

567—134.10(455B) UST compliance inspector certification requirements.**134.10(1) Qualifications.**

a. A person retained by an owner or operator of a UST facility for the purpose of determining compliance of a UST system for a compliance inspection required by the department under 567—135.19(455B) must hold a current UST compliance inspector certification issued by the department.

b. Inspector certification will be issued by the department to a person who:

(1) Meets the certification requirements listed under 567—134.6(455B);

(2) Satisfies one of the following:

1. Is a certified installer;

2. Is a certified installation inspector;

3. Has participated on a minimum of 50 onsite compliance inspections with a certified compliance inspector;

4. Has two years of experience working with petroleum equipment, including installations, maintenance, or testing; or

5. Has other relevant experience approved by the department; and

(3) Is not found to be in violation of this chapter and has not had a certification issued by the department under this chapter revoked.

134.10(2) Renewal qualifications. To be eligible for certification renewal, a compliance inspector shall have:

a. Fulfilled the department's continuing education requirements in 567—134.8(455B); and

b. Conducted at least 12 compliance inspections in the past two years.

134.10(3) UST compliance inspector responsibilities.

a. *Compliance inspection.* The UST compliance inspector shall conduct a compliance inspection in accordance with this rule and 567—Chapter 135. The inspector shall notify the department of the date of a site inspection at least ten days prior to the inspection or another time frame approved by the department.

b. *Inspection process.*

(1) Upon completion of the site inspection, the inspector shall send an inspection report to the owner and operator within ten business days. At a minimum, the report shall provide the following:

1. Any violations or deficiencies related to 567—Chapter 135 or other applicable state or federal law and those specific actions necessary to correct the violations or deficiencies.

2. Applicable time frames to correct violations or deficiencies if established in 567—Chapter 135 or within 60 days of receipt of the inspection report or another reasonable time period approved by the department.

(2) A final electronic report shall be submitted to the department and a copy provided to the owner and operator as provided in 134.10(3) "c" within the following time frames:

1. Within ten business days of the inspection if the results of the inspection find no violations or deficiencies requiring corrective action.

2. Within ten business days of the inspector's receipt of all necessary documentation of all action required to correct violations and deficiencies.

3. In any case, no later than 90 days of the site inspection.

4. Any deficiencies identified on the day of a compliance inspection must be reported to the department as a deficiency, regardless of when it is addressed.

c. *Electronic inspection reporting.* The inspector shall prepare an electronic report in accordance with the following:

(1) The inspector shall enter the results of the site inspection discovered at the time of the inspection and any actions taken to correct violations and deficiencies on an internet-based electronic format developed by the department and in accordance with guidance. The department's software will be capable of generating an inspection report.

(2) The department will develop a generally compatible electronic platform using XML or another approved format. The department will provide the XML schema file format to describe the data needed to allow an inspector to transfer multiple site inspection results in an electronic batch process over the internet using the department's inspection website.

(3) The inspector shall provide a print copy of the electronically generated inspection report to the owner and operator or an alternative report approved by the department.

(4) The inspection report submitted to the department electronically will include at least one overall site photo.

d. Evidence of violations or deficiencies. Any evidence of violations or deficiencies observed during the inspection must be photographed using a digital photograph. Digital photographs must be submitted as part of the electronic inspection report and maintained by the inspector for five years as part of the inspector's records.

e. Records. The inspector must provide any inspection records provided by the owner and operator to the department upon request.

f. Inspection technical requirements. An inspector of a UST system must check for compliance with the technical standards of 567—Chapter 135. The inspection of a UST system currently in operation shall include but not be limited to the following:

(1) The material currently stored in the UST.

(2) The type of tank and lines currently at the site as compared to the registered information on the department's database.

(3) Checking site records demonstrating operational compliance (567—subrule 135.4(5)).

(4) Checking release detection records (567—subrule 135.5(6)).

(5) Visually checking for releases or other violations by opening covers of dispensers, manways, and containment sumps for submersible pumps and other piping connections for:

1. Damaged or deteriorated product lines and underground fuel delivery components.

2. Visible indications the shear valve is leaking or has been damaged, altered, or modified in a manner that would prevent the valve from functioning properly.

(6) Current operating status of impressed current cathodic protection system, if present.

(7) Presence and operational condition of spill and overfill equipment (567—paragraph 135.3(1)“c”).

134.10(4) Conflict of interest. A compliance inspector shall not conduct a compliance inspection if the compliance inspector is the owner or operator of the UST system, an employee of the owner or operator of the UST system, or a person having daily onsite responsibility for the operation and maintenance of the UST system.

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