
	Managing Treatment Operations: Clinical or Special Waste (Level 4)
	Managing Treatment Operations: Biodegradable Waste (Level 4)
	Managing treatment operations: special waste (level IV)
Treatment plant where non-hazardous waste is subjected to a composting process	Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste (Composting)
	Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste
	Waste Management Operations – Managing Treatment Hazardous waste (Level 4)
	Managing Treatment Operations: Clinical or Special Waste (Level 4)
	Managing Treatment Operations: Biodegradable Waste (Level 4)
	Managing treatment operations: special waste (level IV)
Treatment plant where non-hazardous waste is subjected to a chemical or physical process for the treatment of contaminated land	Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste (Remediation of Contaminated Land)
	Level 4 in Waste Management Operations - Managing Treatment Hazardous Waste (Remediation of Contaminated Land)
	Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste
	Waste Management Operations – Managing Treatment Hazardous waste (Level 4)
	Managing Treatment Operations: Clinical or Special Waste (Level 4)
	Managing Treatment Operations: Biodegradable Waste (Level 4)
	Managing treatment operations: special waste (level IV)
Treatment plant where non-hazardous clinical waste is subjected to a chemical or physical process	Level 4 in Waste Management Operations - Managing Treatment Non-Hazardous Waste (Clinical)

	Level 4 in Waste Management Operations - Managing Treatment Hazardous Waste (Clinical)
	Waste Management Operations – Managing Treatment Hazardous waste (Level 4)
	Managing Treatment Operations: Clinical or Special Waste (Level 4)
	Managing treatment operations: special waste (level IV)
Treatment plant where inert waste is subjected to a chemical or physical process	Waste Management Operations – Inert waste (Treatment) (Level 3)
	Waste Management Operations – Managing Treatment Non-hazardous waste (Level 4)
	Waste Management Operations – Managing Treatment Hazardous waste (Level 4)
	Treatment Operations: Inert Waste (Level 3)
	Managing Treatment Operations: Biodegradable Waste (Level 4)
	Managing Treatment Operations: Clinical or Special Waste (Level 4)
	Treatment Operations: Inert Waste (III)
	Managing Treatment Operations: Special Waste (level IV)
Transfer station for hazardous waste where the capacity of the facility is greater than 5 cubic metres	Waste Management Operations – Managing Transfer Hazardous waste (Level 4)
	Managing Transfer Operations: Clinical or Special Waste (Level 4)
	Managing Transfer Operations: Special Waste (level IV)
Transfer station for hazardous clinical waste where the capacity of the facility is greater than 5 cubic metres	Level 4 in Waste Management Operations: Managing Transfer Hazardous Waste (Clinical)
	Waste Management Operations – Managing Transfer Hazardous waste (Level 4)
	Managing Transfer Operations: Clinical or Special Waste (Level 4)
	Managing Transfer Operations: Special Waste (level IV)
Transfer station for non-hazardous waste where the capacity of the facility is greater than 5 cubic metres	Waste Management Operations – Managing Transfer Non-hazardous waste (Level 4)
	Waste Management Operations – Managing Transfer Hazardous waste (Level 4)
	Managing Transfer Operations: Biodegradable Waste (Level 4)
	Managing Transfer Operations: Clinical or Special Waste (Level 4)
	Managing Transfer Operations: Special Waste (level IV)
Transfer station for non-hazardous clinical waste where the capacity of the facility is greater than 5 cubic metres	Level 4 in Waste Management Operations: Managing Transfer Non-Hazardous Waste (Clinical)
	Level 4 in Waste Management Operations: Managing Transfer Hazardous Waste (Clinical)
	Waste Management Operations – Managing Transfer Hazardous waste (Level 4)
	Managing Transfer Operations: Clinical or Special Waste (Level 4)

	Managing Transfer Operations: Special Waste (level IV)
Transfer station for inert waste where the capacity is greater than 50 cubic metres	Waste Management Operations – Inert waste (Transfer) (Level 3)
	Waste Management Operations – Managing Transfer, Non-Hazardous Waste (Level 4)
	Waste Management Operations - Managing Transfer, Hazardous Waste (Level 4)
	Transfer Operations: Inert Waste (Level 3)
	Managing Transfer Operations: Biodegradable Waste (Level 4
	Managing Transfer Operations: Clinical or Special Waste (Level 4)
	Transfer Operations: Inert Waste (Level III)
	Managing Transfer Operations: Special Waste (level IV)
Civic amenity site where the amount of waste accepted is 5000 tonnes per annum or less	Waste Management Operations – Civic Amenity Site (Level 3)
	Waste Management Operations - Managing Transfer, Non-Hazardous Waste (Level 4)
	Waste Management Operations - Managing Transfer, Hazardous Waste (Level 4)
	Civic Amenity Site Operations (Level 3)
	Managing Transfer Operations: Biodegradable Waste (Level 4)
	Managing Transfer Operations: Clinical or Special Waste (Level 4)
	Civic Amenity Operations (Level III)
	Managing Transfer Operations: Special Waste (level IV)
Civic amenity site where the amount of waste accepted is greater than 5000 tonnes per annum	Waste Management Operations - Managing Transfer, Non-Hazardous Waste (Level 4)
	Waste Management Operations - Managing Transfer, Hazardous Waste (Level 4)
	Managing Transfer Operations: Biodegradable Waste (Level 4)
	Managing Transfer Operations: Clinical or Special Waste (Level 4)
	Managing Transfer Operations: Special Waste (level IV)
Site where waste is burned in an incinerator designed to incinerate waste at a rate of more than 50 kilograms per hour but less than 1 tonne per hour	Waste Management Operations: Managing Incineration (Level 4)
	Managing incinerator operations: special waste (Level 4)
	Managing incinerator operations: special waste (Level IV)

2.4 Examples

Example 1
A manager of a composting operation handling non-hazardous waste, will require the Waste Management Operations - Managing Treatment Non-Hazardous Waste (Composting) Level 4 certificate. A person holding this award will not be able to manage a non-hazardous treatment activity other than composting. However, a manager holding the Waste Management Operations – Managing Treatment Non-Hazardous, Level 4, will be able to manage a composting facility (hierarchy!).

Example 2
A person holds the Managing Transfer Operations: Clinical or Special Waste (level 4) certificate and wants to act as manager for a hazardous waste transfer station. This CoTC ceased to be awarded on 31 March 2003, but is still valid so he can act as the TCM for the site.

Example 3
A person holds a Waste Management Operations - Managing Treatment Hazardous Waste (Remediation of Contaminated Land) Level 4 certificate and wants to provide technically competent management on a site authorised to treat other hazardous waste. He will be unable to do this as the optional units chosen for this award meant that relevant units for the treatment of other hazardous waste were not gained.

Example 4
To manage a closed landfill site, the manager must either hold the Waste Management Operations – Closed Landfills (Level 3) or one of the equivalent operational awards. For example, if the site when operational handled non-hazardous waste, then a manager holding a Waste Management Operations – Managing Non-hazardous waste (level 4) will be able to provide technically competent management. Under the award hierarchy (as illustrated in Table 2.3, section 2) the hazardous waste award would also be acceptable as would the Biodegradable and Special Waste awards that ceased to be issued on 31 March 2002.

Example 5
A treatment plant, handling non-hazardous clinical waste will require the manager to hold the Waste Management Operations – Treatment Non-hazardous (Clinical) Level 4. The manager holding this award will not be able to manage a non-hazardous treatment plant, the optional certificate only qualifies the manager to handle clinical wastes (as defined). Similarly a manager holding the Waste Management Operations – Treatment Non-hazardous, Level 4, will not be able to manage a site handling clinical waste (as defined) as he will not have gained the relevant clinical waste experience and units.

3. Management Responsibility and Attendance at Site

3.1 Management Responsibilities

3.1.1 It is up to the operator to provide a robust management structure for each facility to ensure that the management of the authorised activities is in the hands of a Technically Competent Person (TCP). This management system should be clearly demonstrable to EHS.

3.1.2 The law on Technical Competence requires that the management of activities authorised by the licence/permit is in the hands of a TCP. For Waste Management Licences, "management" in this context means that the TCP is in a position to control the day-to-day activities authorised by the licence and carried on at the licensed site.

3.1.3 In assessing whether Technically Competent Management is provided there are three key considerations:
(a) Are the activities in question authorised by the licence/permit and carried out at the authorised site?
(b) Does the manager nominated as the TCP meet the requirements for technical competence as set out in the legislation?
(c) Is the manager nominated as the TCP in a position to control the day-to-day activities referred to?

(a) Are the activities in question authorised by the licence/permit?
Where some of the activities on site are outside the scope of the licence/permit they should be disregarded for the purpose of assessing technical competence.

(b) Does the manager nominated as TCP meet the legislative requirements for technical competence?
(See Section 2) The TCP should be able to demonstrate their competence, eg by holding the relevant award.

(c) Is the manager nominated as a TCP in a position to control the day-to-day activities in question?
The TCP should be able to ensure that the control of day-to-day activities can be achieved through:

- The effective operation of the management structure as it applies to the particular site, providing the right mix of qualified, experienced and trained staff to plan, supervise and support operations

- Application of appropriate control mechanisms in the form of quality systems and protocols

It is therefore essential that the TCP attends the site for regular and appropriate periods of time to ensure that the management structure is operated effectively and the control mechanisms are applied.

3.1.4 Technically competent management of an authorised site may be provided by more than one person. In these circumstances each person must demonstrate technical competence by one of the prescribed means. This allows operators to provide control of day-to-day activities through more than one TCP so that the requirement for on site presence may be shared.

3.1.5 Any changes to the technically competent management of a site are to be reported to EHS detailing the changes and

- providing the names and qualifications of any new TCP
- where he/she fits into the management structure
- a comprehensive schedule of sites allocated to the person.

3.2 Site Attendance

3.2.1 Personal attendance at the facility by the TCP forms a key element of the site management. This would normally be accompanied by other management instructions and procedures to ensure full control over the activities. However, where a "minimum site attendance standard" is met for a particular facility this indicates that there is adequate management control. This section and Appendix 1 provide guidance that sets out the view of EHS on such site attendance requirements.

3.2.2 Operators will be required to demonstrate to the satisfaction of EHS, how the particular nature of their management structure and control mechanisms satisfies the requirements for technically competent management. Under normal circumstances EHS will accept that, where an operator achieves a reasonable standard for site attendance by a TCP, they have satisfied the requirements for technically competent management for that particular site.

3.2.3 When agreeing a reasonable standard of attendance, the activity authorised and carried out at that site together with the type of waste being handled must be taken into consideration

3.2.4 There should always be a minimum site attendance of one hour on a weekly basis, on operational sites even where the percentage of operational hours (as indicated in the table in Appendix 1) equates to less than one hour. If, however, the facility is non-operational (see paragraph 3.2.7 below for the definition of operational) ie zero operational hours, then minimum site attendance will not be required.

3.2.5 In this context the working week commences Sunday midnight and concludes on the following Sunday at midnight.

3.2.6 A record of the site attendance of the TCP together with the weekly operational hours should be made for example in the site diary and made available for inspection by EHS.

3.2.7 A site would be considered operational whenever it is either accepting or removing waste, or undertaking any process or activity involving waste that is under the day-to-day control of the TCP. Where the operational hours vary, it would be useful to log these changes together with the TCP's site attendance in the site diary/log.

3.2.8 An overall 'cap' of 48 hours (in line with the European Working Time Directive on working week hours) for site attendance will be applied to all facility types.

3.2.9 For two or more separately authorised facilities where:

- They are in the hands of the same licence holder or operator, *and*
- They share a common boundary

then EHS will give consideration to assimilating the site attendance requirements of the facility with the lower site attendance requirements into the requirements of the facility with the higher attendance percentage. However, the appropriate technical competence qualification will be necessary for each type of facility. For example where there is a separately authorised civic amenity site on a landfill site, the attendance requirements of the landfill will satisfy the attendance requirements for both facilities by a TCP holding both the relevant awards.

3.2.10 For landfill sites in post closure phase where waste input has been completed and the only authorised activities which are continuing are the management of landfill gas, stability, water and leachate, demonstration of TCM does not require specific on-site attendance by a technically competent person. Consequently there is no limit to the number of closed sites for which TCM can be demonstrated through a single technically competent person.

4. Regulatory Approach

4.1.1 Environment and Heritage Service will monitor management control and attendance of technically competent management at licenced or permitted facilities through routine compliance assessment visits and extended site audits.

4.1.2 If the holder of the licence or permit is no longer a fit and proper person by reason of the management of the activities having ceased to be in the hands of a technically competent person, the licence or permit will normally be suspended so that it no longer permits the keeping, treating or disposal of waste until the management of the activities is in the hands of a TCP.

APPENDIX 1

TECHNICAL COMPETENCE SITE ATTENDANCE REQUIREMENTS

FACILITY	WASTE TYPE	SIZE – based on annual tonnage (unless otherwise stated)	WAMITAB Award or EHS Assessment	% operational hours requiring weekly attendance
Landfill	Hazardous	**All**	WAMITAB award	**100%**
	Non-hazardous	**All**	WAMITAB award	**50%**
	Inert	**Total capacity <50,000 cubic metres**	EHS assessment	**10%**
		Total capacity >50,000 cubic metres	WAMITAB award	**20%**
	Non-hazardous and non-reactive hazardous waste	**All**	WAMITAB award	**50%**
Landfill- taking waste from a process or activity for disposal at own sites	Hazardous	**All**	WAMITAB award	**80%**
	Non-hazardous	**All**	WAMITAB award	**50%**
	Inert	**Total capacity <50,000 cubic metres**	EHS assessment	**10%**
		Total capacity > 50,000 cubic metres	WAMITAB award	**20%**
	Non-hazardous and non-reactive hazardous waste	**All**	WAMITAB award	**50%**
Closed landfills	All	**All**	WAMITAB award unless inert <50,000 cubic metres	**See paragraph 3.2.10**

FACILITY	WASTE TYPE	SIZE – based on annual tonnage (unless otherwise stated)	WAMITAB Award or EHS Assessment	% operational hours requiring weekly attendance
Treatment Plant where waste is subjected to a physical, chemical or composting process	**Hazardous**	**< 50**	WAMITAB award	**20%**
		50<5,000	WAMITAB award	**30%**
		5,000<50,000	WAMITAB award	**40%**
		>50,000	WAMITAB award	**50%**
	Clinical – hazardous	**< 50**	WAMITAB award	**20%**
		50<5,000	WAMITAB award	**30%**
		5,000<50,000	WAMITAB award	**40%**
		>50,000	WAMITAB award	**50%**
	Non-hazardous	**< 50**	WAMITAB award	**10%**
		50<5,000	WAMITAB award	**15%**
		5,000<50,000	WAMITAB award	**25%**
		>50,000	WAMITAB award	**30%**
	Clinical – non-hazardous	**< 50**	WAMITAB award	**10%**
		50<5,000	WAMITAB award	**15%**
		5,000<50,000	WAMITAB award	**25%**
		>50,000	WAMITAB award	**30%**
	Inert	**< 50**	WAMITAB award	**5%**
		50<5,000	WAMITAB award	**10%**
		5,000<50,000	WAMITAB award	**15%**
		>50,000	WAMITAB award	**20%**
Treatment of waste for the remediation of contaminated land (unmanned sites)[1]	**Hazardous**	**All**	WAMITAB award	**1 hour**
	Non-hazardous	**All**	WAMITAB award	**1 hour**
Transfer Station – where the total quantity of waste at any time exceeds 5 cubic metres.	**Hazardous**	**< 50**	WAMITAB award	**20%**
		50<5,000	WAMITAB award	**30%**
		5,000<50,000	WAMITAB award	**40%**
		>50,000	WAMITAB award	**50%**
	Clinical - hazardous	**< 50**	WAMITAB award	**20%**
		50<5,000	WAMITAB award	**30%**
		5,000<50,000	WAMITAB award	**40%**
		>50,000	WAMITAB award	**50%**
	Non-hazardous	**< 50**	WAMITAB award	**10%**
		50<5,000	WAMITAB award	**15%**
		5,000<50,000	WAMITAB award	**25%**
		>50,000	WAMITAB award	**30%**

[1] For other types of mobile plant refer to Treatment facilities.

FACILITY	WASTE TYPE	SIZE – based on annual tonnage (unless otherwise stated)	WAMITAB Award or EHS Assessment	% operational hours requiring weekly attendance
Transfer Station – where the total quantity of waste at any time exceeds 50 cubic metres	**Inert**	**< 50**	WAMITAB award	**5%**
		50<5,000	WAMITAB award	**10%**
		5,000<50,000	WAMITAB award	**15%**
		>50,000	WAMITAB award	**20%**
Transfer station where the total waste handled does not exceed 50 cubic metres.	**Inert**	**N/A**	EHS assessment	**5%**
Transfer station where the total waste handled does not exceed 5 cubic metres.	**Hazardous, non-hazardous, clinical**	**N/A**	EHS assessment	**15%**
Civic Amenity Site	**All**	**< 5,000**	WAMITAB award	**5%**
		> 5,000	WAMITAB award	**See Transfer station categories.**
Incinerator where waste is burned at >50 kilogram but <1 tonne per hour	**All**	**N/A**	WAMITAB award	**See transfer station categories**
Metal Recycling sites	**Hazardous**	**< 50**	EHS assessment	**20%**
		50<5,000	EHS assessment	**30%**
		5,000<50,000	EHS assessment	**40%**
		>50,000	EHS assessment	**50%**
	Non-hazardous	**< 50**	EHS assessment	**10%**
		50<5,000	EHS assessment	**15%**
		5,000<50,000	EHS assessment	**25%**
		>50,000	EHS assessment	**30%**
Pet Cemeteries	**Non-hazardous**	**Individual pet burials**	EHS assessment	**5%**
		Other	EHS assessment	**50%**
Treatment Plant where waste is subjected to a biological process (excluding composting)	**All**	**< 5 000**	EHS assessment	**5%**
		> 5 000	EHS assessment	**10%**