



JANET MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BOARD OF UNDERGROUND STORAGE TANK INSTALLERS



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ANNUAL REPORT

BOARD OF UNDERGROUND STORAGE TANK INSTALLERS

To the Commissioner of the
Department of Environmental Protection

July 1, 2024 - June 30, 2025
(Fiscal Year 2025)

I. Introduction

The Board of Underground Storage Tank Installers (Board or BUSTI) operates under the authorities established in *Underground Oil Storage Tank Installers*, 32 M.R.S. §§ 10001-10016. The purpose of the Board is as follows:

In order to safeguard the public health, safety and welfare, to protect the public from incompetent and unauthorized persons, to ensure the highest degree of professional conduct on the part of underground oil storage tank installers and inspectors and to assure the availability of underground oil storage tank installations and inspections of high quality to persons in need of those services, it is the purpose of this chapter to provide for the regulation of persons offering underground oil storage tank installation and inspection services.

Thus, the Board has three major responsibilities:

- A. Certifying Underground Storage Tank Installers and Inspectors (CTIs);o
- B. Managing and accrediting continuing education for CTIs; ando
- C. Taking disciplinary actions against CTIs who violate its enabling statutes ando rules.

By statute, the Board is also charged with submitting an annual report to the Commissioner of the Department of Environmental Protection in accordance with 32 M.R.S. § 10004(6). This report is designed to fulfill that mandate for the Fiscal Year (FY) of 2025, covering the following subject areas:

- Board Membership and Staff Support
- Board Meetings

- Underground Storage Tank Installer and Inspector Certification
- Board Approved Continuing Education Accreditation
- Board Website
- Rulemaking
- Enforcement
- Miscellaneous
- Financial Statement

II. Board Membership and Staff Support

Board members are eligible to serve up to two, three-year terms.

<u>Members of the Board and Representation</u>
<i>Chair, Certified Underground Storage Tank Installer</i> Keith Lindstrom – First term expired 12/31/2019 ¹
<i>Maine Department of Environmental Protection</i> Joseph Maisonave – Unlimited term ²
<i>Certified Underground Storage Tank Installer or Inspector</i> Tony Couture – Appointed 05/22/2024
<i>Maine Energy Marketers Association</i> Elwin (Scottie) Scott – Second term expired 12/31/2015 ¹
<i>Maine Fire Chief's Association</i> Bernard Williams – Appointed 05/22/2024
<i>Public Member</i> Kirsten Hebert – First term expired 12/31/2017 ¹
<i>Public Member</i> Vacant
<i>Staff Support – Maine Department of Environmental Protection</i> Matthew Shank
<i>Legal Counsel – Office of the Maine Attorney General</i> Robert Martin – AAG

1 Pursuant to 32 M.R.S. § 10003(2), a member may serve until a successor is appointed.

2 The representative from the Department has no limit on the number of terms they may serve in accordance with 32 M.R.S. § 10003(2).

III. Board Meeting

Four regular meetings were held in FY 2025.

IV. Underground Storage Tank Installer and Inspector Certification

At the end of FY 2025, Maine had 60 certified underground storage tank installers and 34 certified underground storage tank inspectors, in comparison to 55 underground storage tank installers and 46 certified underground storage tank inspectors in FY 2024.

A. *Written Examinations*

Written examinations are scheduled upon request from applicants interested in becoming certified as underground storage tank installers or inspectors. The Board offered six written examinations in FY 2025. Examinations are scheduled by appointment only at the Department by interested applicants. A total of 4 applicants sat for either the initial or final underground storage tank installer certification examinations or the underground storage tank inspector examination. Out of the 4, 3 applicants passed examinations to become apprentices, tank installers or inspectors.

The Board offered applicants who failed an examination the opportunity to review the questions they answered incorrectly along with the correct answers. These reviews were conducted at the office of the Department of Environmental Protection by appointment prior to the next examination or the morning of the examination. Applicants have informed staff that they found this opportunity to review failed examinations very helpful. Subsequent examinations issued to these applicants contain similar, but not duplicate, questions.

B. *Underground Storage Tank Installer Apprenticeships*

Four apprentices continue to work to complete their apprenticeship requirements in order to qualify to take the final examination to become a Certified Underground Storage Tank Installer.

V. Board Approved Continuing Education Accreditation

Upon discussions with the Board of Underground Storage Tank Installers, it was decided to hold an in-person training workshop for the Fall of 2025. Table 1 outlines the continuing education courses approved by the Board during FY 2025. The list of the approved courses is also available on the Board's webpage at <https://www.maine.gov/dep/waste/busti/accreditation.html>.

Table 1. Continuing Education Accredited by the Board

Program	Credits	Sponsor	Date Approved
2024 Virtual Training Workshop	4	Maine DEP/BUSTI	08/21/24

VI. Board Website:

The Board's homepage at <http://www.maine.gov/dep/waste/busti/index.html> on the Department's website includes a summary of the Board's program and provides online services to Maine's Certified Underground Storage Tank Installers, Inspectors and other interested parties. The website is continually maintained and regularly updated.

VII. Rulemaking:

No Rulemaking was conducted in FY 2025.

VIII. Enforcement:

There was one enforcement referral for FY 2025.

Case 2025-01

The Department of Environmental Protection initiated enforcement action on February 5, 2025, by filing an enforcement complaint with the Board referencing enforcement case # 420. At the Board's meeting on March 25, 2025, the Board heard the Department's complaint regarding alleged violations of the Department's *Rules for Underground Oil Storage Facilities*, 06-096 C.M.R. ch. 691 and the Board's rules by a Maine Certified Underground Tank Installer (CTI). The alleged violations included:

- Failure to provide at least 10 days' notice to the Department prior to the installation of a UST in violation of the Department's *Rules for Underground Oil Storage Facilities*, 06-096 C.M.R. ch. 691 § 4(B)
- Failure to ensure the Department was notified at least 10 business days prior to the removal of a UST in accordance with the Rules for Underground Storage Facilities as defined in 06-096 C.M.R. ch. 691 § 4(B) and in violation of the Board of Underground Storage Tank Installers (BUSTI) *Administrative Rules*, 06-481 C.M.R. ch. 1, § 4(A)(1)(b)

Following the Board's review of the complaint on March 25, 2025, the Board directed Department staff to prepare an Administrative Consent Agreement (ACA) which included

a civil monetary penalty of \$500.00 (\$250.00 for each violation). The fully executed ACA was accepted by the Board at the Board's meeting on June 4, 2025.

IX. Miscellaneous:

The Board decided to have the first in-person Board of Underground Storage Tank Installers training workshop since 2019. This in-person training workshop will be held on October 28th, 2025 at the Augusta Civic Center in Augusta, Maine.

Joseph Maisonave joined the Board in March 2025, replacing David McCaskill, who retired at the end of January, 2025. Matthew Shank was hired as Staff to the Board in May 2025, replacing Theresa Scott, who retired in February, 2025.

X. Financial Statement

The Board's financial statement for FY 2025 is presented in Table 2.

Table 2. Financial Statement

Income:	
Program Income	\$ 8,120.00
Ground and Surface Waters Clean-up and Response Fund	\$98,911.22
Total:	\$107,031.22
Expenses:	
Personnel Services ³	\$99,285.97
All Other ⁴	\$ 7,745.25
Total Expenses	\$107,031.22

³Personnel Services refers to personnel services, fringe benefits and longevity.

⁴ Other refers to facility rentals, training materials, supplies, mileage, publications, refreshments, and office supplies.

Respectfully submitted,

Keith Lindstrom, Chairman



Date: _____