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## CERTIFIED UST PROFESSIONALS

**House Bill 6007 as enrolled**  
**Public Act 438 of 1998**  
**First Analysis (1-6-99)**

**Sponsor: Rep. Michael Hanley**  
**House Committee: Conservation,**  
**Environment and Recreation**  
**Senate Committee: Natural Resources**  
**and Environmental Affairs**

### ***THE APPARENT PROBLEM:***

Currently, a business that is a qualified underground storage tank consultant (QC) may conduct cleanup work on underground storage tanks provided that one individual in the company is a certified underground storage tank professional ("CP") who has been approved by the Department of Environmental Quality (DEQ) to do on-site remediation involving leaking underground storage tanks. In order to be certified in Michigan, a CP must submit proof that he or she is either a licensed professional engineer; a certified professional geologist (CPG) or holds a similar designation, such as professional hydrologist or certified groundwater professional; or must be able to demonstrate three or more years of relevant environmental assessment and corrective action experience in the state and ten or more years of specific experience in relevant environmental work, with increasing responsibilities. In each case, the professional experience must have been acquired in Michigan. However, some applicants maintain that this requirement is too restrictive, and that out-of-state experience with underground storage tank and soil remediation is equal to any experience obtained in Michigan. In response, legislation has been proposed to delete this provision and allow qualified CPs from other states to be certified here provided that they had three years professional experience and had completed "Risk-Based Corrective Action Applied at Petroleum Release Sites (RBCA)" training.

### ***THE CONTENT OF THE BILL:***

Part 215 of the Natural Resources and Environmental Protection Act (NREPA), which regulates underground storage tanks, specifies that an applicant requesting certification as an underground storage tank professional (CP) must submit information to the

Department of Environmental Quality (DEQ) proving that he or she meets one or more of the following requirements:

- The person is a licensed professional engineer with three or more years of relevant soil corrective action experience in the state, preferably involving petroleum underground storage tanks.
- The person is a certified professional geologist (CPG) or holds a similar approved designation, such as a professional hydrologist or a certified groundwater professional, and has three or more years of relevant soil corrective action experience in the state, preferably involving petroleum underground storage tanks.
- The person is able to demonstrate three or more years of relevant environmental assessment and corrective action experience in the state, and ten or more years of specific experience in relevant environmental work with increasing responsibilities. This experience must be documented with references and documentation that federal and state occupational safety and health act requirements have been met.

House Bill 6007 would delete the requirement that an applicant's licensing, certification, or experience be within the state. In addition, after the effective date of the bill, an applicant would have to complete the training program entitled "Risk-Based Corrective Action Applied at Petroleum Release Sites (RBCA)" from a trainer certified by the American Society for Testing and Materials (ASTM) or other training that was approved by the department.

MCL 324.21543

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**FISCAL IMPLICATIONS:**

The House Fiscal Agency estimates that the bill would have no impact on state funds. (1-6-99)

**ARGUMENTS:**

**For:**

According to the Department of Environmental Quality (DEQ), environmental professionals are not currently prevented from working in Michigan; they are only restricted from working as certified underground storage tank professionals (CPS) if they don't have three years experience in this type of work within the state. However, many of these professionals are people who have obtained their work experience in states whose geology is similar to Michigan's. Accordingly, the bill would substitute this requirement with one that would, instead, require "Risk-Based Corrective Action Applied at Petroleum Release Sites (RBCA)" training.

Analyst: R. Young

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.