

**CHAPTER 65 LICENSING AND CERTIFICATION OF TANK
INSTALLERS, REMOVERS, TESTERS AND OPERATORS
TRAINING REQUIREMENTS**

Secs.

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6500 GENERAL PROVISIONS

- 6500.1 The owner or operator of each UST system shall ensure that the UST system or any component of the UST system, including the release detection system, is installed under the continuous on-site supervision of a UST System Technician who is certified in accordance with the provisions of this chapter and who is licensed to do business in the District of Columbia.
- 6500.2 The owner or operator of each UST system that is to be permanently closed or that the type of service will change shall ensure that the UST system is abandoned or removed under the continuous on-site supervision of a UST System Technician or UST Closer Specialist who is certified in accordance with the provisions of this chapter and who is licensed to do business in the District of Columbia.
- 6500.3 The owner or operator of each UST system to be tested for tightness shall ensure that the test is conducted under the continuous on-site supervision of a UST System Tester who is certified in accordance with the provisions of this chapter and licensed to do business in the District of Columbia.
- 6500.4 Each business that provides services for UST system installation, upgrade, retrofit, repair or permanent closure in the District of Columbia shall be certified to perform UST activities by the Director in accordance with the provisions of this chapter and licensed to do business in the District of Columbia. A business may be certified to perform only those UST activities for which it employs a UST System Technician, UST Closer Specialist, UST System Tester who has a current valid District of Columbia certification and license for the applicable UST activity or an equivalent category.
- 6500.5 Each UST System Technician, UST Closure Specialist and UST System Tester who provides his or her services for UST system installation, upgrade, retrofit, repair, or permanent closure in the District of Columbia shall be certified to perform UST system activities by the Director in accordance with the provisions of this chapter and licensed to do business in the District of Columbia.
- 6500.6 Each business that is certified to perform UST system activities in the District of Columbia shall provide the Director with a list of employees, who are not certified as UST System Technicians, Closer Specialists or Testers, but who

perform supervised on-site UST activities.

6500.7 Each certified UST System Technician, Closure Specialist and Tester shall carry the identification card or the certificate issued by the Director at all times while conducting the applicable UST activity. The identification card shall be available for inspection by the owner, operator or the Director when the technician, specialist or tester is engaged in the UST activity for which he or she is certified.

6500.8 No business may transfer the UST System certification or license issued to it by the District of Columbia.

6500.9 Within ten (10) business days after close or termination of the business, the licensee shall surrender the certification and license to the Director for cancellation.

6500.10 An owner of any active regulated UST system in the District shall designate at least one Class A, one Class B, and one Class C operator for each active UST facility, and all designated classes shall comply with the requirements of § 6502.

6501 CERTIFICATION PROCEDURES

6501.1 The Director shall certify to perform UST System activities as set forth in §6500 in the District of Columbia, any individuals who satisfy the following requirements:

- (a) Show evidence of having satisfactory completion of a recognized training program in the UST System activity(ies) for which the applicant seeks certification;
- (b) Submission of a completed application and payment of the initial application fee of \$200.00 in the form of a check made payable to the D.C. Treasurer;
- (c) Possess a current OSHA certification; and
- (d) Satisfactory completion of a test upon their knowledge in the technical area in which they seek certification as well as the District's statutes and regulations pertaining to USTs.

6501.2 The Director shall certify businesses that wish to perform UST System activities in the District of Columbia, as set forth in §6500, provided they satisfy the following requirements:

- (a) Submission of a completed application and payment of the initial application fee of \$350.00 in the form of a check made payable to the D.C. Treasurer;

- (b) Demonstrate, to the satisfaction of the Director, that the business is qualified to perform the UST System activities for which it seeks certification;
- (c) Demonstrate, to the satisfaction of the Director, that the business employs at least one individual who has expertise and is certified in the District in each of the UST System activities the business will offer;
- (d) Possess a current OSHA certification; and
- (e) Possess a valid, current District of Columbia business license for the business in which certification is sought.

6501.3 The Director may recognize individuals or businesses that are certified by neighboring states and so certify, to perform UST System activities as set forth in § 6500, individuals or businesses that satisfy the requirements of this section:

- (a) Possess a current valid certification as a UST System Technician, Closer Specialist or Tester, or an equivalent certification category as determined by the Director, issued by either of the states of Virginia, West Virginia, Maryland, Delaware, or Pennsylvania;
- (b) Are currently in good standing in each of the states, named in §6501.3(a), for which it holds a certification;
- (c) Possess a current OSHA certification;
- (d) Possess a valid, current District of Columbia business license for the business in which certification is sought;
- (e) Demonstrate, to the satisfaction of the Director, a knowledge of the provisions of this Subtitle; and
- (f) Submit a completed application form and pays an initial application fee of \$150.00 for individuals or \$250 for businesses.

6501.4 An applicant certified in one of the states in §6501.3(a) may be tested by the Director to verify the knowledge of the provisions of this subtitle or shall submit the following documents or information with the application for certification:

- (a) A letter or statement from the state official or office in which the individual or business is currently certified stating that the individual or business is currently in good standing in that state;
- (b) A list of additional states in which the individual or business is certified and/or licensed as a UST System Technician, Closer Specialist or Tester, or an equivalent certification category;
- (c) A copy of the current OSHA certification;

- (d) A copy of a valid, current District of Columbia business license for the business in which certification is sought; and
- (e) Submission of an initial application fee of \$100 for individual or \$250 for business by check or money order made payable to the D.C. Treasurer.
- (f) Evidence of possession of the District of Columbia UST regulation and its amendments.

6501.5 An applicant who relies upon an out-of-state certification may only be certified in the same UST System activity, as determined by the Director, in which the out-of-state certification was received.

6501.6 The initial certification issued by the Director shall be valid for no more than one (1) year from date of issue. The Certification may be renewed annually for a fee of \$100 for individuals or \$150 for businesses upon presentation of the expiring certification or renewed bi-annual for a fee of \$200 for individuals or \$300 for businesses upon presentation of the expiring certification.

6502 Operator Training

6502.1 An owner of any active regulated UST system in the District shall designate at least one Class A, one Class B, and one Class C operators for each active UST facility.

6502.2 A facility may not dispense or store a regulated substance after August 8, 2012, unless operators have been designated and trained as required in this Section.

6502.3 Trained operators shall be readily available to respond to suspected or confirmed releases, other unusual operating conditions, emergencies and equipment failures as follows:

- (a) Either the Class A or the Class B operator shall be available for immediate telephone consultation at all times when a facility is in operation;
- (b) A Class A or B operator shall be on-site at the UST facility within 24 hours of being contacted;
- (c) For manned facilities, a Class C operator shall be on-site whenever the facility is in operation; and
- (d) For unmanned facilities, a Class C operator shall be available for immediate telephone consultation and shall be able to be on-site within 2 hours of being contacted.

- 6502.4 Emergency contact information shall be prominently displayed at the facility. Emergency procedures for users of unmanned facilities shall also be prominently posted at the facility.
- 6502.5 Designated operators shall successfully complete required initial training under this Section by August 8, 2012.
- 6502.6 An operator may be designated as more than one class of operator.
- 6502.7 All operators designated as Class A and/or Class B for a petroleum UST system that has been determined to be out of compliance with a requirement or standard in this Subtitle shall, at a minimum, be required to repeat the training applicable to the area(s) with which the UST system has not complied. Operators shall complete the required retraining within a reasonable time, not to exceed sixty (60) days of being notified that the UST system is out of compliance.
- 6502.8 A Class A operator has primary responsibility to operate and maintain the UST system and facility. The Class A operator's responsibilities 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. Class A operators shall:
- (a) Ensure that UST systems are properly installed and expeditiously repaired and that records of UST financial responsibility, system installation, modification and repair are retained and made available to the Director.
 - (b) Be familiar with training requirements for each class of operator and may provide required training for Class C operators; and
 - (c) Prepare facility procedures for Class B and C operators.
- 6502.9 A Class B operator implements applicable UST system regulatory requirements and standards in the field or at the UST facility. This operator oversees and implements the day-to-day aspects of operations, maintenance, and recordkeeping for the USTs at one or more facilities as stated in this regulation. Class B operators shall:
- (a) Check spill prevention and overfill control equipment and corrosion protection equipment to ensure proper function and that any required system tests are performed at appropriate intervals;

- (b) Ensure release detection equipment is operational, release detection is performed at proper intervals and release detection records are retained and made available to the Director; and
- (c) Shall be familiar with all aspects of Class B and Class C operator responsibilities and may provide required training for Class C operators.

6502.10

A Class C operator is the first line of response to events indicating an emergency condition. Note that there may be more than one Class C operator at a UST system facility. This person is responsible for responding to alarms or other indications of emergencies caused by a spill or release from a UST system and equipment failures. The Class C operator notifies the Class A or B operator and appropriate emergency responders when necessary.

Class C operator shall:

- (a) Control or monitor the dispensing and sale of regulated substances; and
- (b) After August 8, 2012, follow written instructions or procedures on how to respond to alarms or releases provided by the Class A or Class B operators and made visible at manned UST facilities and shall be readily available for unmanned facilities for persons performing the duties of the Class C operator.

6502.11

Class A operators shall successfully complete a training course approved by the Director that includes a general knowledge of UST system requirements. At the completion of the training course, the operator shall be able to demonstrate knowledge and be able to make informed decisions regarding compliance and ensuring that appropriate persons are fulfilling operation, maintenance and recordkeeping requirements and standards, including the following:

- (a) Spill and overfill prevention;
- (b) Release detection and related reporting requirements;
- (c) Corrosion protection;
- (d) Emergency response;
- (e) Product and equipment compatibility;
- (f) Financial responsibility;
- (g) Notification and UST registration requirements;
- (h) Temporary and permanent UST closure requirements; and
- (i) Class B, and C operator training requirements.

6502.12 Class B operators shall successfully complete a training course approved by the Director that includes in-depth understanding of operation and maintenance aspects of UST systems and related regulatory requirements. Training shall provide specific information pertaining to the components of UST systems, materials of construction, methods of release detection, and release prevention applied to UST systems and components. Training and knowledge shall address the operation and maintenance requirements of this regulation including the following:

- (a) Spill and overflow prevention;
- (b) Release detection and related reporting requirements;
- (c) Corrosion protection;
- (d) Emergency response;
- (e) Product and equipment compatibility;
- (f) Report and recordkeeping requirements; and
- (g) Class C operator training requirements.

6502.13 At a minimum, training provided by the Class A or B operator shall enable the Class C operator to take action in response to emergencies or alarms caused by spills or releases from a UST system. Training shall include written instructions or procedures for the Class C operator to follow and to provide notification necessary in the event of emergency conditions. After the initial training, Class C operators shall be briefed by the Class A or B operator on these instructions or procedures at least annually (every 12 months).

6502.14 Successful completion of training for Class A and B operators means attendance for the entire training course and demonstration of knowledge of the course material as follows:

- (a) Receipt of a passing grade (80% or higher) on an examination containing material presented in the training course; or demonstration to the trainer at the conclusion of on-site training, through practical (hands-on) application, of operation and maintenance checks of UST equipment, including performance of release detection at the UST facility; and
- (b) Receipt of a training certificate by an approved trainer upon verification of successful completion of training course.

6502.15 Class A or Class B operators may meet the operator training requirements of this Section by presenting proof of successful completion of Class A and Class B operator training from another State, in accordance with regulatory standards consistent with 40 CFR Part 280 and with Title 20 Chapter 65 of the District of Columbia Municipal Regulations (20 DCMR Chapter 65).

- 6502.16 An owner shall ensure that all Class A, B, and C operators are trained no later than August 8, 2012.
- 6502.17 When a Class A or B operator is replaced, a new operator shall be trained within 30 days of assuming duties for that class of operator.
- 6502.18 Class C operators shall be trained before assuming duties of a Class C operator.
- 6502.19 The owner of an underground storage tank shall maintain a list of designated operators. The list shall represent the current Class A, B, and C operators for the petroleum storage facilities and shall include:
- (a) The name of each operator, class of operation designated and the date each operator successfully completed training; and
 - (b) For Class A and B operators that are not permanently on-site or who are assigned to more than one facility, emergency telephone numbers to contact the operators.
- 6502.20 A copy of the following documentation shall be on-site, and readily available for inspection at the facility:
- (a) certificates of training for Class A and B operators;
 - (b) a copy of the facility list of Class A, B, and C operators; and
 - (c) Class C operator instructions or procedures.
- 6502.21 Class C operator and owner contact information including names and telephone numbers and any emergency information shall be conspicuously posted at unmanned facilities.

6503 Approval of Training Programs for Operator Training

- 6503.1 All training providers shall have obtained written approval from the Director prior to delivering the training course in the District of Columbia for Class A and B Operators, pursuant to Section 6502. Approval of the training course shall be at the discretion of the Director. Delivery of operator training prior to obtaining the Director's approval shall be subject to enforcement action in accordance with these regulations.