

Disclaimer: The following rules are provided for the convenience of interested parties. While the UST Program has taken care with the accuracy of the rules, they are not the "official" administrative rules of the Department of Environmental Quality (Title 17). The Secretary of State, Administrative Rules Bureau, will publish the official rules in the spring of 2010. Please note that the UST operator training rules were effective 11/26/09.

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CHAPTER 56

UNDERGROUND STORAGE TANKS
PETROLEUM AND CHEMICAL SUBSTANCES

Sub-Chapter 15

Underground Storage Tank Operator Training

17.56.1501 OPERATOR TRAINING DEFINITIONS For purposes of ARM 17.56.1502 through 17.56.1502, the following definitions apply:

(1) "Class A operator" means an owner or operator of an UST facility whose primary responsibility is to operate and maintain the UST system. A Class A operator's responsibilities also include managing resources and personnel to achieve and maintain compliance with regulatory requirements.

(2) "Class B operator" means an owner or operator of an UST facility whose primary responsibility is to implement the applicable underground storage tank regulatory requirements and standards in the field. A Class B operator implements day-to-day aspects of operating, maintaining, and recordkeeping for underground storage tanks at one or more facilities.

(3) "Class C operator" means an employee of the owner or operator of the facility who is responsible for responding to alarms or other indications of emergencies caused by spills or releases from UST systems. A Class C operator notifies the Class B or Class A operator and appropriate emergency responders when necessary.

(4) "Operator" has the meaning provided in 75-11-203, MCA. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 2009 MAR p. xxxx, Eff. 11/26/09.)

17.56.1502 OPERATOR TRAINING (1) By August 8, 2010, the owner or operator of an UST system that has a valid operating permit or that is required to have an operating permit under ARM 17.56.308 shall have trained Class A, B, and C operators for the system. The operators must be trained in accordance with [New Rule III]. Each Class A, B, or C operator shall be responsible for his or her applicable operation, maintenance, and emergency response activities, even when the operator is not present at the facility.

(2) After August 8, 2010, a trained Class A or B operator of an UST system may be replaced by an untrained operator if, within 30 days after assuming operation responsibilities, the new operator receives training in accordance with ARM 17.56.1503. Class C operators must be trained before assuming their responsibilities.

(3) One person may hold all or any combination of the Class A, B, or C operator positions simultaneously, if he or she has the appropriate training.

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(4) If the department determines that an UST system does not meet EPA's significant operational compliance (SOC) requirements for release prevention and release detection measures, the appropriate operators, as determined by the department, must be retrained. Retraining must include the subjects in which the UST system was found to be not in significant compliance. Retraining must occur within 90 days after the department's determination that an UST system does not meet EPA's SOC requirements for release prevention and release detection measures, or within a longer time frame established by the department. For purposes of this chapter, the department adopts and incorporates by reference the EPA SOC requirements dated March 2005. Copies of the documents incorporated by reference may be obtained from the Department of Environmental Quality, P.O. Box 200901, Helena, MT 59620-0901. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 2009 MAR p. xxxx, Eff. 11/26/09.)

17.56.1503 OPERATOR TRAINING: AUTHORIZED PROVIDERS:

REQUIRED SUBJECTS (1) Training of UST system operators must be performed by the department or by a third-party trainer approved by the department pursuant to ARM 17.56.1505, except that a trained Class A or B operator also may train a Class C operator.

(2) Class A operators must be trained in the following:

(a) general knowledge of underground storage tank system requirements so that the operator can make informed decisions regarding compliance and can ensure that appropriate persons are meeting the operation, maintenance, and recordkeeping requirements provided in ARM Title 17, chapter 56. The general knowledge must include, but is not limited to, the following:

- (i) spill prevention;
 - (ii) overfill prevention;
 - (iii) release detection;
 - (iv) corrosion protection;
 - (v) emergency response;
 - (vi) product compatibility; and
 - (vii) reporting and recordkeeping requirements;
- (b) financial responsibility documentation requirements;
- (c) notification requirements;
- (d) release and suspected release reporting;
- (e) temporary and permanent closure requirements;
- (f) operator training requirements; and
- (g) all the requirements applicable to Class B and C operators.

(3) Class B operators must be trained in the following aspects of the UST system that is under their responsibility:

- (a) components of UST systems;

- (b) materials used in UST system components;
- (c) methods of release detection and release prevention applied to UST components;

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(d) operation, maintenance, and recordkeeping requirements provided in ARM Title 17, chapter 56 including, but not limited to:

- (i) spill prevention;
- (ii) overfill prevention;
- (iii) release detection;
- (iv) corrosion protection;
- (v) emergency response;
- (vi) product compatibility; and
- (vii) reporting and recordkeeping requirements; and
- (e) all the requirements applicable to Class C operators.

(4) Class C operators must be trained in the following aspects of the UST system that is under their responsibility:

- (a) emergency shut-down procedures;
- (b) how to respond to a surface spill; and
- (c) who to contact in the event of a surface spill, suspected release, equipment alarm or equipment malfunction, and how to contact them.

(5) Class A and B operators who choose department-sponsored training shall pass a department-administered test with at least an 80% score.

(6) Class C operators who:

- (a) choose department-sponsored training, shall pass a department-administered test with at least an 80% score; or
- (b) are trained by a trained Class A or B operator, shall successfully complete a practical demonstration or other evaluation procedure determined to be acceptable by the department and pre-approved by the department in writing.

(History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 2009 MAR p. xxxx, Eff. 11/26/09.)

17.56.1504 OPERATOR TRAINING: RECORDKEEPING (1) Owners or operators shall maintain records documenting the training received for all of their UST system operators. Records must be maintained either:

- (a) at the UST system site and must be immediately available for inspection by the department; or
- (b) at a readily available alternative site and must be available for inspection by the department upon request.

(2) The owner or operator shall keep the operator training record for a person for at least three years after the person served as a Class A, B, or C operator at the facility. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 2009 MAR p. xxxx, Eff. 11/26/09.)

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17.56.1505 OPERATOR TRAINING: THIRD-PARTY TRAINING COURSE APPROVAL

(1) Operator training by a third-party provider does not satisfy the training requirements of ARM 17.56.1502 unless the department has approved the provider's instructors and courses pursuant to this rule.

(2) To apply for department approval of a training program under this rule, a third-party training provider shall submit to the department, at least 60 days before the requested approval date:

- (a) a detailed description of course content and the amount of time allotted to each major topic;
- (b) a description of the evaluation method; and
- (c) when requested by the department, copies of all materials proposed for use.

(3) The department may attend a third-party training program as an observer to verify whether the provider conducts the training in accordance with the requirements of [New Rule III] and in accordance with the program as approved by the department.

(4) The department may approve a third-party training program if the program meets the requirements of ARM 17.56.1503.

(5) If a Class A or B operator has completed operator training in another state, the department may approve the training if the training requirements of the other state are at least as stringent as the training requirements under this subchapter.

(6) The department may suspend its approval if it finds that the program fails to meet the requirements of ARM 17.56.1503 or is not in accordance with the program as approved by the department. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 2009 MAR p. xxxx, Eff. 11/26/09.)

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