

Sec. 22a-449(d)-108. Operator training required

(a) Training and certification

(1) Effective August 8, 2012, no person shall own or operate a UST or UST system without designating Class A, B, and C Operators who have been trained and certified in accordance with an approved training program.

(2) On or before August 8, 2012, for each existing underground storage facility in the state, owners or operators shall submit to the commissioner a statement, in a format approved by the commissioner and signed by the owner or operator and the designated Class A and Class B Operators, identifying the following: (A) the names of the designated Class A and B Operators, (B) the approved training programs from which they obtained their certification, (C) the dates of certification and (D) the dates such certification expires. For underground storage facilities whose USTs or UST systems begin operation after August 8, 2012, this information shall be submitted prior to beginning operation.

(3) Effective August 8, 2012, at each underground storage facility, owners or operators shall post operator response guidelines meeting the requirements of subsection (c) (1) of this section.

(4) Effective August 8, 2012, at each underground storage facility, owners or operators shall post an information sheet regarding all Class C Operators assigned to that underground storage facility. Such information sheet shall include: (A) the names of each designated Class C Operator, (B) the name of the approved training program(s) from which each Class C Operator obtained her or his certification, or the name of the certified Class A or B Operator who trained each Class C Operator, (C) the certification dates for each Class C Operator, (D) the expiration dates of each such certification, and (F) the most recent date of Class C Operator training.

(5) After August 8, 2012, owners or operators shall revise and resubmit to the commissioner a signed statement that includes the information required in subsection (b) of this section whenever there is a change in designated Class A or B Operators, a change of approved training programs, or when a designated Class A or B Operator has been retrained as ordered by the commissioner pursuant to subsection (e) of this section, not more than 30 days after the change for each affected underground storage facility.

(6) After August 8, 2012, newly designated Class A and B Operators shall be trained in accordance with an approved training program not more than 30 days after being designated and newly designated Class C Operators shall be trained in accordance with an approved training program or by a certified Class A or B Operator before assuming the responsibilities of the Class C Operator.

(7) If an approved operator training program has had its approval revoked pursuant to subsection (d) (1) of this section, any Class A, B, or C Operator who has been trained and certified by this program shall remain trained and certified unless (A) they are directed by the commissioner to retrain pursuant to subsection (e) of this section, or (B) their certification expires pursuant to the previously approved training program curriculum.

(b) Operator Training Program Requirements.

Any operator training program shall either be approved by the commissioner pursuant to subdivision (1) or (3) of this subsection, or deemed approved pursuant to subdivision (2) of this subsection to meet the requirements of this section.

(1) An operator training program shall be approved in writing by the commissioner. The commissioner shall approve a program if after submittal of the training curriculum and instructor's qualifications to the commissioner for review, the commissioner finds that the program meets the following requirements:

(A) Class A Operator training shall include, but not be limited to:

(i) Familiarization with applicable federal, state, and local law regarding the operation of USTs and UST systems, including those provisions which apply to notification requirements, spill prevention, overfill prevention, release detection, corrosion protection, emergency response, product compatibility, release and suspected release reporting, temporary and permanent closure requirements, operator training, and financial responsibility documentation requirements;

(ii) Certification that an appropriately administered and evaluated test demonstrating knowledge of the applicable statutes and regulations regarding the operation of USTs and UST systems, including, but not limited to, those provisions listed in subparagraph (A)(i) of this subdivision, has been passed;

(iii) Requirement for retraining or refresher training at least every 2 years following initial training.

(B) Class B Operator training shall include, but not be limited to:

(i) Familiarization with applicable federal, state, and local law regarding the operation of USTs and UST systems;

(ii) Familiarization with the components of USTs and UST systems, the materials of which UST and UST system components are composed, methods of UST and UST system release detection, including the best available technology, UST and UST system spill protection, overfill prevention, release detection, corrosion protection, emergency response requirements, product compatibility, reporting and recordkeeping requirements, and Class C Operator requirements;

(iii) Familiarization with conducting and documenting monthly maintenance inspections pursuant to subsection (c) of this section and yearly maintenance inspections as applicable.

(iv) Certification that an appropriately administered and evaluated test demonstrating such knowledge has been passed;

(v) Requirement for retraining or refresher training at least every 2 years following initial training.

(C) Class C Operator training shall include, but not be limited to:

(i) Familiarization with the operator response guidelines, including, but not limited to, thorough knowledge of the required response to emergencies and alarms;

(ii) Familiarization with the layout of a typical UST system, as well as familiarity with the particular layout of the UST System or UST Systems at the underground storage facility or facilities at which the Class C Operator has responsibilities;

(iii) Familiarization with reading alarm enunciation panels;

(iv) Certification, signed by the Class A or B Operator or the approved training program, that an appropriately administered and evaluated test demonstrating such knowledge has been passed;

(v) Requirement for retraining or refresher training at least every 2 years following initial training.

(2) The following operator training programs shall be deemed approved by the commissioner:

(A) For Class A Operator training, certification as a Connecticut Class A UST System Operator by the International Code Council (ICC) every 2 years.

(B) For Class B Operator training, certification as a Connecticut Class B UST System Operator by the International Code Council (ICC) every 2 years.

(C) For Class C Operator training, training provided by the designated Class A or Class B Operator at the underground storage facility. Such training shall include a physical tour of the underground storage facility, instruction regarding the alarm enunciation panel and appropriate responses to emergencies and alarms as set forth in the posted operator response guidelines. Following the initial training, retraining or refresher training shall be completed at least every 2 years.

(3) The commissioner may also approve, as meeting Connecticut requirements, Class A, B, and C Operator training programs conducted or approved by other states or the ICC.

(c) Additional Operator Requirements.

(1) Operator Response Guidelines shall be in written form and include reporting procedures for releases and suspected releases, emergency contact phone numbers, malfunctioning equipment lock-out/tag-out and notification procedures, and initial mitigation protocol for releases, suspected releases and other emergencies.

(2) Monthly visual inspections meeting the following minimum requirements shall be conducted at all underground storage facilities:

(A) Inspections shall be conducted by or under the direction of the Class A or B Operator.

(B) The results of each inspection shall be recorded in a monthly inspection report and maintained on-site for a period of no less than three years.

(C) The items listed in subclauses (i) through (ix), inclusive, of this subparagraph shall be inspected periodically, as indicated. For each item, the inspector shall inspect the item and record on the inspection report either “no defect” or “defect”, to reflect the status of the item. For any items for which a “defect” status has been recorded, repairs shall be performed not later than thirty days after discovery. Each such repair shall be recorded in the inspection report with details as to how such defect was resolved. Such activities as required by this subparagraph shall be performed in accordance with the Petroleum Equipment Institute RP900-08, “Recommended Practices for the Inspection and Maintenance of UST Systems”.

(i) Inspect monthly vent risers;

(ii) Inspect monthly pressure/vacuum vent caps;

(iii) Inspect monthly spill buckets, new piping containment sumps and new under-dispenser containment sumps;

(iv) Inspect monthly dry break poppet valves to ensure that each such valve forms a continuous seal, including but not limited to ensuring that each valve depresses evenly across the valve seat and that it reseats properly;

(v) Inspect monthly motor fuel dispenser hoses to ensure that there are no tears, leaks, holes, kinks, crimps or defects of any kind;

(vi) Inspect monthly motor fuel dispenser cabinet interiors;

(vii) Inspect monthly transfer and dispensing areas to ensure that any release has been

reported and cleaned in accordance with all applicable federal, state, and local requirements;

(viii) Inspect monthly leak and product monitoring device alarm enunciation panels to ensure the proper operation of leak and product monitoring and detection systems;

(ix) Inspect annually overfill prevention devices.

(D) Should any oil, water, or debris be discovered in any secondary containment component of any UST or UST system, such oil, water, or debris shall be removed and disposed in accordance with all applicable federal, state, and local requirements.

(3) The Class A Operator shall ensure that all UST system components, including but not limited to, tanks, pumps, and appurtenances, that will contact, store or dispense petroleum are compatible with the petroleum or bio-fuel blends that will be stored or dispensed.

(4) Delegation of the responsibilities of this subsection to designated Class A, B, and C Operators shall not relieve the owner or operator of a UST or UST system from liability for non-compliance with the requirements of this subsection.

(d) Revocation of Operator Training Program Approval.

(1) If the commissioner determines that an approved or deemed approved operator training program has become insufficient to adequately train Class A, B, or C Operators, the commissioner shall revoke the approval of the operator training program. Evidence of such insufficiency shall include, but not be limited to, inadequately trained Class A, B, or C Operators; compliance issues; or a failure to document completion of required training.

(2) An operator training program may be re-approved if it is demonstrated that all program defects have been corrected and if a revised curriculum and instructor's qualification is submitted to the commissioner and approved pursuant to subsection (b) of this section.

(3) An approved operator training program may withdraw as an approved operator training program by making such a request in writing to the commissioner.

(e) Operator Retraining.

If the commissioner determines that a UST or UST system is not in compliance with the release prevention and release detection measures, then the commissioner shall order that the responsible Class A, B, or C Operator assigned to that UST or UST system be retrained and recertified in accordance with an approved training program, not later than 30 days after being so ordered or within such other time as the commissioner specifies. Retraining pursuant to this subsection shall not excuse non-compliance nor create a presumption against any related enforcement.

(Effective May 31, 2012)