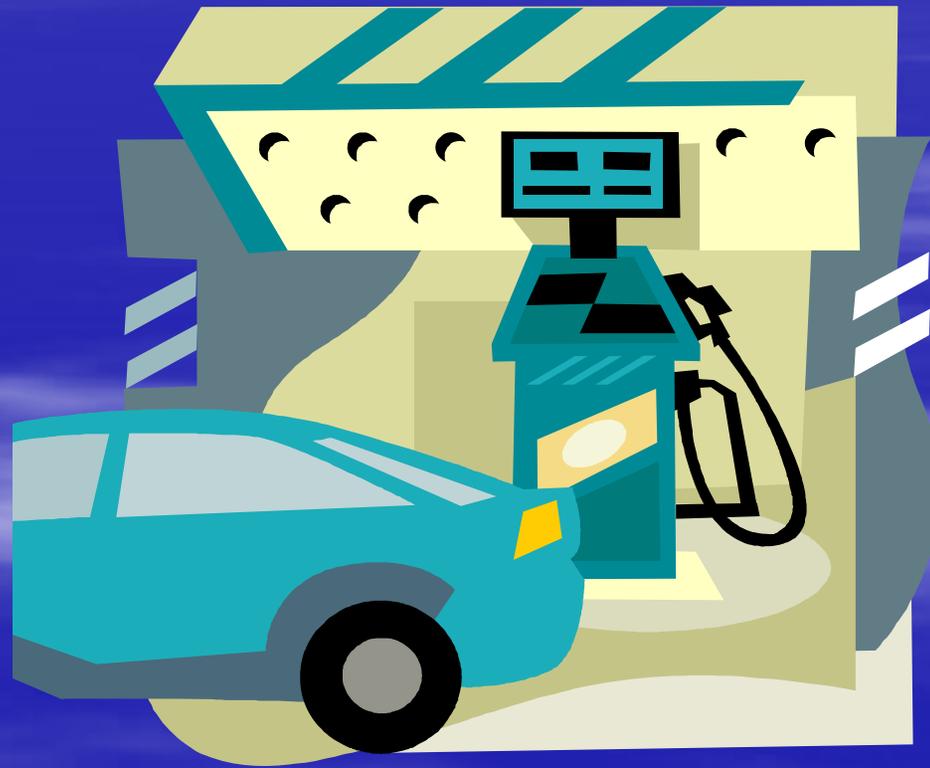


Operator Training Rules



Federal Energy Policy Act

- Act signed by President Bush, August 8, 2005
- EPA webpage link provides both the text of the law and the Grant Guidelines at

www.epa.gov/oust/fedlaws

Federal Energy Policy Act: Outline

Section 9010(a) of the Act requires operator training, and that EPA's Guidelines take into account:

- State training programs in existence;
- Training programs being used by tank owners and operators;
- The high turnover rate of tank operators and other personnel;
- The frequency of improvement in UST equipment technology;
- The nature of businesses in which tank operators are engaged;
- Substantial differences in the scope and length of training needed for different classes of operators

EPA Guideline Requirements

- Operator training for all operators in each class;
 - Develop state-specific requirements that must:
 - Be developed in cooperation with tank owners and operators;
 - Take into consideration training programs already in place;
 - Be appropriately communicated to owners and operators;
 - Establish a procedure to identify individuals that must be trained; and
 - Ensure all operators are trained in accordance with the Guidelines.

Federal Energy Bill Operator Training

	Class A Operator	Class B Operator	Class C Operator
Who fits this class of operator?	The individual who generally focuses on the statutory and regulatory requirements related to operating and maintaining the underground storage tank system	The individual who is generally responsible for field implementation of applicable underground storage tank regulatory requirements and implements day-to-day aspects of operating, maintaining, and recordkeeping for USTs at one or more facilities	The individual who is generally the first line of response to events indicating emergency conditions or responding to alarms
What is the objective of the training requirements?	Ensure broad knowledge of regulatory requirements	Ensure in-depth knowledge of implementing regulatory requirements	Ensure knowledge of actions to take in the event of a leak or other emergency

Anticipated Class A/B choices:

- Third party working under contract
- UST service person
- Corporate regional compliance person
- Employee of the facility
- Owner/operator

Employee

Classes of Operators

- **Class A Operator: Owner**
- Has primary responsibility of operating and maintaining the tank system, including management of resources and personnel
- **Focuses on broader aspects of statutory and regulatory requirements and operating standards**
- Typically ensures that the appropriate person:
 - Properly operates and maintains the tank system;
 - Maintains appropriate records as required;
 - Properly responds to emergencies caused by releases;
 - Makes financial responsibility documents available as requested.

Classes of Operators

- **Class B Operator: Manager**
- Implements applicable tank system regulatory requirements and standards in the field.
- **Has responsibility for day-to-day operation, maintenance and recordkeeping.**
 - Release detection prevention equipment, recordkeeping and reporting requirements
 - Appropriate individuals are trained to properly respond to emergencies caused by releases or spills.
- Compared to Class A, Class B operator has more in-depth understanding of O&M aspects, but may have a more narrow breadth of applicable regulatory requirements.

Classes of Operators

- **Class C operator: Employee / Clerk**
- First line of response to events indicating emergency conditions;
- Responsible for responding to alarms or other indications of emergencies caused by spills or releases;
- Notifies Class B or Class A operator and appropriate emergency responders when necessary;
- Typically:
 - Controls or monitors the dispensing or sale of regulated substances; and is responsible for initial response to alarms or releases.
- At a minimum, Class C operator must be trained to take action in response to emergencies or alarms

Deadline

- Facilities have Class A, B and C operators accredited & designated by **Jan 01, 2012** except those designated as small business by law, deadline is **Aug 8, 2012**.
- After initial deadlines:
 - **Class A and B operators must be trained within 30 days after assuming operation and maintenance responsibilities**
 - Class C operators must be trained prior to assuming responsibilities

Requirement for Trained Operator to be Present

- Each facility must have a trained Class C operator on-site during hours of operation whenever fuel is dispensed.

Requirement for Trained Operator to be Present

Exception:

- At un-manned facilities that post signs with emergency contact and shut-off information.

Emergency generators at telecommunications towers, card lock/card access facilities, attended fueling facility where attendant regularly on duty (day), but not necessarily during all hours of operation (night).

- Sign posted in conspicuous place, stating emergency shut-off procedures, name, address & telephone number of Class B operator, name & telephone number of local emergency responders, including 9-1-1 personnel.
- **Class A and B Operators still responsible for operation, maintenance activities, responding to emergencies/alarms, recordkeeping.**

Federal Energy Bill Operator Training

	Class A Operator	Class B Operator	Class C Operator
Who fits this class of operator?	The individual who generally focuses on the statutory and regulatory requirements related to operating and maintaining the underground storage tank system	The individual who is generally responsible for field implementation of applicable underground storage tank regulatory requirements and implements day-to-day aspects of operating, maintaining, and recordkeeping for USTs at one or more facilities	The individual who is generally the first line of response to events indicating emergency conditions or responding to alarms
What is the objective of the training requirements?	Ensure broad knowledge of regulatory requirements	Ensure in-depth knowledge of implementing regulatory requirements	Ensure knowledge of actions to take in the event of a leak or other emergency

**Must Pass
a
Commerce Approved
Test**

Approved Tests:

- Internet
- Class room

January 1, 2012
August 8, 2012

**Employee
Must be trained
by an approved
Class A or B
Operator or
Department
approved course**

Training & Testing option

- Several types acceptable, including:
 - Live training in classroom setting
 - Internet or computer training
 - Company provided
- Combined course for Class A & B,
(private vendors, fees vary)
- Application and approval process
 - Committee reviews course offering
 - Auditor attends and classes.

Testing ONLY option

- Wisconsin International Code Council
- Two tests Class A, Class B (passing Class B test also qualifies you as Class A operator)
- Pearson Vue \$75 fee
- Five test center locations: Eau Claire, Elm Grove/Milwaukee, Green Bay, Madison, Wausau

Approval of Trainers and Courses

- **Training elements for Class A:**
 - Basic UST requirements to make informed decision regarding compliance, ensure proper operation, maintenance, recordkeeping
 - Spill prevention and overfill protection
 - Leak and release detection
 - Corrosion protection
 - Emergency Response
 - Product compatibility
 - Financial responsibility documentation requirements

Approval of Trainers and Courses

- **Training elements for Class A**
 - Notification requirements
 - Requirements for reporting obvious and suspected releases
 - Requirements for permanently closing a tank system and for placing a tank system out of service.
 - Leak and release detection
 - Corrosion protection
 - Operator training requirements

Approval of Trainers and Courses

- **Training elements for Class B**
 - Site specific training focused only on equipment used at operator's facility; or,
 - **Broader training that encompasses:**
 - Components of underground storage tanks systems
 - Materials of underground storage tank system components
 - Methods of leak and release detection, and leak and release prevention

Approval of Trainers and Courses

- **Training elements for Class B**
 - Spill prevention and overfill protection
 - Leak and release detection
 - Corrosion protection
 - Emergency Response
 - Product compatibility
 - Reporting and recordkeeping requirements
 - Class C operator training requirements

Reciprocity

The department will accept operator training verification from other states that have equivalent operator training requirements.

Where rules differ, include review of Wisconsin specific rules.

Documentation and Recordkeeping

- **Trainer provides verification:**
 - Certificate, wallet card
 - Records kept of successful completion of training
- **Owners and operators must keep written verification of training for Class A, B and C at each facility**
 - Names of Class A & B operators reported at time of permit application
- **Inspectors check verification on-site at annual inspections**

Re-Training

Class B operator must be re-trained if tank system significantly out-of-compliance

- Violation of EPA's Significant Operational Compliance requirements for UST's release prevention (spill, overflow, corrosion prevention and release detection)

Substantial compliance is not a specific number or percentage of compliance.

- Re-training must be completed within 60 days or another time period established by the department or in accordance with a directive by the department.
- May target specific violation or entire original training
The department can select the retraining method or organization.

Enforcement

If no A, B and C person is designated by **Jan 1, 2012** or **Aug 8, 2012** (small business), facility will not be allowed to operate.

Order, final notice,

RED TAG

Summary of Approach

- The training and testing is **NOT** to be viewed as a way to trick operators but rather a means to educate.
- Goal is to increase compliance with rules and improve operations of underground storage tank systems.

Approved test or courses

- Petroleum Testers, LLC - Robert Lucht
WI Class A/B Storage Tank Operator Training (Classroom)
<http://ptllc.org/>
- Petroleum Training Solutions - Ben Thomas
WI Class A/B UST Training (Webinar)
<http://www.petroleumtrainingsolutions.com/wisconsin.html>
- Williams & Company Consulting, Inc
WI UST Operator Training Class A/B (Classroom)
www.petroclassroom.com
- Wisconsin International Code Council test
www.pearsonvue.com

Grants

- Commerce has EPA Grant funds available to assist with the cost of training and testing.
 - Wisconsin residents.
 - Target group - small business.
 - Limited number of scholarships for large businesses.
 - \$75 grant per person.
 - Online application.

Grants end: June 30, 2011

Operator Training Web Site

http://commerce.wi.gov/ER/ER-BST-FedRegUST_OperatorTraining.html

The screenshot shows a Windows Internet Explorer browser window displaying the Wisconsin Department of Commerce website. The address bar shows the URL: http://commerce.wi.gov/ER/ER-BST-FedRegUST_OperatorTraining.html. The page features a navigation menu on the left with categories like 'PETROLEUM AND TANKS' and 'COMMERCE RESOURCES'. The main content area is titled 'Operator Training Requirements for Operators of Federally Regulated Underground Tanks' and includes sections for 'Training and Testing for Owners and Operators of Federally Regulated Underground Storage Tanks', 'FEDERAL ENERGY POLICY ACT OF 2005', 'ACCEPTABLE TRAINING AND CERTIFICATION PROCESSES', 'DEADLINE', and 'RESPONSIBILITIES OF OPERATORS'. The page also includes a search bar, a change text size option, and a footer with the Wisconsin Department of Commerce logo and 'A WI.GOV WEBSITE' text.

Wisconsin Department of Commerce
your government...your community

Search: Commerce search text (alt+) Search

Change text size
A A A A A A

PETROLEUM AND TANKS

- Storage Tank Regulations
- Storage Tank Database
- PECFA
- Licenses and Permits
- Fire Prevention
- Brownfields Initiative
- Contacts

COMMERCE RESOURCES

- Home
- About Commerce
- Business Development
- Community Development
- Export Development
- Housing Services
- Petroleum and Tanks
- Safety and Buildings

Wisconsin Governor Jim Doyle

Employment Opportunities

A WI.GOV WEBSITE

Home > Petroleum and Tanks

Operator Training Requirements for Operators of Federally Regulated Underground Tanks

Training and Testing for Owners and Operators of Federally Regulated Underground Storage Tanks

FEDERAL ENERGY POLICY ACT OF 2005

States must develop training requirements for individuals who operate and maintain federally-regulated underground storage tank systems. Operators are owners or owners' representatives (Class A), the actual persons charged with supervising day-to-day operations (Class B) and on-site employees (Class C).

The Energy Policy Act of 2005 was codified in [Comm 10 Subchapter VIII](#). The following information pertains to requirements under the Comm 10 Flammable, Combustible and Hazardous Liquids Code. Regulatory oversight of the operator training requirement will be via annual inspections and the Permit-To-Operate process.

ACCEPTABLE TRAINING AND CERTIFICATION PROCESSES

Operator training includes evaluation of an operator's knowledge of applicable requirements. Methods for meeting the requirements of Class A and B include having either of the following: (1) certificate issued by the International Code Council® showing an individual has passed the Wisconsin underground storage tank operator examination; or (2) written proof of successful completion of an equivalent, alternate operator training and testing program that has received prior approval from the Department of Commerce. Alternate programs will include an evaluation of operator knowledge through testing, practical demonstration or other tools that the Department determines are acceptable.

Class C operators must obtain training and a certificate from the accredited Class A or Class B facility operator where the Class C operator is employed indicating the Class C operator has successfully completed training for the facility.

DEADLINE

Each new or existing facility with an underground storage tank system must have a Class A, a Class B and a Class C operator designated by **January 1, 2012**. For an entity that demonstrates it meets the definition of a small business in section 227.114 (1), Stats., the date for having accredited operators is **August 8, 2012**.

RESPONSIBILITIES OF OPERATORS

CLASS A OPERATORS

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