

## **Underground Storage Tank Operator Testing Rule Goes Into Effect in Georgia**

On August 26<sup>th</sup>, the Board of Natural Resources approved a new environmental rule that requires operators of underground storage tanks to demonstrate competency regarding how to operate their tanks in compliance with environmental rules. This change to the Rules for Underground Storage Tank Management Chapter 391-3-15 went into effect September 25, 2009 and will affect thousands of operators of UST systems in Georgia. To view the new rule, please go to [www.gaepd.org](http://www.gaepd.org), click on Rules and scroll down to the Rules for Underground Storage Tank Management.

Federal law mandated this new rule. The US Energy Policy Act (Energy Act) signed by President George W. Bush on August 8, 2005 requires all States that receive federal grant money for their UST programs to ensure that all operators of UST systems demonstrate competency on how to comply with UST rules so environmental releases can be prevented.

The new rule divides UST operators into three classes depending upon job responsibilities -- Class A, B and C. Only the Class A and Class B operators will require testing. **UST operators will have until August 8, 2012 to pass the test.**

The EPD Underground Storage Tank Management Program is now developing the Georgia UST Operator Test. Once this test is in place, all that any UST operator will have to do to meet the requirements of the new rule is to take and pass the test. A free web-based study guide is being developed by EPD to help UST operators prepare for the test. If operators fail the test they are required to take an EPD approved third party training class and then retake the test.

For UST operators who have passed the test but whose USTs are later found to be significantly out of compliance during an EPD inspection, retraining of the operators will be required. This may be conducted immediately by the EPD inspector at the site at the conclusion of the inspection, or depending on the seriousness of the violations, EPD may require third party training and additional testing of the operators.

There will be several testing centers located through out the State. EPD expects the test will be ready by mid-2010. More specifics about availability of the test will be announced by EPD early next year.

After August 8, 2012, UST operators that cannot present certification that they have passed the test are subject to having their fuel supply cut off until testing is completed. Obviously operator training is very important and should not be ignored.

Below are some Frequently Asked Questions (FAQs) about the new rule.

Q: What is the Georgia Underground Storage Tank (UST) Operator Test?

A: The US Energy Policy Act of 2005 contains a provision that UST operators must have training or testing to operate a UST system. In accordance with the Act, Georgia has created a test of the UST operator's competency.

Q: Who has to be tested?

A: Persons having primary and daily responsibility for the onsite operation and maintenance of the USTs. These are the Class A and Class B operators.

Q: Are there different testing requirements for the Class A and Class B operators?

A: No. Class A and Class B operators will take the same test. The test is currently in development and is not ready at this time.

Q: When do I have to be tested by?

A: If you are a current UST operator, testing must be completed before August 8, 2012. After August 8, 2012 if you become a UST operator you must complete testing within 30 days of you becoming an operator. Class C operators must be trained in their duties prior to them assuming those duties.

Q: Does the A or B operator have to be on site all the time?

A: No. There must only be a Class C operator on site. A person can be a Class A or Class B for multiple sites.

Q: What is a Class C operator?

A: The Class C operators is/are the person(s) onsite that are responsible for emergency response to a leak or a fire. Essentially, this means clerical personnel at UST dispensing stations. At least one Class C operator must be on site at all times when the facility is open.

Q: Do the Class C operators have to take a test?

A: No. The Class C operators will be trained in their duties by the Class A or Class B operators.

Q: Is there any retesting or updating of training required?

A: Yes. Class A and Class B operators must retake the test every 7 years. Also, if a site is found to be significantly out of compliance, then retraining/retesting will be part of the corrective action to come back into compliance.

Q: What if I don't pass the test the first time?

A: If operators do not pass the test, then they will be required to attend an EPD approved third party training class. After completion of the class, then they will be required to retake the test.

Q: How do I know what I need to study to pass the test?

A: EPD is producing a free study guide that will be on our website. The study guide will also be located in print form at each of the EPD offices and

selected public libraries throughout the State. You may also, but are not required to, attend an EPD approved third party training program prior to taking the test. Note: there are additional fees associated with third party training classes.

Q: Where do I find and contact the EPD approved third party trainers?

A: Once EPD approves third party operator trainers they will also be posted on our website.

Q: I already have been accepted as a certified UST operator in another state. Do I have to take Georgia's test as well?

A: Georgia has a reciprocity clause that allows operators that have completed UST operator certification in other States that have an EPA approved operator training program to operate in Georgia without having to take the Georgia UST Operator Test if those requirements are similar to Georgia's. This is to reduce the burden on multi-state operators from having to take multiple training or testing. EPD will publish a list of states with which we have reciprocity on the website.

Q: When are the tests scheduled?

A: The test is available anytime the testing centers are open for business. You may have to contact the testing center first to schedule an appointment due to high demand.

Q: Where are the testing centers?

A: The locations of the testing centers throughout the State will be located on our website once the development of the test is complete.

Q: How long does the test take?

A: The test takes 1 ½ hours and is open book.

Q: How much does the test cost?

A: The current cost to take the test is \$75.00.

Q: What happens if I fail to take the test by the deadline?

A: UST facilities without a certified Class A and Class B operator will have their annual registration certificate revoked and that facility will no longer be allowed to receive fuel deliveries.