

Kansas Administrative Regulations

Department of Health and Environment

Article 44.—Petroleum Products Storage Tanks

28-44-30. Operator training and requirements.

(a) The provisions of 40 C.F.R. 280.240, 280.241, 280.242, 280.243, 280.244, and 280.245, published at 80 fed. reg. 41666-41667 (2015) and effective on October 13, 2015, are hereby adopted by reference with the following changes to the sections specified:

(1) In 280.242, the following changes shall be made:

(A) In the second sentence, "or comparable examination" shall be deleted.

(B) In paragraph (a), the following text shall be deleted: "either" and "or pass a comparable examination in accordance with paragraph (e) of this section."

(C) After paragraph (a)(2), the following text shall be added:

"Each class A operator of a facility or group of facilities shall reside or be stationed within four hours of each managed facility to respond to emergencies as needed."

(D) In paragraph (b), the following text shall be deleted: "either" and "or pass a comparable examination, in accordance with paragraph (e) of this section."

(E) In paragraph (c), the first sentence shall be replaced with the following sentence: "Each designated Class C operator shall be trained by a Class A or Class B operator in accordance with paragraphs (c)(1) and (2) of this section and complete a training program in accordance with paragraphs (c)(1) and (2) of this section."

(F) Paragraph (e) shall be deleted.

(2) In the first sentence of 280.244, "in writing" shall be added after "determined by the implementing agency."

(b) Each class A operator, each class B operator, and each class C operator shall complete the training and testing required in the department's "Kansas storage tank program document," as adopted in K.A.R. 28-44-15.

(Authorized by and implementing K.S.A. 65-34,105; effective July 6, 2020.)

***** Authenticated Kansas Administrative Regulation *****