



**OKLAHOMA CORPORATION COMMISSION**  
**PETROLEUM STORAGE TANK DIVISION**  
**(405) 521-4683 FAX: (405) 521-4945**

**DISCIPLINARY ACTIONS POLICY**  
**FOR**  
**PETROLEUM STORAGE TANK DIVISION LICENSEES**

The Petroleum Storage Tank Division (PSTD) has a responsibility to monitor the quality of work performed by AST Licensees, Environmental Consultants, UST Installers, UST Removers, Groundwater Monitoring Well Technicians, and Vapor Monitoring Well Technicians who are licensed by the Division. PSTD shall have the responsibility to deny, suspend, refuse to renew, or revoke the license or reprimand any Licensee who is found guilty of:

- The practice of any fraud or deceit in obtaining a license or in performing work pursuant to PST rules Chapters 25, 26, 27, or 29.
- Any gross negligence, incompetence or misconduct in work performed pursuant to PST rules Chapters 25, 26, 27, or 29.
- Knowingly making false statements or signing false statements, certificates, or affidavits to the PSTD or to clients with the intention to induce payment.
- Aiding or assisting another person in violating any provision of PST rules Chapters 25, 26, 27, or 29.
- Signing a verification statement for work performed pursuant to PST rules Chapters 25, 26, 27, or 29 that was not performed by the Licensee.
- Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm a customer or the public.
- Being under indictment or convicted of a felony for any criminal offense that impacts their obligation to PSTD.
- Failure to submit PSTD required paperwork, test results, and reports in the format established by PSTD within the required timeframe may result in enforcement action.
- Failure to comply with all PST rules Chapters 25, 26, 27, or 29 or the Oklahoma Petroleum Storage Tank Regulation Act (17 O.S. § 301 et seq.), and the Oklahoma Petroleum Storage Tank Indemnity Fund will result in PSTD seeking a suspension and/or revocation of the license.
- Failure to adhere to any PSTD rule, requirement, or Commission order.

The following disciplinary policy applies to all individuals licensed by PSTD who establish a history of repeated deficiencies or violations in the performance of required work and/or submittal of required paperwork:

- Inspection and Compliance Department Manager has oversight for PSTD-licensed AST Licensees, UST Installers, UST Removers, Groundwater Monitoring Well Technicians, and Vapor Monitoring Well Technicians.
- Technical Department Manager has oversight for Environmental Consultants.
- Observed Licensee violations that may be subject to PSTD disciplinary action will be recorded by PSTD staff.
- Recorded deficiencies will be maintained on a spreadsheet managed by the appropriate Department Manager.
- Deficiencies or violations recorded for all Licensees will be reviewed by the appropriate Department Manager and PSTD Director as each offense occurs.
- If the review process identifies a violation or a repetitive occurrence of a deficiency/violation that warrants disciplinary action(s), the appropriate level of disciplinary action, as defined below, will be determined during the review and applied to the responsible Licensee.
- Levels of disciplinary actions against Licensees are:
  - Private Reprimand: The Manager of the appropriate Department will call the offending Licensee and schedule a private meeting at PSTD to address the recent infraction.
  - Public Reprimand: The Manager of the appropriate Department will prepare a letter of reprimand to the Licensee, addressing the deficiency issue. The letter of reprimand will provide the Licensee an opportunity to formally dispute any alleged deficiency. The reprimand letter, Licensee's response, all recourse action(s) following Licensee rebuttal, if any, and the Manager's final decision will be placed in the Licensee file maintained by PSTD.
  - License Suspension, Revocation, and Refusal to Renew License or Fines: Prior to any license suspension, revocation, or refusal to renew, the Director will have the matter investigated and a report prepared for his/her consideration. If the Director elects to pursue suspension, revocation, or refusal to renew, the Licensee will be officially notified by a Notice of Intent via certified mail/return receipt requested. The Notice will state the date and time for a hearing before a Commission Administrative Law Judge. The burden of proof of violations, applicable state law, PSTD rules, requirements, or Commission orders rests upon the PSTD.