

Comments on Proposed Rules
for Chapter 25

RM 201800005

Comments offered by:
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1. **165-25-1-101 Licensing procedure for UST Installers**

(a)(5) Installers must also certify that they will comply with all Commission rules and requirements for underground storage tanks, applicable Occupational Safety and Health Administration (OSHA) 29 CFR 1910.120 Hazardous Waste Operations and Emergency Response (HAZWOPER) standards.

This proposal included UST Installer, UST Removers and Aboveground Storage Tank licensees. My comments apply to all three licensees.

It is not the duty of the OCC to enforce federal OSHA regulations. This should be deleted from the proposed rules based on the fact that it is outside the authority of the commission. In, addition, commission inspectors are not qualified and trained in the enforcement of OSHA rules.

This comment implies that all OCC licensed UST Installers, UST Removers and AST licensed installers and removers must have the 40 hour HAZWOPER Course to become of aware of the OSHA Requirements that they must comply with. This is an undue and unnecessary burden on the licensees.

Chapter 26

1. **165-26-2-42 Frequency and criteria of inspections and tests**

(4) All personnel performing cathodic protection system testing must have the required education, current corrosion certification experience...

I have added current to the proposed rule change. Corrosion certifications are typically for 3 years and must renewed every 3 years to remain current. The cathodic protection tester should be current in his certification. It makes no sense to have an individual that took a course 10 years ago and has not maintained the certification.