

WAC 173-300-130 Revocation. (1) When a certificate is not renewed, the certificate, upon notice by the director or its designee, must be suspended for sixty days.

(a) If renewal of the certificate is not completed during the suspension period, the director or its designee shall mail a written notice of revocation by certified mail to the certificate holder's employer as last known by the department and to the certificate holder at the address last known by the department.

(b) If, during the revocation notice period, the certificate is not renewed, the certificate must be revoked ten days after the notice is mailed.

(2) Certificates may also be revoked when a majority of the board so recommends to the director, and the director agrees, upon finding:

(a) Fraud or deceit in obtaining the certificate;

(b) Gross negligence in the operation or inspection of an incineration or landfill facility;

(c) Violation of the requirements of chapter 70.95D RCW, this chapter or of any lawful rule or order of the department; or if

(d) The facility operated by the certified employee is operated in violation of local, state, or federal environmental laws.

(3) No revocation may be made under subsection (2) of this section unless the operator has been notified that revocation is proposed, has been advised of the grounds therefore, and has been given an opportunity to appear before the board and be heard on the matter.

(4) A person whose certificate is revoked under this section is eligible to apply for a certificate for one year from the effective date of the final order of revocation.

(5) Whenever an individual's certificate is revoked, the individual may not be certified again until:

(a) He or she has repeated all required training for certification or has completed other requirements recommended by the board and approved by the department;

(b) Has applied for certification under WAC 173-300-090;

(c) Paid the application fees; and

(d) Upon notification, paid the certification fee within thirty days of notification.

[Statutory Authority: Chapter 70.95 RCW. WSR 06-14-024 (Order 05-13), § 173-300-130, filed 6/26/06, effective 7/27/06. Statutory Authority: 1989 c 431. WSR 00-19-017 (Order 00-16), § 173-300-130, filed 9/8/00, effective 10/9/00. Statutory Authority: Chapter 70.95D RCW and RCW 70.95.710. WSR 91-01-093, § 173-300-130, filed 12/18/90, effective 1/1/91.]