

WAC 173-360A-0940 Responsibilities of service providers. Service providers must comply with the requirements of this section.

(1) **Certification and records.**

(a) Service providers must be certified to perform or directly supervise the performance of UST system services in accordance with WAC 173-360A-0920 and 173-360A-0930.

(b) Service providers must maintain proof that they are certified to perform or directly supervise the performance of UST system services under WAC 173-360A-0920 and 173-360A-0930, such as licenses or certificates, and make such proof readily available for inspection upon request by the department.

(2) **Performance of services.** Services providers must perform or directly supervise the performance of UST system services in accordance with the requirements of this chapter and any other legally applicable requirements, including:

(a) Chapters 18.27 RCW and 296-200A WAC, which apply to individuals who are general and specialty contractors;

(b) Chapters 18.104 RCW and 173-162 WAC, which apply to individuals who install groundwater monitoring wells;

(c) Chapters 19.28 RCW and 296-46B WAC, which apply to individuals who install and repair impressed current cathodic protection systems; and

(d) Chapters 49.17 RCW and 296-62 and 296-802 WAC, which apply to individuals engaged in activities involving hazardous chemicals and substances and who perform confined space entry during field activities, and chapter 296-155 WAC, which sets forth safety standards for construction work.

(3) **Presence during services.** Service providers must be present at the UST facility when and where UST system services are performed, including during the activities specified in this subsection.

(a) When installing tanks or piping, services providers must be present when:

(i) Preparing the excavation zone immediately before receiving backfill and placing the tanks or piping into the excavation zone;

(ii) Any movement of the tanks at the UST facility, including transferring the tanks from the vehicle used to transport them to the facility;

(iii) Setting the tanks or piping into the excavation zone, including placing any anchoring devices or strapping, and backfilling to the level of the tank or piping;

(iv) Placing and connecting the piping to tanks or dispensers;

(v) Pressure testing the tanks or piping during installation; and

(vi) Completing the backfill and filling of the excavation zone.

(b) When decommissioning tanks or piping runs undergoing permanent closure or a change-in-service, services providers must be present when:

(i) Purging or inerting the tanks or piping;

(ii) Excavating around the tanks or piping before removal;

(iii) Removing the tanks from the excavation zone;

(iv) Removing or capping the piping;

(v) Cleaning the tanks, including removing and disposing of any accumulated sludge; and

(vi) Undertaking any movement of the tanks at the UST facility, including transferring tanks to the vehicle used to transport them from the facility.

(c) Tanks and piping runs undergoing permanent closure may not be removed from the ground unless both the service provider decommission-

ing the tanks or piping runs and the service provider performing the site assessment are present.

(4) **Documenting services.** Service providers must document the UST system services specified in WAC 173-360A-0230(3) by completing the applicable checklists and reports required under this chapter.

(5) **Reporting noncompliance.** If a service provider determines that an UST system for which they are providing services is not in compliance with the requirements of this chapter, then the service provider must notify the owner or operator of the determination within twenty-four hours.

(6) **Reporting confirmed releases.** If a service provider confirms a release from an UST system that may pose a threat to human health or the environment, then the service provider must notify:

(a) The owner or operator of the UST system immediately; and

(b) The department within twenty-four hours. However, if an owner or operator of the UST system is not immediately available, the service provider must notify the department immediately.

(7) **Enforcement and penalties.** Service providers who violate the requirements of this chapter or submit false information under this chapter are subject to enforcement and civil penalties under WAC 173-360A-0270 and 173-360A-0290.

[Statutory Authority: Chapter 90.76 RCW. WSR 18-15-083 (Order 16-02), § 173-360A-0940, filed 7/18/18, effective 10/1/18.]