

7150.0211 CLASS A, B, AND C OPERATOR REQUIREMENTS.

Subpart 1. **Definitions.** For purposes of this part, the following definitions apply.

A. "Class A operator" means an individual who has primary responsibility to operate and maintain the underground storage tank system.

B. "Class B operator" means an individual who has daily responsibility to operate and maintain the underground storage tank system.

C. "Class C operator" means an individual who has daily on-site presence and responsibility to handle emergencies and alarms pertaining to a spill or release from the underground storage tank system.

D. "Unattended card-lock facility" means a facility where control of dispensing a regulated substance is through a mechanical or electronic method without the constant on-site presence of a Class A, Class B, or Class C operator.

Subp. 2. **General.** Class A, B, and C operators must be either the owner or operator of the underground storage tank system, or a designated employee of the owner or operator. The owner or operator of an underground storage tank system must designate a Class A, Class B, and Class C operator for the tank system, except that the owner or operator is not required to designate a Class C operator for unattended card-lock facilities. A Class A, Class B, or Class C operator must be present on site during the operation of the tank system, except at unattended card-lock facilities, which must have a sign posted according to subpart 3. The owner and operator of an underground storage tank system are responsible for ensuring that the Class A, Class B, and Class C operators are fulfilling their responsibilities under this chapter.

Subp. 3. **Unattended card-lock facility.** An unattended card-lock facility must have a legible sign posted in a conspicuous place with the name and address of the facility and the telephone number of the facility owner, operator, or local emergency response.

Subp. 4. **Class A operator responsibilities.** The Class A operator is responsible for managing resources and personnel to achieve and maintain compliance with this chapter.

Subp. 5. **Class B operator responsibilities.** The Class B operator is responsible for daily operation and maintenance of the underground storage tank system. The Class B operator must be present on site at least one time per month to ensure proper operation and maintenance of the tank systems, except that the Class B operator of an unattended card-lock facility must be present on site at least one time per week. Each month, the Class B operator must validate that:

A. required release detection monitoring is being performed according to parts 7150.0300 to 7150.0340;

B. required reporting is being performed and records are being maintained according to part 7150.0450;

C. spill, overfill, and corrosion protection systems are in place and operational according to part 7150.0205;

D. cathodic protection testing has been performed according to part 7150.0215;

E. unusual operating conditions or release detection system indications have been reported and investigated according to Minnesota Statutes, section 115.061; and

F. routine operation and maintenance activities have been accomplished.

Subp. 6. **Class C operator responsibilities.** The Class C operator must be present on site daily and is responsible for handling emergencies and alarms pertaining to a spill or release from a tank system, including reporting spills and releases. The Class C operator must be trained by a Class A or B operator before assuming responsibility for the tank system.

Subp. 7. **Class A and B operator examinations.**

A. Class A and B operators must pass an agency-administered examination verifying operator knowledge of the underground storage tank system with a score of 75 percent or higher, except as provided in item D.

B. Class A and B operators must pass the agency-administered examination within 30 days after being designated by the owner or operator of the tank system, except as provided in item C. The Class B operator must retake the examination within 30 days after a change in any of the following tank system components:

- (1) tank or piping construction material;
- (2) tank or piping release detection method; or
- (3) type of cathodic protection system.

C. Class A and B operators must be designated and pass the initial agency-administered examination according to the following deadlines:

(1) operators at underground storage tank facilities where the facility telephone area code is 651, 952, 612, or 763 must pass the examination no later than August 8, 2011. After August 8, 2011, item B applies; and

(2) operators at underground storage tank facilities where the facility telephone area code is 507, 218, or 320, or other area code must pass the examination no later than August 8, 2012. After August 8, 2012, item B applies.

D. If a designated Class A or B operator is certified in another state as a Class A or B operator for underground storage tanks, the owner or operator may apply to the

commissioner for a waiver of the examination requirement in item A. The owner or operator must submit to the commissioner a copy of the designated Class A or B operator's current certification issued by another state and information to demonstrate that the other state's operator certification examination is equivalent in content to the agency-administered examination under item A. If the waiver is approved by the commissioner, the owner or operator is subject to the commissioner's conditions of approval and to the other requirements in this part, including the examination requirements in item B and subpart 8, item B.

Subp. 8. Class A and B operator training requirements.

A. If the Class A or B operator does not receive a passing score of 75 percent or higher on the examination under subpart 7, the Class A or B operator must attend an agency-approved training course and retake and pass an agency-administered examination within 60 days after notification by the commissioner.

B. If the commissioner determines that the owner or operator of a tank system has violated part 7150.0205, subpart 5; 7150.0215; 7150.0300; 7150.0330; 7150.0340; or 7150.0400, the Class B operator of the tank system must attend an agency-approved training course and retake and pass an agency-administered examination within 60 days after notification by the commissioner.

Subp. 9. Application procedures for training course approval.

A. Persons seeking to train Class A and B operators must submit an application to the commissioner for approval according to this subpart.

B. To apply for commissioner approval of an operator training course, a training provider must submit an application to the commissioner on an application form provided by the commissioner. The application must contain the following information:

- (1) the course sponsor's name, address, and telephone number;
- (2) a list of states that currently approve the training course;
- (3) the course curriculum, including topics to be covered and length of the training;
- (4) a letter from the training course sponsor that clearly indicates how the course meets the requirements of this chapter;
- (5) a copy of all course materials, such as student manuals, instructor notebooks, and handouts;
- (6) a copy of the certificate that will be issued to students who attend the course; and

(7) other information determined by the commissioner to be relevant to evaluating whether the course will provide knowledge to operators to meet the requirements of this chapter.

C. Training must provide the knowledge necessary for operators to monitor and maintain tank systems in a manner that complies with this chapter, prevents releases to the environment, minimizes the size of accidental releases through early detection, and mitigates damage from releases with proper emergency response.

D. The commissioner shall suspend or revoke approval of a training course if the commissioner finds that the course is no longer providing training that meets the requirements of this chapter.

E. Except as provided in item D, approval of a training course remains in effect until the commissioner notifies the approved training provider that changes in the course are required to maintain commissioner approval. At that time, the training provider must submit a revised training course to the commissioner for approval.

Statutory Authority: *MS s 116.49*

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