



Oregon Department of Environmental Quality

# Plain Language Guide to the Draft Rules

## Underground Storage Tank Contractor Rulemaking 2025

### Background

The Oregon Department of Environmental Quality is conducting a rulemaking to update OAR Chapter 340, Division 160, which governs the licensing of companies and individuals who perform services on regulated underground storage tanks in Oregon. The objective of the rulemaking is to modernize rule language to reflect changes in required UST testing since the contractor rules were adopted in 2003, and to improve environmental outcomes by increasing DEQ oversight of UST testing and construction.

### Developing draft rules

In September 2024, DEQ began the rulemaking in accordance with the public process requirements established in the Oregon Administrative Procedures Act. DEQ is developing administrative program rules to propose for the [Environmental Quality Commission](#)'s consideration. The EQC is a decision-making body that adopts proposed rules into Oregon administrative law.

DEQ anticipates the EQC will consider adopting the draft rules during its May 2025 meeting.

### This guide

The following table is intended to provide a user-friendly introduction to the proposed rule language, using plain language to facilitate understanding.

### Translation or other formats

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)  
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| Rule Number (OAR)   | Rule Title  | Explanation  |
|---|---|--|
| <b>Division 12: Enforcement Procedure and Civil Penalties</b>   |   |  |
| OAR 340-012-0067  | Underground Storage Tank (UST) Classification of Violations | Amendments to these rules found in Division 12 are needed to align DEQ's enforcement procedures with the proposed rule changes to Division 160.  |
| <b>Division 160: Registration and Licensing Requirements for Underground Storage Tank Service Providers</b> |   |  |
| 340-160-0005  | Purpose   | Proposed amendments to this rule would add standards for "performance, documentation and approval of UST services" to the purpose of the rules to clarify that the new requirements go beyond licensing.   |
| 340-160-0010  | Definitions   | Proposed amendments to this rule would add a definition of "excavation" to clarify the scope of UST decommissioning work.  |
| 340-160-0020  | General Provisions  | Proposed amendments to this rule would remove the specific requirements for UST Service Providers and Supervisors that are addressed in the following two new proposed rules.  |
| 340-160-0021  | UST Service Provider Work Practices                         | <p>Proposed amendments to this rule would move the work practices requirements for UST Service Providers currently found in the general provisions section in OAR 340-160-0020 to a new section specific to UST Service Providers Work Practices. The following work practices requirements are also proposed to be added:</p> <ul style="list-style-type: none"> <li>• To notify DEQ before performing any UST services</li> <li>• To provide proof of manufacturer's certification for each UST component involved in the service</li> <li>• To obtain approval from DEQ before continuing work at certain critical junctures of repairs, installations, modifications and decommissionings</li> <li>• To submit testing results.</li> </ul> |
| 340-160-0022  | UST Supervisor Work Practices                               | Proposed amendments to this rule would move the work practices requirements for UST Supervisors currently found in the general provisions section in OAR 340-160-0020 to a new section specific to UST Supervisor Work Practices.  |

|              |                                    |  |
|--------------|------------------------------------|--|
| 340-160-0025 | Types of Licenses                  | Proposed amendments to this rule would change the name of the “Tank Tightness Testing” supervisor license to “UST Testing” supervisor license to clarify that a UST Supervisor license is required to perform all required UST testing.  |
| 340-160-0030 | Licensing of UST Service Providers | Proposed amendments to this rule would add the requirement to submit the Oregon Construction Contractors Board license number with the UST Service Provider license application. This proposed rule would only apply to service providers who are already required to maintain such a license. |

## Contact

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