



US Army Corps
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EMCX Center of Expertise Information - Fact Sheet

Fact Sheet 15-01

Operator Training, Underground Storage Tank Regulations

Purpose of this Fact Sheet

On July 15, 2015 EPA published a final rule entitled “Revising Underground Storage Tank Regulations – Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training” completely revising the Part 280 underground storage tank (UST) regulations. This rule represents the first major revision to the federal UST regulations since 1988 and includes requirements for operator training, secondary containment, operation and maintenance testing and inspection, and compatibility of materials of construction with tank contents.

This Fact Sheet summarizes Subpart J - Operator Training. The effective date of the rule is October 13, 2015. However, the implementation date for the general training requirement for all UST systems must be met no later than October 13, 2018. For details, consult the July 15, 2015 Federal Register (80 FR 41566).

Summary of the Final Rule

Owners and operators of UST systems must designate Class A, Class B, and Class C operators no later than October 13, 2018. This includes at least one Class A and one Class B operator for each UST or group of USTs at a facility. In addition, each individual who meets the definition of a Class C operator at the UST facility should be designated. Class A, Class B, and Class C operators must meet the requirements of 40 CFR 280.242. Any individual designated for more than one operator class must successfully complete the required training program or comparable examination according to the operator class in which the individual is designated.

Requirements for Operator Training (40 CFR 280.242): Any training program must meet the minimum requirements of 40 CFR 280.242 and include an evaluation through testing, a practical demonstration, or another approach acceptable to the implementing agency. Operators must successfully complete the required training program or pass a comparable examination.

Class A Operators:

- (1) The training program must provide general knowledge of the purpose, methods and function of:
 - (i) Spill and overfill prevention;
 - (ii) Release detection;
 - (iii) Corrosion protection;
 - (iv) Emergency response;
 - (v) Product and equipment compatibility and demonstration;
 - (vi) Financial responsibility;

- (vii) Notification and storage tank registration;
 - (viii) Temporary and permanent closure;
 - (ix) Related reporting, recordkeeping, and testing and inspections;
 - (x) Environmental and regulatory consequences of releases; and
 - (xi) Training requirements for Class B and Class C operators.
- (2) The training program must evaluate Class A operators to determine they have the knowledge and skills to make informed decisions regarding compliance and determine whether appropriate individuals are fulfilling the operation, maintenance and recordkeeping requirements of the UST system.

Class B Operators:

- (1) The training program must cover either: general requirements that encompass all regulatory requirements and typical equipment used at UST facilities; or site-specific requirements which address only the regulatory requirements and equipment specific to the facility. The training program must teach about the purpose, methods and function of:
- (i) Operation and maintenance;
 - (ii) Spill and overfill prevention;
 - (iii) Release detection and related reporting;
 - (iv) Corrosion protection;
 - (v) Emergency response;
 - (vi) Product and equipment compatibility and demonstration;
 - (vii) Reporting, recordkeeping, and testing and inspections;
 - (viii) Environmental and regulatory consequences of releases; and
 - (ix) Training requirements for Class C operators
- (2) The training program must evaluate Class B operators to determine they have the knowledge and skills to implement applicable UST regulatory requirements in the field on the component of typical UST systems or site-specific equipment used at a UST facility.

Class C Operators: Each designated Class C operator must either: be trained by a Class A or Class B operator; complete a training program; or pass a comparable examination.

- (1) The training program must teach appropriate actions (including notifying appropriate authorities) in response to emergencies or alarms caused by spills or releases resulting from operation of the UST system.
- (2) The training program must evaluate Class C operators to determine they have the knowledge and skills to take appropriate action (including notifying appropriate authorities) in response to emergencies or alarms caused by spills or releases resulting from operation of the UST system.

Timing of Operator Training (40 CFR 280.243)

- (a) An owner and operator must ensure that designated Class A, Class B and Class C operators meet the requirements not later than October 13, 2018.
- (b) Class A and Class B operators designated after October 13, 2018 must meet the requirements within 30 days of assuming duties.

- (c) Class C operators designated after October 13, 2018 must be trained before assuming duties.

Retraining (40 CFR 280.244)

Class A and Class B operators of UST systems determined by the implementing agency to be out of compliance must complete a training program or comparable examination in accordance with requirements in § 280.242. The training program or comparable examination must be developed or administered by an independent organization, the implementing agency, or a recognized authority. At a minimum, the training must cover the area(s) determined to be out of compliance. UST system owners and operators must ensure Class A and Class B operators are retrained no later than 30 days from the date the implementing agency determines the facility is out of compliance except in one of the following situations:

- (a) Class A and Class B operators take annual refresher training. Refresher training for Class A and Class B operators must cover all applicable requirements in § 280.242, or
- (b) The implementing agency, at its discretion, waives this retraining requirement for either the Class A or Class B operator or both.

Documentation (40 CFR 280.245)

Owners and operators must maintain a list of designated Class A, Class B, and Class C operators and maintain records verifying that training and retaining have been completed.

- (a) The list must:

- (1) Identify all Class A, Class B and Class C operators currently designated for the facility; and
- (2) Include names, class of operator trained, date assumed duties, date each completed initial training, and any retraining.

(b) Records verifying completion of training or retraining must be a paper or electronic for Class A, Class B and Class C operators. Records verifying completion of training or retraining must be a paper or electronic record for Class A, Class B, and Class C operators. The records must identify name of trainee, date trained, operator training class completed, and list the name of the trainer or examiner and the training company name, address, and telephone number. Owners and operators must maintain these records for as long as Class A, Class B, and Class C operators are designated. The following requirements also apply to the following types of training:

- (1) Records from classroom or field training programs (including Class C operator training provided by the Class A or Class B operator) or a comparable examination must, at a minimum, be signed by the trainer or examiner;
- (2) Records from computer based training must, at a minimum, indicate the name of the training program and web address, if Internet based; and
- (3) Records of retraining must include those areas on which the Class A or Class B operator has been retrained.

New Definitions: (40 CFR 280.12)

- *Class A Operator* - the individual who has primary responsibility to operate and maintain the UST system in accordance with applicable requirements established by the implementing agency. The Class A operator typically manages resources and personnel, such as establishing work assignments, to achieve and maintain compliance with regulatory requirements.
- *Class B Operator* - the individual who has day-to-day responsibility for implementing applicable regulatory requirements established by the implementing agency. The Class B operator typically implements in-field aspects of operation, maintenance, and associated recordkeeping for the UST system.
- *Class C Operator* - the individual responsible for initially addressing emergencies presented by a spill or release from an UST system. The Class C operator typically controls or monitors the dispensing or sale of regulated substances.

Conclusion

The new rule defines three classes of UST operators, A, B, and C, based on duties they typically perform at UST facilities. Each class of operator is required to meet a minimum standard of training, although authorized states can add additional training elements. Retraining is required only if the UST system is found to be out of compliance. Documentation of training for all operators is required. The new training requirements need to be implemented by October 13, 2018.

Technical Assistance

For questions regarding this Fact Sheet, contact the USACE Environmental and Munitions Center of Expertise at (402) 697-2561/2632.