**Section 172.40 Licensure Requirements**

a) No person shall engage in any UST activity without first applying for and obtaining a license from the OSFM. All contractors performing UST activity in Illinois must hold the license required under PECLA and this Part for each module in which work is performed and shall be required to meet the standards for that work module established by 41 Ill. Adm. Code 172, 174, 175, 176 and 177 and the requirements of 29 CFR 1910.120. Licensure is for a 2-year period. Applicants for a license to become a contractor must comply with the Petroleum Equipment Contractors Licensing Act [225 ILCS 729] as evidenced by the licensure submissions required by this Section.

b) An application for a new contractor license shall be made on-line at the UST Applications and Forms page for OSFM's Division of Petroleum and Chemical Safety (DPCS) at the following link: https://webapps.sfm.illinois.gov/USTPortal/Contractor/Application. Renewal of licenses shall be applied for at the UST Portal after the licensee logs in to their secure account at the UST Applications and Forms page for DPCS at https://webapps.sfm.illinois.gov/USTPortal/Home/Login?ReturnUrl=%2fUSTPortal. The licensure application shall include the following submissions:

1) If seeking a license as a contractor:

A) the State license application and licensing fee required by Section 172.70;

B) the names of all of the contractor's certified employees, on the OSFM prescribed form, stating any UST module in which the employee is certified. Contractors are required to be certified if a sole proprietor, or have a certified employee, for each UST module for which they are applying to be licensed;

C) an original annual certificate of general liability insurance in a minimum of $1,000,000 for each occurrence, with the OSFM as certified holder;

D) evidence of a passing score on the required OSFM approved exam for the module for which licensure is being sought. The evidence must be an original certification that includes a photo of the individual taking the exam, supplied by the exam provider, or other copy of the certification as approved by OSFM;

E) proof of successful completion of initial 40-hour OSHA training and subsequent 8-hour refresher course; and

F) evidence of current registration and proof of status of good standing with the Illinois Secretary of State, as applicable for the form of business entity applying for licensure, or if a sole proprietor, evidence of compliance with the Assumed Business Name Act [805 ILCS 405].

2) If seeking a license as a tank or line precision tester, in lieu of a passing score on the required OSFM approved exam for the tank or line precision testing module, the certified employee may designate the testing methods for which a license is sought and provide proof that he/she, or any certified employee conducting testing, is certified by the manufacturer of the testing equipment. Such proof shall be submitted at the time of license application and shall reflect certification for the license period and the equipment being used, or that the applicant has passed an OSFM approved exam; and

3) If seeking a license in the module that authorizes lining or internal inspections of tank linings, the applicant additionally shall provide proof that the applicant has designated at least one certified employee conducting lining activity, that is approved by the manufacturer of the lining material as qualified and trained in the application of the material and has adequate equipment to perform the interior lining safely. The applicant must also possess licensure in the decommissioning module. The certified employees designated by the applicant shall possess the qualifications required for both the lining and the decommissioning modules. Such proof shall be submitted at the time of license application and reflect certification for the license period and the equipment being used.

4) If seeking a license in the module that authorizes inspection and testing of UST equipment, the applicant shall designate the testing methods for which a license is sought and provide proof that the certified employee is certified by the manufacturer of the equipment being inspected or tested. Such proof shall be submitted at the time of license application and shall reflect certification for the license period and the equipment being inspected or tested.

(Source: Amended at 47 Ill. Reg. 6755, effective May 2, 2023)