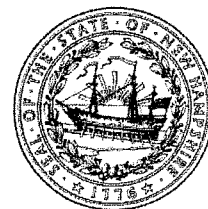


The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

February 12, 2010

Gary A. Abbott, Executive Vice President
The Associated General Contractors of New Hampshire, Inc.
48 Grandview Road
Bow, New Hampshire 03304

Re: Underground Storage Tank Facility Operator Training

Dear Mr. Abbot:

The New Hampshire Department of Environmental Services (DES) looks forward to meeting with you at your office on Tuesday, February 16, 2010 at 2:30 PM to discuss House Bill 1294. Please allow me to reassure you that DES is most interested in understanding and addressing any issues that you have regarding underground storage tank facility operator training. Some of your preliminary questions are discussed below.

Q: What will the training require? (By facility type)

A: There are many options for training and even an option for testing out of training, but all training for Class A and B operators covers general requirements that are applicable to most facilities. Training for Class A and B operators is not necessarily specific to a facility type. Class C operators, however, can be trained by Class A and B operators and that training is facility specific. Typical training lengths are expected to be half a day for Class A, a full day for Class B, and an hour or two for Class C operators.

Q: How long will the training be good for?

A: 2 years. All operators must be retrained and/or re-certified every 2 years.

Q: What will be the cost for training?

A: Costs can range anywhere from no cost if attending DES training or an approved company training program, to \$70 every two years if testing out via the International Code Council (ICC), to as high as \$150-\$300 if attending an approved third party training program, per person.

Additional Discussion:

DES estimates that approximately 10 of the general contractors listed with the Associated General Contractors of New Hampshire, Inc. (AGC of NH) have underground storage tank (UST) facilities. The majority of these have one UST facility, while a few have 2 UST facilities, for a total of 12 UST facilities. These facilities typically have single on-road and a single off-road diesel dispensing UST. Approximately 12 listed contractors have one or multiple aboveground storage tank (AST) facilities for a total of 41 AST facilities. The majority of the associated contractors have no registered ASTs or USTs. Therefore, only 10 of the associated contractors will be affected by the operator training requirements.

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DES proposes that it could offer operating training every two years at no cost to contractors who wish to have a current employee(s) trained as their Class A and/or B operator and who are interested in the DES training option. Training could be conducted at DES, at AGC of NH headquarters, or at another mutually acceptable site.

Some UST facility owners already contract out their UST testing and maintenance requirements to a third party contractor. Many of these third party UST contractors are already ICC certified or plan to become certified, and therefore can act as the owner's Class A and/or B operators.

Another option is that owners could have their own in-house training program approved by DES or that AGC of NH could develop an approved training program and offer it to its members. The intent of HB 1294 is to allow many different means and methods for owners to comply with the federal operator training requirement in a way that is best suited for them.

Should you have any questions concerning the content of this letter, please contact me in the Waste Management Division of DES at (603) 271-6058. DES appreciates your willingness to partner with us in an effort to preserve New Hampshire's environment.

Sincerely,



Michael W. Juranty, P.E.
Oil Remediation and Compliance Bureau
Tel: (603) 271-6058
Fax: (603) 271-2181
E-mail: michael.juranty@des.nh.gov