

**SUBCHAPTER I: UNDERGROUND STORAGE TANK ON-SITE SUPERVISOR  
LICENSING AND CONTRACTOR REGISTRATION  
§§334.401, 334.407, 334.424  
Effective December 17, 2001**

**§334.401. License and Registration Required.**

(a) An individual supervising the installation, repair, or removal of an underground storage tank (UST), as defined in §334.2 of this title (relating to Definitions), must hold an on-site supervisor license issued by the commission in accordance with Chapter 30 of this title (relating to Occupational Licenses and Registrations). An on-site supervisor must be present at the site at all times during the critical junctures of the installation, repair, or removal, as defined in §30.307 of this title (relating to Definitions). All references to installer throughout this chapter is the same as on-site supervisor.

(b) Any person or business entity that offers to undertake, represents itself as being able to undertake, or does undertake the installation, repair, or removal of a UST, as defined in §334.2 of this title, must hold a UST contractor registration issued by the commission in accordance with Chapter 30 of this title.

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**§334.407. Other Requirements for an Underground Storage Tank Contractor.**

(a) A registered underground storage tank (UST) contractor is required to maintain insurance and net worth requirements, as required by §30.315 of this title (relating to Qualifications for an Initial Registration), throughout the period that the contractor holds a valid registration from the executive director.

(b) A UST contractor subject to the provisions of this subchapter employed or otherwise engaged by a UST owner or operator (or by any other person representing to be the UST owner or operator) to conduct the installation, repair, or removal of a UST shall comply with all applicable technical standards of Subchapter C of this chapter (relating to Technical Standards) and Chapter 213 of this title (relating to Edwards Aquifer).

(c) Compliance with the provisions of this subchapter by a registered contractor shall not relieve such contractor from the responsibility of compliance with all applicable regulations legally promulgated by the EPA, United States Occupational Safety and Health Administration, United States Department of Transportation, Texas Department of Health, Texas Department of Insurance (including state fire marshal), Railroad Commission of Texas, Texas Department of Agriculture, State Comptroller, Texas Department of Public Safety, Texas Natural Resource Conservation Commission, and other federal, state, and local governmental agencies or entities having appropriate jurisdiction.

(d) A UST contractor must have an on-site supervisor who is licensed by the agency under this subchapter at the site at all times during the critical junctures of the installation, repair, or removal, as defined in §30.307 of this title (relating to Definitions).

(e) A UST contractor must prominently display the UST contractor registration number on all bids, proposals, offers, and installation drawings.

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**§334.424. Other Requirements for an On-Site Supervisor.**

(a) A licensed on-site supervisor subject to the provisions of this subchapter that is engaged in the installation, repair, or removal of underground storage tanks (USTs) shall be required to comply with all applicable technical standards of Subchapter C of this chapter (relating to Technical Standards) and Chapter 213 of this title (relating to Edwards Aquifer).

(b) Compliance with the provisions of this subchapter by a licensed [installer or] on-site supervisor shall not relieve such licensee from the responsibility of compliance with all applicable regulations legally promulgated by the EPA, United States Occupational Safety and Health Administration, United States Department of Transportation, Texas Department of Health, Texas Department of Insurance (including state fire marshal), Railroad Commission of Texas, Texas Department of Agriculture, State Comptroller, Texas Department of Public Safety, Texas Natural Resource Conservation Commission, and other federal, state, and local governmental agencies or entities having appropriate jurisdiction.

(c) A licensed on-site supervisor who offers to undertake, represents to undertake, or does undertake the installation, repair, or removal of a UST shall either be registered as a UST contractor in accordance with this subchapter, or be employed by a registered UST contractor.

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