



# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

August 22, 2008

Lee Karavitis, Vice President  
Wyoming Financial Properties, Inc.  
P.O. Box 130  
Casper, WY 82602

**FILED**

AUG 22 2008

Jim Ruby, Executive Secretary  
Environmental Quality Council

Dear Mr. Karavitis:

Thank you for your letter concerning the draft Chapter 17, Section 46 rules. There were a few misunderstandings that I would like to clear up. The draft rule will not require two separate people to be licensed. What it will require is that one person hold a Class A license and that same person hold the Class B license. When a person takes the examination for a Class A license, they will also get a Class B license with nothing further required.

The federal guideline does allow states wide latitude in how operators are certified. The one thing that is very clear in the Energy Policy Act and the EPA guideline is that every facility must have a Class A, B and C operator. All three of these can be fulfilled by the same person if that person is an on-site person. There is no way for a state to exempt a facility from this requirement and still comply with the federal mandate.

In the draft rule that was sent to you this month, there are some requirements that could be eased for small tanks. For example, the requirement for a monthly inspection by the Class B Operator could be eliminated for emergency power generator tanks and used oil tanks of less than 2,000 gallons.

Sincerely,

Robert F. Lucht, P.E. & P.G.  
Storage Tank Program Compliance Supervisor  
Solid and Hazardous Waste Management Division

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