

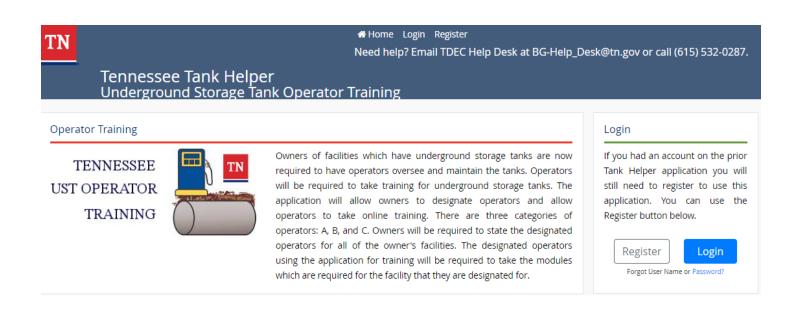
# DIVISION OF UNDERGROUND STORAGE TANKS

Operator Retraining Process Changes

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#### **Packet Documents**

- Operator Retraining Flyers
- Revised April 5, 2024, Enforcement Policy





## **Operator Training & Retraining**

- Operator Training
  - 2005 Energy Policy Act & 2015 EPA Rules
    - Annual EPA Certification
  - 2018 Tennessee Rules
- Retraining Rule 0400-18-01-.16 (4)
  - If the division determines that the UST system is out of compliance at any time, then successful completion of operator retraining appropriate to the level of the operator Class must be completed within 30 days from the date the division determines that the UST system is out of compliance.



#### Operator Retraining Violations

- Addressing Retraining Violations in the Past
- Does Retraining Improve Operational Rule Compliance?
- Survey of Other States Retraining Programs
- New Retraining Process



### **Operator Retraining New Process**

- Initial Operator Training Unaffected
- Retraining Inspection Process (pdf Revisions In Color)
  - Probation Violations Discovered During Inspection
    - (pg. 19 Revised Enforcement Policy)
  - Operator Present
  - Operator Not Present
- Reinspection Contingent Order Violations



# Revised Enforcement Policy (April 5, 2024)

- Removed 3 pages (pg. 10, 11 & 12)
- Changes to Enforcement Action Referral Process (pg. 14)
- Civil Penalty Calculation Process (pg. 19)
- Additional Consideration Toward Settlement
  - Page 27 Item 4: If a case goes to an order before the respondent provides documentation showing no violations existed or that compliance was met after the inspection, the respondent will pay the failure to cooperate on the violations and the service of process charge with no reduction.
- Miscellaneous Housekeeping / Formatting



### **Policy on Policies**

- Document Drafts Posted April 8, 2024
- Public Input Deadline June 12, 2024
- All Input Welcome





#### **QUESTIONS?**

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