

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Cleanup and Brownfields

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TITLE: Underground Storage Tank Class A and Class B Operator Training Courses

EFFECTIVE DATE: ~~September 8, 2012~~Effective Date

AUTHORITY: The Storage Tank and Spill Prevention Act, P.L. 169, No. 32 of 1989, as amended (Tank Act), and 25 Pa. Code, Chapter 245 (Storage Tank Regulations).~~The Storage Tank and Spill Prevention Act, P.L. 169, No. 32 of 1989, as amended (Tank Act) and 25 Pa. Code, Chapter 245 (Storage Tank Regulations).~~

POLICY: It is the policy of the Department of Environmental Protection (Department or DEP) to carry out the provisions of the Storage Tank and Spill Prevention Act of 1989~~Tank Act and related regulations. This policy describes the circumstances under which Class A and Class B operators of underground storage tanks are required to be trained or retrained and the training course approval process for training providers.~~

PURPOSE: The Storage Tank Regulations require that underground storage tank (UST) operators be trained and be designated by tank owners and be trained as soon as practicable, contingent upon availability of approved training providers, but not later than August 8, 2012. (See §245.436 relating to operator training.). There are three distinct classes of operators: Class A, B and C. Class A and Class B operators require formal training, testing and certification of training completion.

This document provides guidance on training required for Class A and Class B operators and ~~Department of Environmental Protection (Department or DEP)~~DEP approval of related training courses and training providers.

APPLICABILITY: This guidance is applicable to underground storage tank owners, operators, training course providers, DEP-certified (third-party) inspectors and DEP storage tank program staff.

DISCLAIMER: The policies and procedures outlined in this guidance are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of ~~the Department~~DEP to give the rules in these policies that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in

the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 67 pages

Underground Storage Tank Operator Training

~~**BACKGROUND.** On August 8, 2005, the Energy Policy Act of 2005 (Energy Act) was signed into law. Title XV, Subtitle B of the Energy Act (entitled the Underground Storage Tank Compliance Act) contains amendments to Subtitle I of the Solid Waste Disposal Act—the original legislation that created the federal underground storage tank (UST) program. This law change significantly affects both federal and state underground storage tank programs. It is aimed at preventing and reducing underground storage tank releases to the environment and improving owner and operator compliance with state and federal regulatory requirements.~~

~~The Energy Act requires the U.S. Environmental Protection Agency (EPA) to develop guidelines for states to implement operator training requirements for USTs. On August 8, 2007, EPA published guidelines to states for implementing UST operator training requirements. The EPA guidelines established three distinct classes of operators and outlined specific requirements for each of the classes. On December 26, 2009, the Department's Storage Tank Regulations were amended and operator training requirements were adopted in new §245.436. Requirements for training course approvals and requirements for mandatory training or retraining of operators already existed in §245.141 (relating to training approval) and §245.411 (relating to inspection frequency). This guidance document includes additional information about operator training requirements for Class A and Class B operators and for training course approvals, consistent with the Commonwealth's Storage Tank Regulations. For Class C operators, see §245.436.~~

DEFINITIONS, TERMS AND ABBREVIATIONS. See the Storage Tank Regulations, section 245.1 (Definitions) for other terms not specifically described in this guidance section.

Class A operator – ~~In accordance with §245.436(b)(1)(i) – (iv) Aa~~ Class A operator has primary responsibility to operate and maintain the underground storage tank (UST) system and facility. The Class A operator's responsibilities typically include managing resources and personnel, such as establishing work assignments, to achieve and maintain compliance with regulatory requirements. In general, this person focuses on the broader aspects of the statutory and regulatory requirements and standards necessary to properly operate and maintain the UST system and facility. ~~(Also see §245.436(b)(1)(i) – (iv).)~~

Class B operator – ~~In accordance with §245.436(b)(2)(i) – (iv) Aa~~ Class B operator implements applicable UST regulatory requirements and standards in the field or at the storage tank facility. This person oversees and implements the day-to-day aspects of operations, maintenance and recordkeeping for USTs at one or more facilities. For example, the operator ensures that release detection methods, release prevention equipment and related recordkeeping and reporting requirements are met, relevant equipment manufacturer's or third-party performance standards are available and followed, and appropriate persons are trained to properly respond to potential emergencies caused by releases or spills from UST systems at the facility. ~~(Also see §245.436(b)(2)(i) – (iv).)~~

Training course provider – An industry professional, whose qualifications and related training course application have been approved by ~~the Department DEP~~ under §245.141. This person may be affiliated with the storage tank owner or a related industry association or group that will provide Class A or Class B operator training services.

GUIDANCE. ~~The Department DEP~~ will rely primarily on industry professionals to provide formal training courses required under Chapter 245 for UST Class A and Class B operators. Tank owners are

encouraged to work with storage tank associations and groups to obtain services from training providers for their Class A and Class B operators. ~~Several associations and groups have expressed an interest in assisting tank owners to comply with operator training provisions with the intent to keep costs down through group rates and other market factors.~~ Training providers and related training courses for Class A and Class B operators must be approved by ~~the Department~~ DEP prior to conducting formal training courses for Class A or Class B operators in the Commonwealth. ~~The DEP does not offer reciprocity with other states or the EPA for Class A or Class B operator training courses. The Department may recognize operator training approved by other states for tank owners who have storage tank facilities with Class A and Class B operators both in the Commonwealth and in neighboring states. However, the other state's operator training program must also be approved by EPA as meeting EPA guidelines to states for UST operator training.~~

Initial ~~t~~ Training of Class A and Class B operators

~~By August 8, 2012, a~~ All owners of regulated UST facilities ~~UST systems in the Commonwealth, holding a valid UST operating permit issued by the Department~~ permitted to operate, must have designated Class A and Class B operators who have successfully completed ~~initial~~ an operator training courses approved ~~or recognized~~ by DEP. In accordance with §245.436(a)(2) a ~~Any new storage tank~~ UST UST facility registered with the Department after this date must have designated and trained Class A and Class B operators prior to ~~filling any UST with a regulated substance or operating the facility, registering, filling with a regulated substance, or operating a UST,~~ unless otherwise agreed upon by ~~the Department~~ DEP. ~~The DEP requires~~ DEP requires submittal of the “UST Operator Training Documentation Form” (2630-PM-BECB0514a) and copies of the Class A and Class B operators' training certificates with the “Storage Tanks Registration/Permitting Application Form” (2630-PM-BECB0514) for any storage tank facility owner registering USTs.

When a Class A or Class B operator is replaced, a new operator must be designated and trained within 30 days, unless otherwise agreed upon by ~~the Department~~ DEP. ~~(See §245.245.436(d).)~~ The Department DEP may recognize ~~persons receiving related training as meeting initial Class A or Class B operator training requirements.~~ These individuals include:

- ~~Persons holding current UST installer (UMX category) or UST inspector (IUM category) certification issued by the Department~~ DEP-certified installers and inspectors with current underground storage tank UMX, UMI, or IUM certification categories when employed or contracted by the tank owner. (See provisions on operator classes at §245.436(b)(1)(iv) and (b)(2)(iv).) ~~;~~ ~~or~~
- ~~Persons holding current operator training certification from another state, which is also approved by EPA as meeting EPA guidelines to states for UST operator training (See reciprocity provisions at §245.436(e)(5).).~~

Mandatory retraining of Class A and Class B operators

When ~~an~~ UST facility is found through inspection, ~~after August 8, 2012,~~ to have violations that result in failure to meet EPA guidelines for significant operational compliance, as determined by ~~the~~ Department DEP, operator retraining is mandatory. The inspection may be conducted by DEP storage tank program staff or by a DEP-certified (third-party) inspector and reviewed by DEP. ~~The Department~~ DEP will determine if the Class A operator or the Class B operator, or both, must be retrained and the extent of the retraining in accordance with §245.411 and this guidance. ~~The Department~~ DEP may direct that the operator or operators successfully complete (or retake) ~~an~~ UST operator training course

approved under §245.141 in accordance with §245.411(d). ~~The Department-DEP~~ may choose to rely on less formal retraining or onsite training at the storage facility by the inspector (program staff or DEP-certified third-party) for compliance matters that can be easily conveyed to the operator, and where the operator's understanding can be assessed, and compliance is achieved (violation corrected). In such cases, the inspector ~~should~~must annotate on the inspection report, as outlined in ~~the Department's-DEP's~~ guidance for inspectors: the instructions that were provided to the operator, the operator's acknowledgement (measure of understanding of the related regulatory requirement), and how the violation was corrected (See Bureau of Environmental Cleanup and Brownfields Technical Guidance No. Document entitled: 263-3120-003 "Guidelines for Conducting Underground Storage Tank (UST) Facility Operations Inspections (FOI)" (263-3120-003), and Guidance No. 257-3120-002 "Storage Tank Program Internal Policy on Inspections and On-Site Visits."). Examples of violations that may be easily handled through onsite or less formal mandatory retraining include:

- Overdue for annual testing of line-leak detectors (LLD)
- Overdue for annual testing of automatic tank gauges (ATG)
- Overdue for periodic testing of corrosion protection equipment

Criteria for ~~t~~Training course (and training course provider) approval and renewal

Persons seeking to become training providers for UST Class A ~~and/or~~and Class B operators in the Commonwealth must submit an application to the Division of Storage Tanks for ~~Department-DEP~~ approval of each operator training course. ~~The Department-DEP~~ requests that persons utilize the "Storage Tank Training Course Approval Application" (2630-PM-BECB0402). Training courses for Class A operators must confer a broad scope of knowledge on the subject areas addressed in Appendix A. Training courses for Class B operators must provide more in-depth knowledge on specific subject areas addressed in Appendix B. Also refer to required training provisions at §245.436(c). Initial Applications should be submitted at least 120 days prior to the first scheduled date of training and must be approved by ~~the Department-DEP~~ before training may be conducted. Training course approval is for a period of 3 years. An application for renewal shall be submitted 60 to 120 days prior to the expiration date. (See §245.141.). Applications must include the following information:

- The name and address of the person offering the training;
- Telephone number of applicant and contact person, if different than applicant;
- Title of training course or courses (UST Class A and/or Class B operator);
- Training course instructor(s) including:
 - Any title (Executive Vice President, Technical Director, Owner, etc.);
 - Affiliation (company, group or association);
 - Professional background of each course instructor;

- Detailed outline of each training course including:
 - Description of subject matter to be presented;
 - The order of presentation;
 - Amount of time scheduled for the course presentation and breakdown of times spent on specific areas of instruction;
 - Training aids, devices and handouts used for the presentation;
- A narrative describing the preparation and administration of test to be given at the conclusion of each training course, including:
 - Procedures for conducting and grading test (include hands-on practical demonstration of knowledge at the storage tank site, if applicable);
 - Passing grade level for the training course and any procedure for review of failing areas and retesting for operators who fail to achieve an initial passing grade;
 - Provide examples or a sampling of test questions.
- Provide an example of the “certificate of completion” that the training provider will issue to each operator who successfully completes the entire training course and receives a passing grade on the course examination (test).

Submit training course ~~(and training course provider)~~ applications and renewal applications to:

PA Department of Environmental Protection
 Bureau of ~~Waste Management~~ Environmental Cleanup & Brownfields
 Division of Storage Tanks
 P.O. Box 8763
 Harrisburg, PA 17105-8763

Appendices:

- A – Required Training Subjects for Class A Operators
- B – Required Training Subjects for Class B Operators

Appendix A
Required Training Subjects for Class A Operators

Class A operator training includes a general broad knowledge of underground storage tank (UST) system requirements and regulations. Training must provide information that should enable the Class A operator to make informed decisions regarding regulatory compliance and to ensure that appropriate persons are fulfilling operation, maintenance and recordkeeping requirements and standards of Chapter 245, including the following subject areas:

- Spill and overflow prevention
- Release detection and related reporting requirements
- Recordkeeping requirements
- Corrosion protection
- Emergency response
- Suspected or confirmed release investigation and related reporting
- Product and equipment compatibility
- Financial responsibility and related Underground Storage Tank Indemnification Program
- Notification and storage tank registration requirements, including DEP permitting
- Temporary and permanent tank system closure requirements
- Overview of Class B and Class C operator requirements

Appendix B
Required Training Subjects for Class B Operators

Class B operator training includes in-depth knowledge and understanding of the operation and maintenance aspects of underground storage tank (UST) systems and related regulatory requirements. Training must provide specific information on the components of UST systems, materials of construction, methods of release detection and release prevention applied to UST systems and components. Training must address operation and maintenance requirements of Chapter 245, including the following subject areas:

- Spill and overflow prevention
- Release detection, methods and related reporting requirements
- Corrosion protection and related testing
- Emergency response
- Product and equipment compatibility
- Reporting and recordkeeping requirements
- Manufacturer's equipment maintenance requirements
- Class C operator training requirements and instructions