

## **15A NCAC 02D .0960 CERTIFICATION OF LEAK TIGHTNESS TESTER**

(a) Purpose. The purpose of this Rule is to establish procedures for certifying facilities to perform leak tightness tests on truck tanks as defined under Rule .0932 of this Section.

(b) Certification request. To request certification to perform leak tightness testing on truck tanks for the purposes of complying with Rule .0932 of this Section, a facility shall submit to the Director the following information:

- (1) the name and address of the facility requesting certification, including the primary contact and telephone number; and
- (2) the federal (tank cargo) number.

(c) Approval. The Director shall certify a facility requesting certification to perform leak tightness testing if he finds that:

- (1) All the information required under Paragraph (b) of this Rule has been submitted;
- (2) The Division has observed the facility conducting one or more leak tightness tests and finds that:
  - (A) The facility has the equipment necessary to perform Method 27 of 40 CFR Part 60, Subpart A; and
  - (B) The facility has the skills necessary to perform Method 27 of 40 CFR Part 60, Subpart A correctly;

(d) Expiration. A certification to perform leak tightness testing under this Rule shall expire one year from the date of its issuance.

(e) Renewal. To have a certification renewed, the certified facility shall submit to the Director a request to have the certification renewed. Within 30 days after receipt of the request, the Division shall observe the certified facility conducting one or more leak tightness tests. If the Director finds that:

- (1) The certified facility has the equipment necessary to perform Method 27 of 40 CFR Part 60, Subpart A; and
- (2) The certified facility has the skills necessary to perform Method 27 of 40 CFR Part 60, Subpart A correctly,

he shall renew the certification. If the certified facility submits a request for renewal after the expiration of the last certification, the Director shall reject the renewal request, and the facility shall request a new certification under Paragraph (b) of this Rule.

(f) Interim certification. If the Division is unable to observe the performance of leak tightness testing required under Paragraphs (c) or (e) of this Rule, the Director shall issue an interim certification for up to 90 days to allow the certified facility to perform leak tightness tests. An interim certification shall not be renewed.

(g) Revocation of Certification. If the Director finds that a certified facility is not performing Method 27 of 40 CFR Part 60, Subpart A correctly or that the certified facility is certifying tanks as leak tight that have not passed the leak tightness test, the Director shall revoke the facility's certification or interim certification.

(h) Stickers. The Division shall provide serialized stickers at no cost, or the facility may choose to provide the stickers. If the facility provides the stickers, the stickers shall contain the same information that is on the stickers provided by the Division and shall have the same dimensions and a sample sticker shall accompany the application for certification. Once a facility is certified under this Rule to perform leak tightness tests, stickers are to be:

- (1) affixed to tanks that have passed the test under Rule .0932 of this Section; and
- (2) placed near the Department of Transportation Certification (DOT, 49 CFR 178.340-10b).

The certified facility performing the test shall maintain a log matching sticker serial numbers and tank identification numbers. The certified facility shall send this log to the Director monthly.

(i) Certification report. The certified facility performing the test shall give a copy of the certification report to the truck tank owner and shall retain a copy of the certification report. The certification report shall contain the following information:

- (1) name, address, and telephone number of certified facility performing the test;
- (2) name and signature of the individual actually performing the test;
- (3) name and address of the owner of the tank;
- (4) serial number of the sticker and identification number of the tank;
- (5) the date that the sticker is issued and the date that the sticker expires, which shall be one year after the issuance date;
- (6) the pressure drops measured and vacuum drops measured; and
- (7) list or description of problems with tank (if none are found, the report shall state that none were found).

(j) Record retention. The certified facility performing the test and the owner of the truck tank shall keep the certification report for at least two years. Certification reports shall be made available to the Division upon request.

(k) Verification of leak tightness. The Division may use Method 21 to verify the leak tightness of a tank.

*History Note:* Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5), (13);  
Eff. April 1, 2003;  
Amended Eff. July 1, 2007.