



Alabama Department of Environmental Management
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July 16, 2012

MEMORANDUM

From: Lee Davis, Chief
UST Compliance Section
Groundwater Branch
Land Division

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NEW ADEM CERTIFICATION REQUIREMENTS FOR INDIVIDUALS WHO SUPERVISE INSTALLATION, CLOSURE, AND REPAIR OF UST SYSTEMS

No later than **July 16, 2012**, individuals who exercise supervisory control when performing installation, closure, and repair of UST systems must be certified by a Department approved certifying organization as required by 335-6-15-.47. In addition, owners who install, perform closures, or repairs to UST systems must either use a certified contractor or gain certification themselves.

Exceptions to this certification requirement are internal lining; installation of cathodic protection systems or repair of cathodic protection systems; repair or installation of tank and/or piping leak detection equipment by technicians trained by the manufacturer of the equipment; and routine maintenance.

Routine maintenance is defined as an activity involving work on an UST system that is not a repair, replacement, installation, or closure. This includes replacing or repair of spill catchment basins, automatic line leak detectors, automatic tank gauge probes, suction or submersible pumps, overfill prevention devices, drop tubes, check valves, shear valves, tank fill adaptors, caps, lids, and manhole covers, fuses, dispenser components above shear valve.

To be recognized by the Department as a certified contractor, an individual must:

1. Be at least 18 years of age and have a photo ID issued by the United States government or a state of the United States with date of birth, to allow the Department or a Department approved certifying organization to verify age and identity;
2. Have documentation of 3 jobs in the last 3 year period immediately prior to pursuing certification in which the individual was involved in installation, closure, or repair of UST systems that can be verified by the Department or a Department approved certifying organization and for jobs within the state of Alabama, documentation of the name of the installer certified under this rule for each installation, closure, or repair if the jobs were after July 16, 2012;
3. Have proof of financial responsibility or employer's financial responsibility in the amount of \$1,000,000 of contractor's general liability insurance coverage and \$1,000,000 of pollution insurance rider coverage that can be verified by the Department or a Department approved certifying organization;



4. Attend and complete a course with classroom instruction on installation, closure, and repair of UST systems from a Department approved certifying organization;
5. Pass an exam or exams on installation, closure, and repair of UST systems administered by a Department approved certifying organization;
6. Be issued an identification card by a Department approved certifying organization with the name and photo of the individual, and date of certification;
7. Be identified by a Department approved certifying organization as an individual who is certified to exercise supervisory control with regard to performing installation, closure and repair of UST systems in Alabama; and
8. Comply or be employed by a company that complies with the requirements of the Alabama Licensing Board for General Contractors.

Grandfathering All those individuals who are currently certified in the State of Alabama will be considered to have met the requirements under this new rule upon demonstration of the following:

1. Provide proof of certification prior to January 16, 2012;
2. Meet the requirements of 1. through 3., and 6. through 8. above; and
3. Apply to a Department approved certifying organization for certification no later than July 16, 2012. Those individuals that are not certified by this date, must meet all the requirements above to become certified under this rule.

Reciprocity Beginning January 16, 2012 all those individuals who have successfully been certified in another state with a state approved certification program, may apply to become certified under this rule by a Department approved certifying organization by meeting the requirements of 1. through 3., and 5. through 8. above.

Recertification is required every 3 years. To be recertified the certified individual must show to the Department approved certifying organization verification of 16 hours of online or classroom continuing education related to installation, closure, or repair of UST systems that occurred within the 3 year recertification period prior to the certification expiration date, and proof of financial responsibility or employer's financial responsibility.

Responsibilities A certified individual shall:

1. Exercise supervisory control during installation, closure and repair of UST systems in accordance with the requirements of this chapter and all applicable industry recommended practices.
2. Be present at the job site during the following installation critical junctures;
 - (i) Excavation immediately prior to tank and piping installation and during backfill and compaction,
 - (ii) After excavation and prior to setting tank and piping,
 - (iii) Setting of the UST and piping,
 - (iv) Connection of piping and UST system components,
 - (v) Installation of UST system restraining devices, and
 - (vi) Tightness testing of the UST system during installation.
3. Be present at the job site during the following closure critical junctures;
 - (i) De-vaporization, inerting, and cleaning of the tank,
 - (ii) Testing atmosphere in and around the tanks,
 - (iii) Excavation of material around the tank and piping,
 - (iv) Removal of the tank and piping from the excavation and job site,
 - (v) Cutting or destroying the tank if done on site, and

- (vi) When closing in place, filling the tanks with an inert material.
- 4. Be present at the job site during the following repair critical junctures;
 - (i) Excavation of any material from around area of the tank, piping, sump, or spill catchment basin necessary to make a repair,
 - (ii) Repair or alteration of the UST system,
 - (iii) Repair, alteration or replacement of piping or sumps, and
 - (iv) Cutting the top of a tank and welding manhole to a tank.
- 5. Upon request by a Department representative, provide proof of installation, closure, and repair certification from a Department approved certifying organization.
- 6. Report any suspected releases or unusual operating conditions observed by the certified individual or by someone under his supervisory control at a UST facility where work is being performed or in the immediate surrounding area.
- 7. Prior to beginning an installation or upgrade, ensure that a notice of proposed installation modification, or upgrade has been submitted to the Department.
- 8. Prior to beginning a closure, ensure that a notice of intent to permanently close has been submitted to the Department.

Revocation of Certification An individual's certification to exercise supervisory control with regard to performing installation, closure, and repair of UST systems under this rule may not be recognized by the Department or may be revoked by a Department approved certifying organization.

- 1. Revocation can occur for the following reasons, and for any other reasons deemed appropriate by the Department;
 - (i) Gross negligence,
 - (ii) Fraud or deception,
 - (iii) Failure to correct deficiencies in workmanship,
 - (iv) Failure to comply with the certified individual's responsibilities listed above, and
 - (v) Performing installation, closure, or repair activities without financial responsibility or employer financial responsibility.
 - (vi) Failure to comply with the requirements of the Alabama Board for General Contractors.

For a more complete description of the contractor certification requirements, as well as a description of the requirements of the Certifying Organization refer to ADEM Administrative Code r. 335-6-15-.47. Contact ALPEC at 334 288-4103, Lee Davis at 334 271-7759, or Curt Johnson at 334 271-7986 for answers to your questions.