

§10010. Requirements for certification

An applicant for certification as an underground oil storage tank installer or an underground oil storage tank inspector must file a written application provided by the board, showing to the satisfaction of the board that that person meets the following requirements. [PL 2007, c. 292, §2 (AMD).]

1. Residence. An applicant need not be a resident of this State.
[PL 1985, c. 496, Pt. A, §2 (NEW).]

2. Character. An applicant shall have demonstrated ethical practice.
[PL 1985, c. 496, Pt. A, §2 (NEW).]

3. Education and examination for certification of new underground oil storage tank installers. An applicant must meet the following requirements:

A. Passage of an initial written or oral examination based on laws outlined in and any rules promulgated under Title 38, chapter 3, subchapter II-B, by the Board of Environmental Protection concerning the installation and removal of underground oil storage tanks, any regulations promulgated by the federal Environmental Protection Agency regarding the installation and removal of underground oil storage tanks and any technical concepts necessary to understand and implement those laws, rules or regulations; [PL 1989, c. 312, §7 (RPR); PL 1989, c. 845, §7 (AMD).]

B. Successful completion of an apprenticeship in accordance with this section and under the direct supervision of an underground oil storage tank installer; and [PL 2007, c. 292, §3 (AMD).]

C. Passage of a final written or oral examination that is based on the laws outlined in and rules adopted under Title 38, chapter 3, subchapter 2-B, by the Board of Environmental Protection concerning the installation and removal of underground oil storage tanks. [PL 2007, c. 292, §4 (AMD).]

[PL 2007, c. 292, §§3, 4 (AMD).]

3-A. Apprenticeship requirements for new underground oil storage tank installers. An applicant for certification as an underground oil storage tank installer must meet the following apprenticeship requirements before being certified.

A. [PL 1991, c. 817, §5 (RP).]

B. To be eligible to take the final examination for a certification, the applicant must provide documentation of field experience, under the apprenticeship of an underground oil storage tank installer, sufficient to demonstrate expertise in the installation and removal of tanks and piping. The board shall specify, in the rules adopted pursuant to paragraph D, the nature and extent of field experience required to demonstrate this expertise. [PL 2007, c. 292, §5 (AMD).]

C. [PL 2007, c. 292, §6 (RP).]

D. The board shall adopt rules to administer this section and to provide a variance to the apprenticeship requirements under paragraph B if the applicant can satisfactorily demonstrate training and experience comparable to completion of an apprenticeship. [PL 2007, c. 292, §7 (AMD).]

[PL 2007, c. 292, §§5-7 (AMD).]

4. Education and examination for certification of new underground hazardous substance storage tank installers.

[PL 1997, c. 364, §9 (RP).]

5. Education and examination for certification of underground gasoline storage tank removers.

[PL 2007, c. 292, §8 (RP).]

6. Education and examination for certification of underground oil storage tank inspectors.

An applicant for certification as an underground oil storage tank inspector must:

A. Pass a written or oral examination prepared by the board or such other exam as the board may deem equivalent that demonstrates the applicant's understanding of the following:

- (1) The underground oil storage tank requirements of Title 38, chapter 3, subchapter II-B;
- (2) Any rules regarding underground oil storage tanks adopted pursuant to Title 38, chapter 3, subchapter II-B by the Board of Environmental Protection;
- (3) Any regulations regarding underground oil storage promulgated by the federal Environmental Protection Agency; and
- (4) Any technical concepts necessary to understand and implement state and federal laws, rules and regulations regarding underground oil storage tanks; [PL 2001, c. 231, §11 (NEW).]

B. Demonstrate valid certification or licensing by manufacturers of ancillary equipment that the applicant intends to inspect if the manufacturers require any such certification to maintain equipment warranties; and [PL 2001, c. 231, §11 (NEW).]

C. If the applicant intends to inspect cathodic protection systems, demonstrate valid, nationally recognized certification or licensing that meets the requirements for a "cathodic protection tester" as specified in 40 Code of Federal Regulations, Section 280.12. [PL 2001, c. 231, §11 (NEW).]

[PL 2001, c. 231, §11 (NEW).]

SECTION HISTORY

PL 1985, c. 496, §A2 (NEW). PL 1987, c. 410, §§10-12 (AMD). PL 1989, c. 312, §§6-10 (AMD). PL 1989, c. 845, §§7-10 (AMD). PL 1991, c. 817, §5 (AMD). PL 1997, c. 364, §§8-10 (AMD). PL 2001, c. 231, §§10,11 (AMD). PL 2007, c. 292, §§2 - 8 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.