

New Jersey UST Operator Training Information

*The Department is offering this information in accordance with the current federal rule which currently applies in New Jersey.

What Is Operator Training?

Operator training is a three-tiered training program required by federal law in New Jersey for the operation of Underground Storage Tanks (USTs). The purpose of the training program is to ensure that owners and operators of USTs properly operate and maintain UST systems.

What Underground Storage Tank Systems Does this Information Apply To?

These provisions apply to all UST systems subject to U.S. Environmental Protection Agency (EPA) rules at 40 C.F.R. Part 280. (<http://www.ecfr.gov/cgi-bin/text-idx?SID=17c8f6bd5a697291dc97a734c4cc3cc7&mc=true&node=pt40.29.280&rgn=div5>)

The operator training applies to all UST systems regulated under New Jersey Underground Storage of Hazardous Substances Act at N.J.S.A. 58:10A-21 et seq.

(http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=127724239&Depth=4&TD=WRAP&advquery=%2258%3a10A-21%22&headingswithhits=on&infobase=statutes.nfo&rank=&record={193A5}&softpage=DocFramePg42&wordsaroundhits=2&x=27&y=11&zz=), and DEP's Underground Storage Tank Rules at N.J.A.C. 7:14B (http://www.nj.gov/dep/rules/rules/njac7_14b.pdf). The Department is expected to amend its rules in 2017 to conform them to the EPA rule requirements.

How Does New Jersey Implement Operator Training?

- By requiring training for all persons who will operate in any one (or more) of the three “classes” of operators (identified in EPA guidelines as Class A, B or C);
- By implementing state-specific operator training requirements that are consistent with EPA rules and related guidelines; and
- By requiring UST owners/operators to designate individuals who are required to be trained under the requirements specified in these guidelines.

How can you become a Class A or Class B Operator?

To become a Class A or Class B operator in New Jersey, a person must attend a class at Rutgers University and pass an International Code Council (ICC) examination (see below).

All individuals who need to be trained will be required to attend a class administered by DEP and held at Rutgers University. Registration procedures, costs, training locations, and schedules can be found at the Rutgers University website:

<http://www.cpe.rutgers.edu/brochures/intros/ust-AB.html>

Completion of the A/B operator training program requires passing the Class A/B operator examination given by the ICC. For more information about ICC please see their website at http://www.iccsafe.org/Certification/Bulletins/UST-AST_EIB.pdf

Individuals who have successfully completed Class A or Class B operator training programs in other states may be eligible for reciprocity. See below for more information.

Who Is Subject To Operator Training Requirements And What Are The Requirements?

For purposes of implementing the operator training requirements, EPA guidelines establish three classes of operators identified as Class A, Class B, and Class C. Each UST system, or group of UST systems at a facility must have a Class A, Class B, and Class C operator designated. All individuals designated as a Class A, B, or C operator must, at a minimum, be trained in accordance with these guidelines.

The operator described above, or an individual may be designated to more than one of the above operator classes. An individual who is designated to more than one operator class must be trained in each operator class for which he or she is designated.

The owner and operator shall submit to the Department, on the New Jersey Underground Storage Tank Facility Certification Questionnaire (<http://www.nj.gov/dep/srp/forms/ust/ust021b.pdf>), the names of the designated Class A and Class B operators for each UST system or group of UST systems within 30 days of designation.

For UST systems installed prior to October 13, 2015 (effective date of 40 C.F.R. Part 280) the owner or operator shall ensure each Class A, Class B, and Class C operator has completed training by October 2018. State regulated Heating Oil tanks are subject to the same deadline.

Owners and operators can designate themselves as Class A, Class B, or Class C operators, or they can designate contractors or their employees. If contractors or employees are designated, the UST system owners and operators still retain liability for all regulatory issues, including ensuring their Class A, B, and C operators have received the required training and passed the applicable examinations.

Classes of Operators

To assist owners and operators in identifying responsible individuals to be trained pursuant to these guidelines, the following sections characterize, in general terms, each class of operator. These sections also identify general training requirements pertaining to operating and maintaining UST systems.

Class A Operator

A Class A operator has primary responsibility to operate and maintain the UST system. The Class A operator's responsibilities include managing resources and personnel, and activities such as establishing work assignments to achieve and maintain compliance with regulatory requirements.

In general, this individual focuses on the broader aspects of the statutory and regulatory requirements and standards necessary to operate and maintain the UST system (i.e., N.J.A.C. 7:14B) For example, this individual typically ensures that appropriate individual(s):

- Properly operate and maintain the UST system;
- Maintain appropriate records;
- Are trained to operate and maintain the UST system and keep records;
- Properly respond to emergencies caused by releases or spills from UST systems at the facility; and
- Make financial responsibility documents available to the UST implementing agency as required.

Training for a Class A operator shall include, at a minimum, the following:

A general knowledge of UST system requirements so he or she can make informed decisions regarding compliance, and ensure appropriate individuals are fulfilling operation, maintenance, and recordkeeping requirements and standards of N.J.A.C. 7:14B.

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;
- vi. Financial responsibility;
- vii. Notification and storage tank registration;
- viii. Temporary and permanent closure;
- ix. Testing, inspecting, reporting and recordkeeping;
- x. Environmental and regulatory consequences of releases; and
- xi. Training requirements for Class B and Class C operators.

Class B Operator

A Class B operator implements applicable UST regulatory requirements and standards (i.e., N.J.A.C. 7:14B) in the field. This individual implements the day-to-day aspects of operating, maintaining and recordkeeping for USTs at one or more facilities. For example, this individual typically monitors, maintains, and ensures:

- Release detection method, recordkeeping, and reporting requirements are met;
- Release prevention equipment, recordkeeping, and reporting requirements are met;
- All relevant equipment complies with performance standards; and
- Appropriate individuals are trained to properly respond to emergencies caused by releases or spills from UST systems at the facility.

Training for a Class B operator shall include, at minimum, the following:

1. Regulatory requirements applicable to UST systems, including:
 - i. Components of UST systems.
 - ii. Materials of UST system components.
 - iii. Methods of release detection and release prevention applied to UST components.
2. The purpose and function of equipment generally used in an UST system;
3. The specific purpose, methods, and function of:
 - i. Operation and maintenance of UST systems;
 - ii. Spill and overfill prevention;
 - iii. Release detection and related reporting;
 - iv. Corrosion protection and related testing;
 - v. Emergency response;
 - vi. Product and equipment compatibility;
 - vii. Testing, inspecting, reporting and recordkeeping;
 - viii. Environmental and regulatory consequences of releases; and
 - ix. Training requirements for a Class C operator.

Class C Operator

A Class C operator is an individual who would act as the first line of response to any event which results in an emergency condition. This individual is responsible for responding to alarms or other indications of emergencies caused by spills or releases from UST systems. This individual notifies the Class B or Class A operator and appropriate emergency responders when necessary. Not all employees of the facility are necessarily Class C operators. This individual typically:

- Controls or monitors the dispensing or sale of regulated substances, or
- Is responsible for initial response to alarms or releases.

Training for a Class C operator shall, at a minimum, include the following:

- The training to take action in response to emergencies such as, situations posing an immediate danger or threat to the public or to the environment that require immediate action, or alarms caused by spills or releases from an UST system, as well as the training to notify the appropriate authorities.

When Must Operators Be Trained?

Owners and operators of facilities that are required to have a Class A/B/C operator must designate a trained Class A/B/C operator by **October 2018**.

After October 2018 operators must be trained as follows:

- Class A and Class B operators must be trained within 30 days after assuming operation and maintenance responsibilities at the UST system.
- Class C operators must be trained before designation and assuming responsibility for responding to emergencies.

Owners and operators can designate themselves as Class A, Class B, or Class C operators or they can designate contractors or employees. If contractors or employees are designated, the UST system owners and operators still retain liability for all regulatory issues, including ensuring that their Class A, B, and C operators have received the required training and passed the applicable examinations.

Reciprocity

An owner and operator of an UST system may designate a Class A or Class B operator who has completed training and successfully passed an authorized evaluation in another state provided the following:

1. When designating the Class A or Class B operator, the owner and operator of the UST system shall submit formal documentation to the Department as part of the New Jersey Underground Storage Tank Facility Certification Questionnaire. Formal documentation can consist of: official training/examination certifications issued by another state or states; or training/examination certification issued by the third party or parties approved by other states. The training/examination certification shall demonstrate to the satisfaction of the Department that the Class A or Class B operator has successfully completed training and successfully passed an authorized evaluation for which the owner or operator is seeking designation;
2. The Department determines that the operator training program and evaluation method which the Class A or Class B operator completed and passed in the other state is significantly comparable to the Department's training program or evaluation method for the class of operator for which the owner or operator seeks designation; and
3. The Class A or Class B operator is currently in good standing in that state(s) in the operator class for which the owner or operator is seeking designation.

Reciprocal training shall not substitute for retraining as described below.

Retraining

If the Department determines that an UST system is out of compliance with a significant requirement (for example, not having operating leak detection or cathodic protection mechanisms, failing to respond to alarms or active discharges, or repeatedly violating the same requirements over multiple inspections), the Department will require retraining and retesting (as applicable) of the designated Class A and/or Class B operators of the UST system in accordance

with N.J.A.C. 7:14B-5A.2. Retraining is to be completed no later than 30 days from the date the Department advises the facility of significant or repetitive non-compliance, or within an alternate timeframe as agreed to by the Department.

The Department may, at its discretion, provide an exception from the retraining described above, if the Department determines that the UST system's non-compliance on which the retraining determination is based appears to have resulted from unanticipated equipment failure, improper contractor repairs, or other factors beyond the normal control and diligence of the owner and operator.

Unmanned Facilities

There may be occasions when a Class A, Class B, or Class C operator will not be present at the facility. For example, operators are frequently not present at unmanned facilities, such as emergency generators at telecommunication towers and card lock/card access facilities. However, these operators are still responsible for operation and maintenance activities or responding to emergencies and must be trained pursuant to these requirements.

In the case of facilities that do not have an attendant present during all operating hours, the owner and operator of an unmanned facility shall ensure that the facility has posted clearly visible, weather resistant signs providing emergency procedures and notification information.

For facilities that receive after-hours deliveries, the owner and operator of the facility may either contract with the supplier or transporter to ensure that a Class C operator is present at the delivery. Or the owner and operator may post signs that meet the requirements for an unmanned facility as noted above.

Documentation of training requirements

The owner and operator shall maintain records that document the training, and retraining if applicable, completed by each designated Class A, Class B, and Class C operator. The records for each operator shall be maintained as long as the operator is designated for the facility.

The training records shall be maintained on paper or electronically, and shall be made available for on-site inspection by the Department upon request.

The training record shall:

1. Identify each Class A, Class B and Class C operator for the facility at the time of the Department's request to inspect the records, including the name, the operator training he or she completed, date(s) of initial training and any retraining or refresher training, and the trainer's name and contact information;
2. Include, at a minimum, the name and signature of the trainer for classroom or field training programs (including Class C operator training provided by the Class A or Class B operator);

3. Indicate, at a minimum, the name of the computer-based training program and web address, if Internet based; and
4. Include the subjects on which the Class A or Class B operator completed retraining, if applicable.

Contacts

For general questions please email: ustaboperator@dep.nj.gov

Or contact any of us below for more information:

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