UST Owner & Designated UST Operator Outreach Sessions

September 2004

Redding - Sunnyvale - Fresno - Anaheim

Presented by:

Scott Bacon and Erin Ragazzi
State Water Resources Control Board

Presentation Outline

- Regulation Development Process
- Overview of New Training Requirements
  - Defining the new positions of "Designated UST Operator" and "Facility Employee"
- New Roles and Responsibilities of the Owner / Operator
  - Signed Statement Filed with Local Agency
  - Assigning a "Designated UST Operator"

Presentation Outline

- Roles and Responsibilities of the Designated UST Operator
  - Required Certification
  - Monthly UST Facility Inspection
  - Annual Facility Employee Training
- ICC Certification Process
  - Exam Development
  - **California** UST System Operator Certification Exam Details
  - Taking the Exam
  - After the Exam

Mandate

- In 1999, the Legislature Required SWRCB to Adopt Regulations Requiring Training For:
    - Owners and Operators,
    - Service Technicians,
    - Installers, and
    - Inspectors.

"…meet minimum industry-established training standards…"

Health and Safety Code, Chapter 6.7, Section 25284.1(a)(4)(A)(i)

History: Regulation Development

- In 2001-early 2002, gathered input from industry representatives and local regulatory agencies (Training Standards Work Group).
- On April 9, 2002, SWRCB staff held meeting to present ICC approach to the Work Group, which included industry and CUPA representatives.
- On March 7, 2003 the SWRCB published notice of proposed regulations.
  - Initial Statement of Reasons stated that ICC was the best approach to "ensure an unbiased, high-quality certification program at no cost to the state."
- On April 28, 2003, the SWRCB held a public hearing

History: Regulation Development

○ In 2003, SWRCB revised regulations in response to public comment, and redistributed for further comment. (July 30, 2003; Sept. 19, 2003)

○ On February 19, 2004 the SWRCB adopted the regulations.

○ In April 8, 2004, the Office of Administrative Law (OAL) approved regulations.

○ The regulations became effective on May 8, 2004.

Three Levels of Responsibility

- UST Owner or Operator
  - Holds the UST operating permit, and is legally responsible for the UST system.
- Designated UST Operator
  - Has knowledge of UST laws, regulations, and management practices, and has obtained ICC certification.
- Facility Employee
  - Works with the UST system on a routine basis, and is trained by UST Designated Operator.

Regulatory Definition

Designated UST Operator: One or more individuals designated by the owner to have responsibility for training facility employees and conducting monthly visual inspections at an UST facility. A "Designated UST Operator" is not considered the "Operator"…, although the same individual may hold both positions.

- California Code of Regulations, title 23, section 2611

Regulatory Definition

Facility Employee: An individual who is employed on-site at a UST facility, and who may be called upon to respond to spills, overfills, or other problems associated with the operation of the UST system. A "Facility Employee" is not considered the "Operator"…, although the same individual may hold both positions.

- California Code of Regulations, title 23, section 2611

New Responsibilities for the Owner / Operator

Signed Statement of Compliance

- Owner understands, and is in compliance with, all applicable UST requirements
- Must be submitted to local agency by January 1, 2005
- No specific format is required by State Law
  - Sample form is available
  - Local agencies may specify a particular format be used in their jurisdiction

  - California Code of Regulations, title 23, section 2715(a)

Identifying a Designated UST Operator

- Submit Designated UST Operator name and contact information to local agency by January 1, 2005
- No specific format is required by State Law
  - Sample form is available
  - Local agencies may specify a particular format be used in their jurisdiction
- Local agency must be notified of any changes of Designated UST Operator information within 30 days

Owner Statements of Designated Underground Storage Tank (UST) Operator and Understanding of and Compliance with UST Requirements

Facility Name:	Facility ID #:
Facility Address:	Reason for Submitting this Form *(Check One)*
	? Change of Designated Operator
Facility Phone #:	? Update Certificate Expiration Date

Designated UST Operator(s) for this Facility

PRIMARY

Designated Operator's Name:	Relation to UST Facility (*Check One*)
Business Name (*If different from above*):	? Owner ? Operator ? Employee
Designated Operator's Phone #:	? Service Technician ? Third-Party
International Code Council Certification #:	Expiration Date:

ALTERNATE 1 *(Optional)*

Designated Operator's Name:	Relation to UST Facility (*Check One*)
Business Name (*If different from above*):	? Owner ? Operator ? Employee
Designated Operator's Phone #:	? Service Technician ? Third-Party
International Code Council Certification #:	Expiration Date:

ALTERNATE 2 *(Optional)*

Designated Operator's Name:	Relation to UST Facility (*Check One*)
Business Name (*If different from above*):	? Owner ? Operator ? Employee
Designated Operator's Phone #:	? Service Technician ? Third-Party
International Code Council Certification #:	Expiration Date:

NOTE: THE LOCAL REGULATORY AGENCY MUST BE NOTIFIED OF ANY CHANGES TO THIS INFORMATION WITHIN 30 DAYS OF THE CHANGE.

I certify that, for the facility indicated at the top of this page, the individual(s) listed above will serve as Designated UST Operator(s). The individual(s) will conduct and document monthly facility inspections and annual facility employee training, in accordance with California Code of Regulations, title 23, section 2715(c) - (f).

Furthermore, I understand and am in compliance with the requirements (statutes, regulations, and local ordinances) applicable to underground storage tanks.

NAME OF TANK OWNER OR OWNER'S AGENT (Please Print): _____

SIGNATURE OF TANK OWNER OR OWNER'S AGENT: _____

DATE: _____   **OWNER'S PHONE #:** _____

Who can serve as a Designated UST Operator?

- Any individual possessing a current "**California** UST System Operator" certificate, issued by the International Code Council (ICC).

- Multiple Designated UST Operators can serve a single UST facility.

- A single Designated UST Operator can serve for multiple facilities.

Who can serve as a Designated UST Operator?

○ Common Choices Include:

- UST Owner

- Employee of the UST Facility

- Regional Compliance Personnel

- UST Service/Maintenance Person

- Third-Party Designated UST Operator Working Under Contract

Where can I find a Designated UST Operator?

○ Common Options Include:
- ICC Website (www.iccsafe.org)
  - ○ Under "Certification and Licensing", click on "Search for Certified Professionals"
- Contractor/Service Technician
- Contact Local Regulatory Agency
- Contact Training Providers

Designated UST Operator

Designated UST Operator Requirements

Effective January 1, 2005

- Possess a current **California** UST System Operator certification issued   by the International Code Council.
  - Certification must re renewed every 2 years.
- Perform monthly visual inspections for each facility and maintain a log.
- Provide on-the-job training for facility employee(s) and re-train every 12 months.

Monthly Visual Inspection

○ Review alarm history for previous month, and check that each alarm was responded to appropriately.

○ Inspect spill containers and under-dispenser containment for water, debris, and hazardous substances.

○ Check that monitoring equipment in under-dispenser containment is located in the proper position to detect a leak.

Monthly Visual Inspection

- Inspection of tank-top sumps
  - Required ONLY when there has been an alarm in that sump within the last month, and there is no record of a service visit.
  - If sump inspection is required, check for:
    - water, debris, or hazardous substance in the sump
    - proper positioning of monitoring equipment in the sump

Monthly Visual Inspection

○ Check that all required testing and maintenance for the UST has been completed.

- Examples include monitoring system certification, tightness testing, secondary containment testing, etc.

○ Verify that facility employees have been trained as required.

Recording the Monthly Inspection

- Inspection results must be recorded, and a copy given to the UST Owner.
  - No specific form is required. Use sample form or other form of your choice.
- The owner must be notified of any conditions that require follow-up action.
- The UST owner must maintain monthly inspection records for at least 12 months.

Designated Underground Storage Tank (UST) Operator
Monthly Visual Inspection Checklist

Facility Name:	Date:
Facility Address:	
City:	Zip Code:
Designated UST Operator Conducting the Inspection:	
International Code Council Certification #:	Expiration Date: / /
Signature:	Phone: ( )

Y = Yes, N = No, NA = Not Applicable

Item	MONITORING PANEL / ALARM HISTORY	Y	N	NA
1	Monitoring system is powered on and in proper operating mode.			
2	Monitoring system is **not** currently showing any alarms or warnings.			
3	Alarm history report/log for the previous month is available, and has been reviewed by the Designated UST Operator. *(Attach a copy of the alarm history report/log to this form if available.)*			
4	Each alarm for the previous month has been responded to appropriately.			
5	Sensors located in tank-top containment sumps have **not** alarmed in the past month.			
5a	- *List all tank-top sumps where alarms occurred in the past month:* _____ _____ *Note: Sumps where an alarm has occurred in the past month must be inspected unless a qualified service technician responded to, and properly addressed, the cause of the alarm. Attach documentation verifying appropriate service to this report. If sump inspection is required, record results in item 6, below.*			

	UST SYSTEM INSPECTION			
6	Tank-top containment sumps are free of water, debris, and hazardous substance. Sensors are located properly. ▸ *Note: Visual inspection of sumps is only required in sumps where an alarm has occurred in the past month for which there is no service record.*			

		Y	N			Y	N	
	Sump Location:				*Sump Location:*			
	Sump Location:				*Sump Location:*			
	Sump Location:				*Sump Location:*			

7	Spill containment structures are free of water, debris, and hazardous substance.

	Y	N	NA		Y	N	NA
Tank 1 – *Contents:*				Tank 3 – *Contents:*			
Tank 2 – *Contents:*				Tank 4 – *Contents:*			

8	Under-dispenser containment areas are free of water, debris, and hazardous substance. Sensors are located properly.

	Y	N	NA		Y	N	NA
Dispenser 1 / 2				*Dispenser 9 / 10*			
Dispenser 3 / 4				*Dispenser 11 / 12*			
Dispenser 5 / 6				*Dispenser 13 / 14*			
Dispenser 7 / 8				*Dispenser 15 / 16*			

Item	PAPERWORK INSPECTION	Y	N	NA	DATE DONE
9	Monitoring system certification has been completed within past 12 months.				
10	Secondary containment tests have been completed within the required timeframe.				
11	Spill containment structure (bucket) testing was completed within the past year.				
12	Tank tightness testing was completed within required timeframe.				
13	Line tightness testing was completed within required timeframe.				
14	Other required testing/maintenance was completed within required timeframe. *(List test/maintenance items below.)*				
	Test/Maintenance:				
	Test/Maintenance:				
	Test/Maintenance:				

	FACILITY EMPLOYEE TRAINING	Y	N	NA
15	All facility employees have received the required on-the-job training within the past year.			
16	All facility employees hired within the past 30 days have received the required on-the-job training.			

Note: Any answer of "N" should be explained in the comment section on the following page, and will require follow-up action.

Facility Employee Training

Effective July 1, 2005

- Basic on-the-job training of Facility Employees must be provided by the Designated UST Operator.

- Employees must be re-trained at least every twelve months thereafter.

- New employees must be trained within 30 days of the date of hire.

- California Code of Regulations, title 23, section 2715(f)

Facility Employee Training

- Training must include:

  - Emergency contact information
  - Spill/Overfill response procedures
  - Monitoring equipment operation and alarm response
  - Operation of the UST in a manner consistent with "Best Management Practices"

Regulatory Definition

Best Management Practice: ... any UST system management and operation practice which is the most effective and practicable method of preventing or reducing the probability of a release.

- California Code of Regulations, title 23, section 2611

Facility Employee Training

- Training must be provided by a Designated UST Operator. (Training cannot be delegated.)
- Training should be site-specific.
- A list of trained employees must be maintained on-site, and must be provided to the local agency upon request.

ICC Certification Process

Outline of ICC Certification Process

○ Exam Development

○ **California** UST System Operator Certification Exam Details

○ Taking the Exam

○ After the Exam

Critical Elements in Exam Development

- Identify relevant job tasks "Job Task Analysis"
- Determine importance to public health, safety, and welfare
- Identify relevant codes and standards (exam references)
- Develop exam questions based on identified codes and standards
- Determine standard of competency

Who develops the exams?

"Subject Matter Experts"

○ Subject Matter Expert (SME) committee
- Comprised of UST owners/operators; local agencies; and SWRCB staff
- Developed exam questions
- Scored exam questions

California UST System Operator Exam References

- SMEs determine appropriate exam references
- All exam questions based on references
- Specific exam references:
  - CCR, Title 23, UST Regulations
  - California H&S Code, Chapter 6.7
  - Operating and Maintaining UST Systems
  - Straight Talk on Tanks
  - Dollars and Sense, Financial Responsibility Requirements for USTs

How are exams scored?

"Cut Scoring"

○ Each SME gives each question a score based on its difficulty

○ Individual scores are then averaged to obtain a "cut score" for each question

○ Each exam has a cut score, which is based on average of all questions on that exam

○ Result is that each exam is of equal difficulty, regardless of mix of questions

California UST System Operator Certification Exam Details

The nitty gritty....

California UST System Operator Exam Details

- 60 multiple-choice questions
  - Each question has one best answer
  - All questions/answers are from a required reference
- Open-Book
  - References provided at exam center
- 90-minute exam
- $75 exam fee

What is on the exam?
Content of **California** UST System Operator Exam

- Content Outline: tasks are grouped into "content areas"
  - Tanks, piping, containment, monitoring systems, and operational authority (20%)
  - Operating requirements (30%)
  - Release detection (25%)
  - Record keeping (17%)
  - Release reporting and confirmation (8%)
- Refer to Page 6 of the Candidate Bulletin for more specific information about each content area

How can I obtain the exam references?

❶ Download from SWRCB, UST Program website
- http://www.swrcb.ca.gov/ust/training/exams.html
- Free

OR

❷ Order spiral bound reference booklet from ICC (updated version now available)
- Call 800-786-4452
- Fee

How do I prepare for the exam?
Exam Preparation Options

○ Best preparation is through job experience combined with study of reference materials listed in Candidate Bulletin (CB)

○ Some common options

- Training organizations (see handout)
- Study reference materials (available on SWRCB, UST Program, Training website; see bookmark)
- Study groups

"Before you take the exam, you must devote the time needed to understand the references." (September 2004 CB)

Taking the Exam

LaserGrade

Promissor

Computer-Based

Computer-Based Testing (CBT)

- Administered by professional testing companies
- Before test, time allotted to practice with sample questions
- Within minutes of test completion, exam is scored and score report issued

Where can I take the exam?
Professional Testing Companies

- **<u>LaserGrade</u>**
  - 34 test centers in 29 cities throughout California (see handout)
  - Call LaserGrade directly to sign-up for an exam:
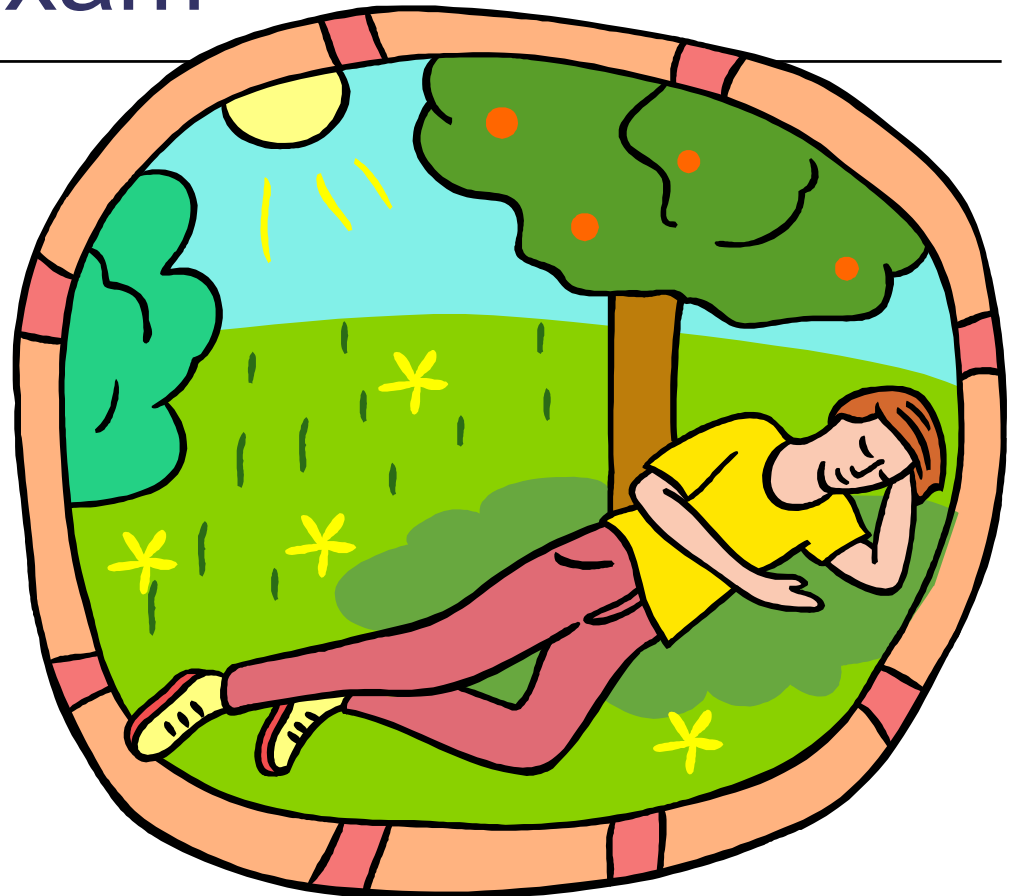   **800-211-2754**
  - Will offer exam indefinitely

  www.lasergrade.com

- **<u>Promissor</u>**
  - 6 test centers throughout California (Bakersfield, Glendale, Oakland, Riverside, Sacramento, San Diego)
  - Call Promissor directly to sign-up for an exam:
    800-275-8301
  - Will offer exam only through Dec. 31, 2004

  www.promissor.com

After the Exam

What happens if I pass the exam?

- Notified at the test center that you passed
- Letter of Congratulations given to candidate
- Name listed on ICC website within 4-5 weeks
- ICC mails out wallet cards and wall certificates to passing candidates within 4-6 weeks
- Valid for 2 years, then take the exam again to renew certification

What happens if I don't pass the exam?

○ Given a numeric score that indicates relative areas of strength and weakness

○ **Cannot** take exam again on same day

○ Schedule a new exam date

- Typically, an individual can only take an exam twice (2) during any 6-months

- However, with introduction of new testing company (LaserGrade), between Sept. - Dec. 2004, individuals have opportunity to take exam up to four (4) times

  ○ Two (2) times with LaserGrade and two (2) times with Promissor

For Further Information...

www.swrcb.ca.gov/ust/training

o Summary of "Training Plus" Requirements
o How to Register for the Required Exams
o Exam References
o Training Providers
o Forms

www.iccsafe.org

Staff Contact Information

- **Scott Bacon**
  - Phone: (916) 341-5873
  - E-mail: bacons@swrcb.ca.gov

- **Erin Ragazzi**
  - Phone: (916) 341-5863
  - E-mail: ragazzie@swrcb.ca.gov