



# Compliance Tools for Oregon





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## **Compliance Tools**

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Tanks Program**

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## Operator Training

### **Why Does Oregon have an operator training program?**

The 2001 Oregon Legislature adopted House Bill 2264 directing DEQ to create an operator training program as approximately two-thirds of inspected facilities were not meeting operational requirements for leak detection.



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## Operator Training

### **All facilities that dispense a regulated substance to a motor vehicle or container must have a trained UST System Operator**

- Permittee must designate person (i.e., the UST System Operator) who performs or is responsible for on-site maintenance and operation of the UST system.
- Training must be completed by February 1, 2004.
- Permittee must maintain training records & submit copy of training certificate to DEQ by March 1, 2004.



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## Operator Training

### **Operator training is a one time requirement.**

- New UST System Operators are required to receive training within 90 days of hire.
- UST system operator can be designated for more than one facility.
- Training is mandatory.



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## Operator Training

**Program implemented with minimal DEQ resources**

Training options include:

- Attend session put on by third-party training vendor using manual developed by DEQ. (\$75-\$250)
- Pass national examination for UST system operators.  
(\$70)
- Other options as developed/available



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## Operator Training

### Success of Operator Training

- About 75 percent of facilities have submitted training verification to DEQ (~1350 out of ~1800 required to have a trained operator).
- Facilities with a trained operator in-place at the time of inspection have a higher compliance rate
  - 78% for release prevention (RP)**
  - 72% for release detection (RD)**
- Facilities without a trained operator in-place at the time of inspection have a lower compliance rate
  - 50% for RP**
  - 45% for RD**



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## Expedited Enforcement (Field Citations)

### **Field Citations**

- Pilot expedited enforcement program through the use of field “tickets” instead of traditional civil penalties.
- Reduce time spent on enforcement activities and increase the number of inspections by staff.
- Increase compliance with increased inspections.



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## Expedited Enforcement (Field Citations)

### **UST Compliance Enforcement**

- Number of enforcement actions large (400 inspections/year generating 130-140 enforcement actions).
- Notice of Noncompliance - process not gaining attention of owner/operator.
- Formal Enforcement – time consuming and civil penalty amounts not appropriate for most violations.



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## Expedited Enforcement (Field Citations)

### **Field Citations**

- Penalty amounts in the pilot program are much lower than current traditional civil penalties.
- \$50 field penalty for all Class II violations.
- \$100 field penalty for any Class I violations that are handled in the expedited enforcement program.
- Total field penalty amount for all violations identified during a single inspection cannot exceed \$300.



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## Expedited Enforcement (Field Citations)

### **Costs to Implement**

- Legislative bill
- Rule changes
- Guidance documents for owners and inspectors
- Training
- Consistency among inspectors



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## Expedited Enforcement (Field Citations)

### **Success of Field Citations**

- Oregon will double number of inspections in FY05 from FY04.
- High percentage of enforcement actions are being completed.
- In 13 months of the pilot program:
  - inspectors have issued 87 field citations.
  - 97% of citations have been paid.
  - ~80% cited violations have been corrected.



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Operator Training and Expedited Enforcement (Field Citations)

## Questions?

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