

**MINUTES OF THE  
STORAGE TANK ADVISORY COMMITTEE MEETING  
JUNE 6, 2017**

The Storage Tank Advisory Committee (STAC) met on June 6, 2017, at the Rachel Carson State Office Building, 400 Market Street, Room 105, Harrisburg. Twelve (12) voting members were present, which constituted a quorum.

**VOTING MEMBERS OR ALTERNATES PRESENT**

Local Government:

Joshua Ehrman, Pennsylvania State Association of Boroughs  
Dennis Hameister, Pennsylvania State Association of Township Supervisors

Regulated Community:

Joseph Leighton, Associated Petroleum Industries of Pennsylvania  
John Kulik, Pennsylvania Petroleum Marketers and Convenience Store Association  
Nancy Maricondi, Petroleum Retailers and Auto Repair Association, Inc.  
Scott Nowicki, Pennsylvania Chemical Industry Council

Public:

Robert May, Synergy Environmental, Inc.  
Timothy Bytner, Babst Calland  
David Gallogly, Pennsylvania Environmental Council  
Charles Frey, Jr., Highland Tank & Manufacturing Company

Registered Professional Engineer:

Francis Catherine, P. Joseph Lehman, Inc., Consulting Engineers

Hydrogeologist

Mark Miller, Moody and Associates, Inc.

**CALL MEETING TO ORDER**

John Kulik called the June 6, 2017, meeting of the STAC to order.

**APPROVAL OF MINUTES FROM THE MARCH 7, 2017, MEETING**

The minutes from the March 7, 2017, meeting were approved as submitted, upon motion and seconded.

## **STAC MEMBERSHIP LIST**

Kris Shiffer, DEP, reported that 13 of the 16 positions on the STAC are filled. Vacancies that currently exist are a local government seat and memberships representing Pennsylvania Petroleum Association and Associated Petroleum Industries of Pennsylvania. Mr. Shiffer announced that the vacancies in the latter two associations were a result of Mr. John Arnold and Ms. Judy Brackin, respectively, resigning from the STAC.

Since the last meeting, Michael Platt and William Neilson were reappointed as the member and alternate member, respectively, representing Active Commercial Farm Owners and Operators. Mr. Shiffer stated that the terms of Michael Pries, member, and Lisa Schaefer, alternate member, representing the County Commissioners Association of Pennsylvania, expire on August 31, 2017. Mr. Shiffer stated that DEP would be in contact with both individuals regarding reappointment to the STAC.

## **USTIF UPDATE**

Next on the agenda, Richard Burgan, Director, Bureau of Special Funds, Department of Insurance, and Executive Director, Underground Storage Tank Indemnification Board (USTIB), provided an update on the Underground Storage Tank Indemnification Fund (USTIF).

Mr. Burgan stated that assets as of March 31, 2017, totaled \$327.3 million, as compared to \$316.7 million as of December 31, 2016. With regards to receipts, as of March 31, 2017, the fund took in \$58.8 million. Total disbursements as of March 31, 2017, totaled \$35.3 million. Mr. Burgan stated that USTIF showed an unfunded liability of \$81.6 million and continues to decline. Three months prior, the unfunded liability was \$94.5 million.

Mr. Burgan reported that the number of open claims stands at 1,047 tank owner claims with 5 additional TIIP claims. Currently, as of June 5, 2017, there were 75 tank owner claims filed with the USTIF compared with 86 tank owner claims filed last year at this time.

Mr. Burgan provided an update on the USTIF's web based fee billing and invoicing system. The USTIF as of July 1, 2017, will only accept online payments for USTIF fee collection. Mr. Burgan asked representatives of the STAC to assist with spreading the information to distributors and tank owners. Mr. Kulik offered to provide information in a newsletter for the Pennsylvania Petroleum Association members regarding the USTIF's new system.

A general discussion followed regarding the USTIF loan repayment and Senate Bill 649, which, if passed, would extend the Environmental Cleanup Program, Pollution Prevention Grant Program, and the Underground Heating Oil Tank Cleanup Reimbursement Program for an additional five years. In addition, Senate Bill 649 allows for the transfer of additional funding to the Storage Tank Fund from USTIF.

## **CORROSION RISKS IN UNDERGROUND STORAGE TANKS STORING DIESEL FUEL**

Ryan Haerer, from the Environmental Protection Agency's (EPA) Office of Underground Storage Tanks (USTs), presented information on corrosion issues being observed on storage tank systems storing diesel fuel. In 2007, UST owners began reporting corrosion conditions that had been previously unseen, including corrosion of metal components in the upper vapor spaces inside USTs. In order to identify causes of and potential solutions to corrosion in USTs, the EPA conducted a study of USTs storing diesel fuel across the United States. Although research conducted to date has not been able to pinpoint a cause of the emerging corrosion issues, it appears microbiologically influenced corrosion could be largely responsible. If corrosion is found, the affected equipment should be repaired or replaced as necessary to ensure proper functionality.

### **DEP UPDATE**

Eric Lingle, DEP, provided an overview of the Division of Storage Tanks' Online Registration and Fee Payment System. Mr. Lingle explained the first phase of this initiative, which will allow owners and operators of regulated storage tanks in Pennsylvania to pay annual registration fees electronically through credit card payments in addition to Automated Clearing House (ACH) payments. The program anticipates adding the ability to submit registration applications to the DEP via the electronic system in 2018.

Mr. Shiffer reported that the public comment period for the technical guidance documents (TGDs) titled "Closure Requirements for Aboveground Storage Tank Systems," TGD #263-4200-001, and "Closure Requirements for Underground Storage Tank Systems," TGD #263-4500-601, closed on March 6, 2017. A total of three comments were received, all addressing the UST guidance document. The comment and response document is currently under DEP internal review. DEP will notify all STAC members via email when both final TGDs are published in the *Pennsylvania Bulletin*. Mr. Shiffer also updated the members on the development of the draft TGD titled "Guidelines for Reuse and Disposal of Hydrostatic Test Liquids." He explained that with the new federal testing requirements, the issue of how to handle the anticipated increase in the use of test water is a nationwide concern. DEP plans to present the draft TGD to STAC in the near future.

Next on the agenda, Mr. Shiffer provided an update on the current status of the proposed rulemaking for Chapter 245 since the March 7 STAC meeting. He informed the committee that the program is on schedule to complete the proposed regulation package for internal review and tentative Environmental Quality Board consideration in September 2017. Mr. Shiffer thanked the STAC members for their input throughout the regulatory process.

### **OLD BUSINESS**

Under old business, Dennis Hameister gave the report of the Nominating Committee for the Election of Officers. The Nominating Committee, comprised of Dennis Hameister, Chairperson; Timothy Bytner; and David Gallogly nominates Robert May as Chairperson and Dennis Hameister as Vice-Chairperson to serve a two-year term. Mr. Kulik opened the floor for any further nominations for both positions. There being no additional nominations, on a motion by

Mr. Kulik, the committee voted unanimously to elect Robert May, Chairperson, and Dennis Hameister, Vice-Chairperson, to serve a two-year term as STAC officers beginning June 6, 2017.

Mr. Kulik requested a motion to recognize the service of John Arnold and Judy Brackin, former members of the STAC, for their dedicated years of service on the committee. Upon motion and seconded, members of the STAC formally expressed sincere appreciation for the work and insights of both former members.

### **NEW BUSINESS**

Under new business, Mr. Gallogly asked if the STAC could formally recognize its support for the senate and house bills currently being discussed in the state legislature that would allow DEP to request additional funding for the storage tank program from USTIF. Mr. Kulik recommended that STAC only consider the funding portion of the two legislative bills. Mr. May expressed his support for Mr. Kulik's suggestion. Upon motion and seconded, STAC unanimously voted in favor of the additional funding addressed in Senate Bill 649 that would help support the storage tank program.

### **ADJOURNMENT**

The meeting was adjourned at 11:25 a.m., upon motion and seconded.