

**7150.0445 CLASS A, B, AND C OPERATOR REQUIREMENTS.****Subpart 1. General.**

A. Owners and operators of a UST system are responsible for ensuring that class A, B, and C operators fulfill their responsibilities under this chapter.

B. Class A, B, and C operators must be the owner or operator of the UST system or a designated employee of the owner or operator.

C. Owners or operators of a UST system must designate a class A, B, and C operator for the UST system, except that owners or operators are not required to designate a class C operator for unattended card-lock facilities.

D. During business hours, a class A, B, or C operator must be on site during operation of the UST system except at unattended card-lock facilities. Unattended card-lock facilities must post a legible sign in a conspicuous location with the facility name, facility address, telephone numbers for the facility owner and operator, and telephone number for local emergency response.

E. Each individual that meets the definition of a class C operator must be designated as a class C operator.

**Subp. 2. Class A operator responsibilities.** The class A operator is responsible for managing resources and personnel to achieve and maintain compliance with this chapter. At a minimum, a class A operator must be knowledgeable about the purpose, methods, and function of:

- A. spill and overfill prevention;
- B. release detection;
- C. corrosion protection;
- D. emergency response;
- E. product and equipment compatibility;
- F. notification under part 7150.0090, subpart 2;
- G. temporary and permanent closure;
- H. testing, reporting, and record keeping for UST systems;
- I. environmental and regulatory consequences of releases;
- J. financial responsibility; and
- K. training.

**Subp. 3. Class B operator responsibilities.**

A. The class B operator is responsible for daily operation and maintenance of the UST system. The class B operator must be on site at least once each month to ensure proper operation

and maintenance of the UST systems, except that the class B operator of an unattended card-lock facility must be on site at least once each week.

B. Each month, the class B operator must validate that:

(1) release-detection monitoring is being performed according to parts 7150.0300 to 7150.0340;

(2) reporting is being performed and records are being maintained according to part 7150.0450;

(3) spill-, overfill-, and corrosion-protection systems are in place and operating according to part 7150.0205;

(4) cathodic-protection testing is being performed according to part 7150.0215;

(5) unusual operating conditions or release-detection system indications are being reported and investigated according to Minnesota Statutes, section 115.061; and

(6) routine operation and maintenance activities are being done according to part 7150.0216.

C. At a minimum, a class B operator must be knowledgeable about the purpose, methods, and function of:

(1) operating and maintaining the UST system;

(2) spill and overfill prevention;

(3) release detection and related reporting;

(4) corrosion protection;

(5) emergency response;

(6) product and equipment compatibility;

(7) testing, inspection, and record keeping for UST systems;

(8) environmental and regulatory consequences of a release; and

(9) training requirements for class C operators.

Subp. 4. **Class C operator responsibilities.** The class C operator must be:

A. on site daily and responsible for handling emergencies and alarms pertaining to a spill or release from a UST system, including reporting spills and releases;

B. trained by a class A or B operator before assuming responsibility for the tank system; and

C. trained to take action according to this chapter in response to emergencies or alarms caused by spills or releases resulting from operating the UST system or from dispensing activities.

**Subp. 5. Class A and B operator examinations.**

A. Class A and B operators must pass an agency-administered examination with a score of 75 percent or higher to verify knowledge of the UST system. Class A and B operators must pass the agency-administered examination within 30 days after being designated by the owner or operator of the UST system.

B. A class B operator must retake the examination under item A within 30 days after a change in any of the following components of a UST system, unless the class B operator has been previously certified in the newly installed system component:

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

C. Notwithstanding item A, 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. To get approval of a waiver application, 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. The commissioner must approve in writing a waiver application that complies with this item and demonstrates the required equivalency. Owners and operators are subject to the commissioner's conditions of approval and to the other requirements in this part, including the reexamination requirements in item B and the training and reexamination requirements in subpart 6, item B.

**Subp. 6. 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 5, the class A or B operator must attend an agency-approved training course and retake and pass an agency-administered examination with a score of 75 percent or higher. The class A or B operator must pass the examination within 60 days after the commissioner notifies the class A or B operator of a failing score on the original examination.

B. If the commissioner determines that the owner or operator of a UST system has violated part 7150.0205, subpart 5; 7150.0215; 7150.0216; 7150.0300; 7150.0330; 7150.0340; or 7150.0400, the class B operator of the UST system must attend an agency-approved training course and retake and pass an agency-administered examination with a score of 75 percent or higher. The class B operator must pass the examination within 30 days after the commissioner notifies the class B operator of the requirement.

**Subp. 7. Training course approval.**

A. A person seeking to train class A or B operators must apply for agency approval of the training course according to this subpart.

B. A training provider must submit to the commissioner an application on a form provided by the commissioner. The application must contain:

- (1) the course sponsor's name, address, and telephone number;
- (2) a list of states that approve the training course at the time the application is submitted;
- (3) the course curriculum, including topics to be covered and length of the training;
- (4) a letter from the course sponsor that explains 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 relevant by the commissioner for evaluating whether the course will train operators to meet the requirements of this chapter.

C. Training must provide the knowledge necessary for class A or B operators to monitor and maintain UST 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 must suspend or revoke approval of a training course if the commissioner finds that the course no longer provides training that meets the requirements of this chapter.

E. Except as provided in item D, approval of a training course is effective until the commissioner determines that the training course does not meet the requirements of this chapter. Upon making the determination, the commissioner must notify the approved training provider that changes in the course are required to maintain commissioner approval. The training provider must then submit a revised training course to the commissioner for approval.

**Statutory Authority:** *MS s 116.49*

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