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west virginia department of environmental protection

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## OPERATOR TRAINING GUIDANCE DOCUMENT

Beginning August 8, 2012, all individuals who operate, maintain, or are responsible for addressing emergencies presented by spills or releases from Underground Storage Tanks (USTs) must receive training based on their duties and level of responsibility for USTs, in accordance with Article 33 Section 30.7 of the West Virginia Legislative Rules. This guidance is provided to assist UST owners/operators in complying with the new requirements.

Three levels of responsibility have been established for individuals:

1. **Class A Operator** – responsibilities include managing resources and personnel, such as establishing work assignments, to achieve and maintain regulatory compliance
  - a. This individual focuses on the broader aspects of the regulatory requirements and standards necessary to operate and maintain the UST system.
  - b. This class of operator ensures that appropriate individuals: operate and maintain the UST system, maintain records, are trained in these activities, are properly trained to respond to emergencies caused by spills or releases from the USTs, and make financial responsibility records available to the West Virginia Department of Environmental Protection (WVDEP).
  - c. The Class A Operator role is fulfilled by the owner/operator and not contracted out.
2. **Class B Operator** – implements day-to-day aspects of operating, maintaining, and recordkeeping for USTs
  - a. This individual must have a more in-depth understanding of operation and maintenance of the UST system than the Class A Operator.
  - b. This individual ensures: release detection, recordkeeping, and reporting requirements are met; all relevant equipment complies with performance standards; and appropriate individuals are trained to properly respond to emergencies caused by releases or spills from the UST system.
  - c. WVDEP will give consideration to allowing the Class B Operator role to be fulfilled by a contracted individual when formally requested and approved by WVDEP.
  - d. Since the Class B Operator implements day-to-day operation and maintenance of the UST system, it is expected that this individual will periodically inspect the UST system to ensure compliance. Owners/operators should develop an Operation and Maintenance plan and schedule outlining how the requirements noted in item b above will be addressed. The schedule should provide the

frequency for the Class B Operator to perform inspections of the UST system. One suggested option for an O&M plan is Petroleum Equipment Institute's (PEI) Recommended Practice RP900-08, Recommended Practices for Inspection and Maintenance of UST systems. It is available at <http://www.pei.org/Default.aspx?TabId=107>. The recommended practice includes sample charts for documenting UST system inspections at daily, monthly, and annual intervals. If WVDEP observes that there are numerous violations by an owner/operator, the agency will discuss the possible need for changes to the O&M plan and schedule with the owner/operator.

3. **Class C Operator** – controls or monitors the dispensing of regulated substances and is responsible for initial response to alarms or releases
  - a. This individual is responsible for responding to alarms and other indications of emergencies caused by spills or releases from USTs.
  - b. This individual notifies the Class B or Class A Operator and appropriate emergency responders when necessary.
  - c. **A Class C Operator must be onsite during all hours of operation.** WVDEP will consider written requests from owners for designating certain types of facilities as unmanned facilities on a case by case basis. Criteria will be developed for determining if facilities qualify for this designation. For unmanned facilities, information must be provided to WVDEP regarding how the Class C Operator(s) will be notified and respond to emergencies. The information must include procedures for how the Class C Operator will be made aware of emergencies. Unmanned facilities will be required to have at least one Class C Operator available at all times to respond immediately to calls from the facility and who is capable of reaching the site within 60 minutes.

An individual, where appropriate and with the required training, may fulfill the role of multiple levels of operator.

### Training Requirements for Operators

Class A Operator minimum training requirements:

- 1) General knowledge of UST system requirements to make informed decisions regarding compliance and ensure appropriate individuals are fulfilling operation, maintenance, and recordkeeping requirements and requirements of federal and state programs regarding: spill prevention, overfill prevention, release detection, corrosion protection, emergency response, and product compatibility
- 2) Financial responsibility documentation requirements
- 3) Notification requirements
- 4) Release and suspected release reporting
- 5) Temporary and permanent closure requirements
- 6) Operator training requirements
- 7) Requirements for UST work performed by West Virginia Certified Workers
- 8) Training must take place within 30 days after assuming operation and maintenance responsibilities for UST systems.

Class B Operator training encompasses at a minimum:

- 1) Components of UST systems
- 2) Materials of UST system components

- 3) Methods of release detection and release prevention applied to UST components
- 4) Operation and maintenance requirements of the state and federal regulations that apply to UST systems including: spill prevention, overfill prevention, release detection, corrosion protection, emergency response, and product compatibility
- 5) Reporting and recordkeeping requirements
- 6) Class C operator training requirements
- 7) Training must take place within 30 days after assuming operation and maintenance responsibilities for UST systems.

**Class C Operator training:**

- 1) Response to emergencies such as situations posing an immediate danger or threat to the public or the environment and that require immediate action
- 2) Response to alarms caused by spills or releases from a UST system or failed release detection results
- 3) Training must take place before assuming responsibility for responding to emergencies

**Note: Training must take place by August 8, 2012 as noted above. Following the initial training, if WVDEP determines that an UST system does not meet significant operational compliance requirements, the appropriate operator(s) must be retrained. WVDEP reserves the right to determine whether Class A, Class B, or both classes of operator require retraining based on the compliance issues observed. Retraining must take place within 30 days of the determination that retraining is required and a copy of the training certificate submitted to WVDEP. Compliance issues with USTs systems under the same operator(s) noted within six months of retraining will be reviewed by the Program Manager to determine if additional retraining is necessary again.**

Each UST system must have designated operators for each class at all times. Owners are required to maintain a list of each certified operator and the individual's area of responsibility and make it available to WVDEP upon request. Operator names and records of training for each UST system operator must be available. Each Class A and Class B Operator must carry proof of training during duty hours, and each Class C Operator must have proof of training present at the location where the Class C Operator is on duty. The certified operator must have personal photo identification available that will enable WVDEP to verify that certified operator's identity.

**Approval of Required Training**

All training programs used to meet the Operator Training requirements must have prior written approval by WVDEP. Upon approval, the training may be conducted multiple times at multiple locations. The approved training can include in class, on line, or hands –on training.

**Requirements:**

- 1) Applications for training approval shall be submitted by the training provider to WVDEP in writing, using the prescribed form.
- 2) Applications must be accompanied by a nonrefundable application fee of \$280.00 by check or money order made payable to West Virginia Department of Environmental Protection.
- 3) Applications for approval of specific training programs shall contain: a complete course outline; training material; sample certificates; the methodology for verifying attendance; the date, time, and location of the course; the name of the offering organization; the

credentials of the instructors; and a certification that the technology or methods that will be presented in the training program will satisfy state and federal laws.

- 4) The approved training must include a test designed to measure all aspects of the individual's knowledge and skills to competently operate UST systems.
- 5) The training provider must supply the individual with a certificate of training documenting the level of training received. Upon request, the training provider must submit individual test results and documents verifying training attendance to WVDEP.
- 6) Each individual operator shall demonstrate that they have received the required training by providing a copy of the training certificate to WVDEP upon request.
- 7) Training providers will be required to apply for any modifications to the training program and receive approval from WVDEP prior to implementing them. All training must demonstrate that it remains up to date with new developments related to operating and maintaining UST systems. To ensure this, WVDEP will require that training providers update their training application with the agency at a minimum interval of every five years. Training programs will be issued an expiration date; the provider must have reapplied by that date or the program will no longer have approval. Reapplication will be subject to the fee established in 33-30-7.3.a.2 of the Legislative Rules.
- 8) If numerous operators trained under an approved program show consistent inability to maintain compliance for the USTs they operate, training program approval may be revoked after the reasons for the revocation are set forth in writing to the training provider by the agency.