

Draft Rules – Edits Highlighted

Key to Identifying Changed Text:

~~Deleted Text~~

New/inserted text

~~Text deleted from one location~~ - and moved to another location

Division 177

RESIDENTIAL HEATING OIL UNDERGROUND STORAGE TANKS

340-177-0095

Certified Reports

[NOTE: Summary of Changes: Updates filing fees to match 2019 statutes and splits cleanup project fees into three categories.]

(1) The tank owner, or service provider on the owner's behalf, must submit certified project reports and receive the department's approval ~~from the Department~~ for heating oil tank services performed at underground heating oil tank sites. This applies to the following projects:

(a) Decommissioning projects where the tank owner voluntarily requests ~~D~~department approval; and

(b) All underground heating oil tank cleanup projects.

(2) Service providers licensed in ~~under~~accordance with Chapter 340, Division 163 are eligible to submit certified reports.

(3) ~~Any person submitting a~~Certified reports submitted to the Department must include the required filing fee. The table below specifies the fee amounts for each type of project. ~~Certified reports submitted to the Department must be accompanied by the required filing fee of \$50 for decommissioning of a tank with no confirmed release and \$125 for decommissioning of a tank with a confirmed release.~~ Filing fees are non-refundable.

<u>OAR 340-177-0095</u> <u>Report Submission Fees</u>	
<u>Type of Project</u>	<u>Fee</u>
<u>Decommissioning, no confirmed release</u>	<u>\$100</u>
<u>Decommissioning, with confirmed release, using Soil Matrix Option (Simple Complexity)</u>	<u>\$250</u>
<u>Using Generic Remedy Option (Intermediate Complexity)</u>	<u>\$350</u>

Using Risk-Based Option (OAR 340-163-0060(1) (Complex))	\$450
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(4) Certified reports must contain specific information as set forth below:

(a) For a voluntary decommissioning performed after March 15, 2000: The decommissioning report as ~~required by~~ OAR 340-177-0025 [requires](#) and decommissioning certification as ~~required by~~ 340-163-0060 [requires](#).

(b) For a voluntary decommissioning performed ~~before~~~~prior to~~ March 15, 2000:

(A) If the work was performed by a service provider licensed to perform soil matrix cleanup or UST decommissioning at the time the service was provided and two soil samples were collected in general conformity with the requirements of OAR 340-177-0025, a report that meets the general requirements of 340-177-0025(3) is sufficient;

(B) If no soil samples were collected, or if [an unlicensed contractor performed](#) the sampling work ~~was performed by an unlicensed contractor~~, a licensed service provider must conduct a site assessment that meets the requirements of OAR 340-177-0025(2)(c) and must include a report that meets the requirements [of](#) 340-177-0025(3).

(c) For all heating oil tank cleanup projects, the cleanup certification provided ~~under~~~~in~~ ~~accordance with~~ OAR 340-163-0060 must be accompanied by the specific report required by either or both 340-177-0055(4) and (5) and 340-177-0065(2) based on the cleanup option selected for the site.

(5) ~~The department will provide its~~ Department approval ~~will be provided~~ in the form of a letter to the tank owner, with a copy to the certifying service provider, [indicating that](#) ~~indicates~~ the certified report has been registered and ~~D~~ department files on the project have been closed.

Statutory/Other Authority: ORS 466.706; 466.872

Statutes/Other Implemented: ORS 466.706

History:

DEQ 8-2005, f. & cert. ef. 7-14-05

DEQ 3-2000, f. & cert. ef. 2-17-00

Division 163

REGISTRATION AND LICENSING REQUIREMENTS FOR HEATING OIL TANK SOIL MATRIX CLEANUP SERVICE PROVIDERS AND SUPERVISORS

340-163-0150

Fees

[NOTE: Summary of Changes: [Updates license fees to match 2019 statutes.](#)]

(1) Heating oil tank service providers must pay a non-refundable license fee ~~of \$750~~ for a twelve (12) month license according to the following schedule:

(a) \$750; for license applications received on or before December 31, 2019;

(b) \$800 for license applications received January 1 to December 31, 2020;

(c) \$900 for license applications received January 1 to December 31, 2021;

~~(d)~~ \$1000 for license applications received January 1 to December 31, 2022 and subsequent years.

(2) Heating oil tank supervisors must pay a non-refundable license fee ~~of \$150~~ for a twenty-four (24) month license according to the following schedule:

(a) \$150 for license applications received on or before December 31, 2019;

(b) \$200 for license applications received January 1, 2020 or later.

(3) Supervisors taking qualifying examinations the department ~~administered by the Department~~ must pay an examination fee equal to the cost of administering the examination.

(4) Examination study guides will be made available to the public for the cost of production. Copyrighted reference materials, which may have separate costs charged by the specific organization, are not included with study guides.

(5) The department will provide Rreplacement licenses, including name change requests, ~~will be provided by the Department~~ for a \$10 fee ~~of \$10~~.

Statutory/Other Authority: ORS 465.200 - 465.320 & 466.706 - 466.995

Statutes/Other Implemented: ORS 466.706 & 466.750; 466.868

History:

DEQ 3-2000, f. & cert. ef. 2-17-00

DEQ 15-1991, f. & cert. ef. 8-14-91

DEQ 28-1990, f. & cert. ef. 7-6-90