

1 Pollution Control Agency

2 Hazardous Waste Division

3

4 Adopted Permanent Rules Relating to Storage Tank Service

5 Providers

6

7 Rules as Adopted

8

TRAINING AND CERTIFICATION

9 7105.0010 DEFINITIONS.

10 [For text of subpart 1, see M.R.]

11 Subp. 1a. **Active participation.** "Active participation"  
12 means the process of installing, repairing, or closing an  
13 underground storage tank system, particularly during critical  
14 junctures. Active participation does not include the process of  
15 sampling soil or groundwater or conducting corrective action at  
16 an underground storage tank site.

17 [For text of subp 2, see M.R.]

18 Subp. 3. **Approved training provider.** "Approved training  
19 provider" means a person approved by the commissioner to provide  
20 the tank service provider training course, recertification  
21 course, or the final examination.

22 [For text of subps 4 and 5, see M.R.]

23 Subp. 6. **Certified supervisor or supervisor.** "Certified  
24 supervisor" or "supervisor" means an individual certified by the  
25 agency under the requirements of this chapter to perform one or  
26 more storage tank projects. This individual provides on-site  
27 supervision and direction to workers engaged in a storage tank  
28 project.

29 [For text of subps 7 and 8, see M.R.]

30 Subp. 9. **Contractor.** "Contractor" means a corporation,  
31 partnership, public agency, or any other association that holds  
32 itself out as being qualified to engage in storage tank projects.

33 [For text of subps 10 and 11, see M.R.]

34 Subp. 12. **Diploma.** "Diploma" means a document issued by  
35 an approved training provider verifying the successful

1 completion of the required training course.

2 Subp. 13. **Disciplines of certification or disciplines.**

3 "Disciplines of certification" or "disciplines" means the  
4 categories of tank projects within which a person may be  
5 certified under the requirements of this chapter. Each  
6 discipline includes the storage tank projects listed in items A  
7 and B.

8 A. The discipline of "installation or repair"  
9 includes installation as defined in subpart 15 and repair as  
10 defined in subpart 21.

11 B. The discipline of "closure" includes the storage  
12 tank projects defined in subpart 7.

13 Subp. 13a. **Employ.** "Employ" means to engage a person's  
14 services through a contractual or other written agreement.

15 [For text of subp 14, see M.R.]

16 Subp. 15. **Installation.** "Installation" means the work  
17 involved in placing an underground storage tank in position and  
18 preparing it to be placed in service.

19 Subp. 16. [See repealer.]

20 [For text of subps 17 to 20, see M.R.]

21 Subp. 21. **Repair.** "Repair" means the correction,  
22 restoration, modification, or upgrading of a tank system,  
23 including but not limited to the addition of cathodic protection  
24 systems; the replacement of piping, valves, fill pipes, or  
25 vents; and other similar activities that may affect the  
26 integrity of the tank system.

27 [For text of subp 22, see M.R.]

28 Subp. 23. **Storage tank project.** "Storage tank project"  
29 means the installation, repair, or closure of an underground  
30 storage tank within a common excavation upon which discrete work  
31 is done that is separated in time and space.

32 [For text of subp 24, see M.R.]

33 Subp. 24a. **Tank service provider.** "Tank service provider"  
34 means a person who installs, repairs, or closes an underground  
35 storage tank.

36 [For text of subp 25, see M.R.]

1 7105.0050 CONTRACTOR CERTIFICATION.

2 Subpart 1. Contractor certification requirements. To  
3 obtain certification from the commissioner, an applicant for a  
4 contractor's certificate shall:

5 [For text of item A, see M.R.]

6 B. submit and maintain for the duration of the  
7 certification period documentation showing that it has  
8 comprehensive general liability insurance, surety bonds, or  
9 liquid company assets that, in combination, represent a value of  
10 not less than five times the value of the largest storage tank  
11 project contract performed by the contractor during the previous  
12 two years;

13 C. complete the application procedures in subpart 3  
14 or 4; and

15 D. meet the standards of performance of part  
16 7105.0070.

17 Subp. 2. Disciplines of contractor certification. A  
18 contractor may be certified in one or more of the following  
19 disciplines providing it employs supervisors that are certified  
20 in the disciplines for which the contractor seeks certification,  
21 as defined in part 7105.0010, subpart 13:

22 A. installation or repair; and

23 B. closure.

24 Subp. 3. Application procedures for contractor  
25 certification. To apply for certification as a certified  
26 contractor, the following information must be submitted to the  
27 agency on a form provided by the agency:

28 [For text of items A to I, see M.R.]

29 J. remittance of the contractor certification fee.

30 The application must be specific to one contractor, but may  
31 include a request to be certified in more than one discipline.

32 The commissioner must be notified in writing within 30 days  
33 of any change in status, including but not limited to a change  
34 in address, ownership, supervisor status, or loss of a  
35 contractor or supervisor certification.

1 [For text of subps 4 and 5, see M.R.]

2 7105.0060 SUPERVISOR CERTIFICATION.

3 Subpart 1. **Supervisor certification requirements.** To  
4 obtain certification from the commissioner, an applicant for a  
5 supervisor's certificate shall:

6 A. in the four-year period immediately before making  
7 an initial or renewal application, have successfully completed  
8 an approved training course as outlined in parts 7105.0080 and  
9 7105.0090, or a course approved by the commissioner under  
10 subpart 7;

11 B. have at least two years of tank service experience  
12 and have actively participated in the field on a minimum of five  
13 underground storage tank projects during the four-year period  
14 immediately before making an initial or renewal application,  
15 with at least four of these projects being in the discipline for  
16 which the individual wishes to be certified. Any experience  
17 obtained after July 9, 1990, for the purposes of obtaining  
18 initial certification, must be in the employ of a certified  
19 contractor and under the immediate and personal supervision of a  
20 certified supervisor; and

21 [For text of item C, see M.R.]

22 [For text of subp 2, see M.R.]

23 Subp. 3. **Disciplines of supervisor certification.** An  
24 individual, with the appropriate training and experience, may be  
25 certified in one or more of the following disciplines, as  
26 defined in part 7105.0010, subpart 13:

27 A. installation or repair; and

28 B. closure.

29 Subp. 4. **Application procedures for supervisor**  
30 **certification.** To apply for certification as a certified  
31 supervisor, the following information must be submitted to the  
32 agency on a form provided by the agency:

33 A. the applicant's full name, job title, name of  
34 business, business address, and business phone number;

35 [For text of items B to F, see M.R.]

1 [For text of subp 5, see M.R.]

2 Subp. 5a. **Certification renewal schedule for supervisors.**

3 Supervisors initially certified must be recertified according to  
4 this part by December 31 of the year listed in the following  
5 table:

6	Year of initial certification	Year when recertification is required (by December 31 of the year indicated)
9	1990	1995
10	1991	1995
11	1992 & beyond	according to subpart 6

12  
13 [For text of subp 6, see M.R.]

14 Subp. 7. **Reciprocity.** The commissioner shall approve a  
15 tank service provider certification course sponsored by a state  
16 or organization other than an approved training provider if the  
17 commissioner determines that the course is comparable to the  
18 program outlined in parts 7105.0080 and 7105.0090. Persons  
19 seeking reciprocity under this subpart shall be required by the  
20 commissioner to pass an examination to verify their familiarity  
21 with Minnesota's laws pertaining to underground storage tank  
22 systems if the commissioner finds that their courses did not  
23 adequately address Minnesota's statutes and rules. This  
24 examination may be taken any time after the completion of the  
25 approved training course and before applying for certification.  
26 However, the certificate expires four years after the final day  
27 of the approved training course.

28 7105.0080 STORAGE TANK SERVICE PROVIDER TRAINING COURSE  
29 REQUIREMENTS.

30 Subpart 1. **Initial storage tank service provider training**  
31 **course.** The initial storage tank service provider training  
32 course must be at least five days in length and must include  
33 lectures, demonstrations, four hours of hands-on training,  
34 course review, and a final written examination.

35 Subp. 2. **Renewal storage tank service provider training**  
36 **course.** The renewal storage tank service provider training  
37 course must be at least two days in length and must include  
38 lectures, demonstrations, course review, and a final written  
39 examination.

1           Subp. 3. **Storage tank service provider training course**  
2 **requirements.** All the following topics must be included in the  
3 initial course. One or more of the following topics must be  
4 included in the renewal course. The commissioner shall approve  
5 topics to be included in the renewal course based on a list  
6 submitted by training providers and based on the requirements of  
7 part 7105.0100. Publications cited are incorporated by  
8 reference in part 7105.0130:

9                           [For text of items A and B, see M.R.]

10           C. safety aspects, including discussions on:

11                       (1) OSHA's Safety and Health standards relating  
12 to excavations, trenching, and shoring; confined space; and  
13 competent person requirements;

14                           [For text of subitems (2) to (6), see M.R.]

15                           [For text of items D to G, see M.R.]

16           H. tank system testing:

17                           [For text of subitem (1), see M.R.]

18                           [For text of unit (a), see M.R.]

19                               (b) tightness and precision tests;

20                           [For text of units (c) to (g), see M.R.]

21                           [For text of subitems (2) and (3), see M.R.]

22                           [For text of items I to N, see M.R.]

23           O. record keeping:

24                           [For text of subitems (1) and (2), see M.R.]

25                               (3) use of photographs or videotapes for  
26 installation and removal records;

27                           [For text of items P to S, see M.R.]

28 7105.0090 EXAMINATIONS AND DIPLOMAS.

29                           [For text of subpart 1, see M.R.]

30           Subp. 2. **Examination specifications.** The initial or  
31 renewal training course examination administered under this  
32 chapter must be a written, comprehensive examination consisting  
33 of 100 objective questions, covering the topics discussed in the  
34 training course.

35           Subp. 3. **Examination requirements.** A person seeking

1 certification or recertification as a certified supervisor shall  
2 participate in all course requirements and pass a written final  
3 examination. An applicant shall score 75 percent or higher to  
4 pass the final examination. The final examination must be  
5 passed within ten days after completing the training course,  
6 except as provided in subpart 4.

7 Subp. 4. **Retest.** If a person fails to pass the initial or  
8 renewal training course examination, one retest may be taken  
9 within 30 days after a person receives a notice of failure. If  
10 a person fails to pass the retest, the full course must be  
11 attended again before further testing.

12 Subp. 5. **Diplomas.** The training provider shall issue a  
13 diploma to each student who completes the initial or renewal  
14 training course and successfully passes the examination. The  
15 following information must be included on the diploma:

16 [For text of items A to C, see M.R.]

17 D. a statement indicating that the student attended  
18 the course and passed the examination; and

19 E. an expiration date for accreditation that is four  
20 years after the date on which the student passed the examination  
21 except as provided by part 7105.0060, subpart 5a.

22 If the person administering the examination is not the same  
23 person administering the course, both persons shall sign the  
24 diploma.

25 7105.0100 APPROVAL OF CERTIFICATION TRAINING COURSES.

26 Subpart 1. **Application procedures for training course**  
27 **approval.** The commissioner may approve initial or renewal  
28 training courses developed by persons other than the agency  
29 staff. The commissioner shall approve a course that meets the  
30 requirements of this part and parts 7105.0080 and 7105.0090. To  
31 apply for agency approval of a tank service provider training  
32 course, the following information must be submitted to the  
33 commissioner:

34 [For text of items A to G, see M.R.]

35 H. a description and an example of diplomas issued to

1 students who attend the course and pass the examination.

2 [For text of subps 2 to 4, see M.R.]

3 7105.0110 SANCTIONS.

4 Subpart 1. **Criteria.** The commissioner may refuse to  
5 issue, renew, or reinstate a certificate or suspend or revoke a  
6 certificate for any of the following reasons:

7 [For text of items A and B, see M.R.]

8 C. failure to meet the technical requirements of Code  
9 of Federal Regulations, title 40, part 280; technical standards  
10 for underground storage tanks, chapter 7150, adopted under  
11 Minnesota Statutes, section 116.49, subdivision 1; the  
12 requirements of this chapter including the Standards of  
13 Performance in part 7105.0070; or other law relating to storage  
14 tank projects; or

15 [For text of item D, see M.R.]

16 [For text of subps 2 to 7, see M.R.]

17 7105.0130 INCORPORATION BY REFERENCE.

18 [For text of subps 1 to 3, see M.R.]

19 Subp. 4. **PEI document.** The following document is also  
20 available from the Petroleum Equipment Institute, P.O. Box 2380,  
21 Tulsa, Oklahoma 74101: Petroleum Equipment Institute,  
22 Recommended Practices for the Installation of Liquid Storage  
23 Systems, PEI/RP 100 (1990).

24 **REPEALER.** Minnesota Rules, part 7105.0010, subpart 16, is  
25 repealed.