

**MINUTES OF THE  
STORAGE TANK ADVISORY COMMITTEE MEETING  
DECEMBER 4, 2024**

The Storage Tank Advisory Committee (STAC) met on December 4, 2024, at the Rachel Carson State Office Building, 400 Market Street, Room 105, Harrisburg and virtually via Microsoft Teams at 10:00 a.m. Twelve (12) voting members were present, which constituted a quorum.

**VOTING MEMBERS OR ALTERNATES PRESENT**

Local Government:

Logan Stover, Pennsylvania State Association of Boroughs  
Ronald Grutza, Pennsylvania State Association of Boroughs  
Dennis Hameister, Pennsylvania State Association of Township Supervisors  
Holly Fishel, Pennsylvania State Association of Township Supervisors  
April Winklmann, Pennsylvania Municipal Authorities Association  
Jennifer Case, Pennsylvania Municipal Authorities Association

Regulated Community:

Brandie Lehman, Associated Petroleum Industries of Pennsylvania  
Christine Shorokey, Pennsylvania Chemical Industry Council  
J. Stephen Hieber, Tank Installers of Pennsylvania  
J. Benjamin Hieber, Tank Installers of Pennsylvania

Public:

Robert May, P.E., Montrose Environmental Group, Inc.  
Benjamin Andes, P.E. C.E.M., Synergy Environmental, Inc.  
Timothy Bytner, Babst Calland  
Matthew Wood, Babst Calland  
Steve Treschow, P.G. C.P.G., Keystone Environmental, Health, and Safety, Inc.

Registered Professional Engineer:

Francis Catherine, P.E., R.E.M., P.M.P, P. Joseph Lehman, Inc. Consulting Engineers

Hydrogeologist:

Jennifer O'Reilly, P.G., Groundwater & Environmental Services, Inc.

Active Commercial Farm Owner/Operator:

Michael Platt, PM Farms, Inc.

## **CALL MEETING TO ORDER**

Robert May, Chairperson, called the December 4, 2024, meeting of the STAC to order at 10:00 a.m.

## **APPROVAL OF MINUTES FROM THE JUNE 5, 2024, MEETING**

A motion was made to approve the minutes from the June 5, 2024 meeting as submitted. The motion was seconded and unanimously approved by the Committee.

## **STAC MEMBERSHIP LIST**

Mr. Randy Martin, DEP, reported that currently 16 of the 16 positions are filled.

Mr. Martin reported that the alternate member position representing the Active Commercial Farm Owner/Operator remains vacant. Mr. Martin stated that he is open to any suggestions to fill the vacant position.

Ms. April Winklmann, as the member, and Ms. Jennifer Case, as the alternate member, representing the local government and the Pennsylvania Municipal Authorities Association were both appointed and have term expiration dates of June 30, 2028.

Mr. Robert May, as the member and current Chairperson, representing the public, was reappointed and has a new term expiration date of June 30, 2028. Mr. Benjamin Andes, as the alternate member, representing the public was appointed and has a term expiration date of June 30, 2028.

Mr. Eric Wolfer, as the member, and Mr. Gary Wasilewski, as the alternate member, representing the public, were both reappointed and have new term expiration dates of June 30, 2028.

Mr. Scott Nowicki, as the member, and Mr. Steve Treschow, as the alternate member, representing the public, were both appointed and have new term expiration dates of October 1, 2028.

Mr. Logan Stover, as the member, representing the local government and the Pennsylvania State Association of Boroughs, was appointed and has a new term expiration date of October 31, 2028. Mr. Ronald Grutza, as the alternate member, representing the local government and the Pennsylvania State Association of Boroughs, was reappointed and has a new term expiration date of October 31, 2028.

Terms expiring before the next STAC meeting scheduled to be held on March 5, 2025, will be Mr. Francis Catherine, as the member, and Mark Onesky, as the alternate member, both representing the registered professional engineers, have term expiration dates of December 31, 2024. Both Mr. Catherine and Mr. Onesky have expressed an interest in being re-appointed to

the positions and have provided the Department with a reappointment package. That reappointment package is currently going through the approval process.

Mr. J. Stephen Heiber, as the member, and Mr. J. Benjamin Heiber, as the alternate member, both representing the regulated community and the Tank Installers of Pennsylvania, have term expiration dates of March 1, 2025. Mr. Martin will be reaching out to Mr. J. Stephen Heiber and Mr. J. Benjamin Heiber to gauge their interest in being reappointed to the advisory committee for additional 4-year terms.

Ms. Jennifer O'Reilly, as the member, and Mr. Mark Miller, as the alternate member, both representing the hydrologists, have term expiration dates of March 1, 2025. Mr. Martin will be reaching out to Ms. O'Reilly and Mr. Miller to gauge their interest in being reappointed to the advisory committee for additional 4-year terms.

### **USTIF UPDATE**

Next on the agenda, the Underground Storage Tank Indemnification Fund (USTIF) provided an update on their program activities. Mr. Benjamin Lorah, Executive Director, Underground Storage Tank Indemnification Fund (USTIF), attended the meeting representing the USTIF.

Mr. Lorah reported that for the third quarter of 2024, as of September 30, 2024, the USTIF positive balance stood at approximately \$476 million with an increase of almost \$80 million since last year due to favorable market conditions. Mr. Lorah stated that USTIF revenues come from three sources: underground storage tank throughput gallon fees, underground storage tank gallon capacity fees, and Tank Installers Indemnification Program (TIIP) fees. Most of the USTIF revenue comes from underground storage tank throughput gallon fees and they are seeing about a 1.5% decrease in underground storage tank throughput gallon fee collection each year. Each year USTIF undergoes an actuarial review to compare actuarial claims liability versus the current USTIF fund balance. As of September 30, 2024, USTIF had a positive balance of \$207,678,355 after considering the liability for estimated unpaid claims. As a comparison, as of September 30, 2023, USTIF had a positive balance of \$90,341,532 after considering the liability for estimated unpaid claims. This pattern is continuing to trend upwards and USTIF is fully funded.

As of November 30, 2024, USTIF received 133 claims and has 749 total open claims. If this pattern continues, the year of 2024 could have the lowest amount of claims on record for USTIF. This number would only be followed by the second lowest number of claims with 147 claims in the year of 2015. The average claim is open for approximately 5 years and USTIF averages about 200 claims each year.

Next, Mr. Lorah discussed USTIF fee collection. Mr. Lorah reported that fee collection activity for USTIF greatly increases in December because USTIF sends out all of their capacity fee statements each December. Because of that invoicing pattern, most USTIF income is generated in December and January each year. Mr. Lorah requested to the committee that the capacity fees be paid online instead of being paid by submitting paper checks. The processing time with paper checks is greatly increased. Mr. Lorah showed a graph for USTIF fee collection in December

2024 and said USTIF was on track for the normal collections. The chart also showed a 1.5% decrease in fees being collected as projected.

Mr. Lorah next reported that during the Underground Storage Tank Indemnification Board Meeting (USTIB) on December 12, 2024, the Pennsylvania Department of Environmental Protection (DEP) will be requesting their annual allocations from USTIF.

Next, Mr. Lorah discussed draft USTIF eligibility regulation amendments. The USTIB approved the language of the draft eligibility regulation at the September 19, 2024 meeting. The Office of General Counsel approved the draft language and the Office of the Budget provided a Fiscal Note. The eligibility regulation is currently under review by the Office of Attorney General.

Mr. Lorah also announced that the remaining 2024 Quarterly Meeting Date of the Underground Storage Tank Indemnification Board is December 12, 2024.

Mr. Dennis Hameister asked Mr. Lorah about the USTIF fund and whether money was borrowed from the fund during the Commonwealth's state budgeting process in 2024. Mr. Lorah stated that, in the past, USTIF occasionally served as a source of funding during the Commonwealth's state budgeting process. Mr. Lorah stated that historically there was a substantial loan made from USTIF during the Commonwealth's state budgeting process; however, those funds have since been paid back to the USTIF by the General Assembly. There is no current loan to the General Assembly.

### **DEP UPDATE**

Mr. Alex Eckman, Environmental Group Manager, Aboveground Storage Tank Compliance and Enforcement Section, provided the first part of the DEP Update. Mr. Eckman reported that online storage tank registration fee payments have increased by 10% over the past year with 60% of registration fees paid online. Of those, 50% of registration fees have been paid using the program's Quick Pay system. Regarding storage tank registration form submittals over the past year, 400 electric storage tank registration forms have been submitted and processed whereas 1600 paper storage tank registration forms have been submitted and processed. Online submittals of electronic storage tank registration forms and electronic storage tank payments significantly reduces labor for DEP staff, DEP printing costs from the Department of General Services (DGS) and allows DEP staff to provide faster turnaround times during processing.

Next, Mr. Eckman discussed trends in storage tank population. Overall, the state population of regulated storage tanks is decreasing. There is a slight increase in small aboveground storage tanks with a capacity of 251 gallons to 5,000 gallons. There is also a pattern of consolidation of smaller underground storage tanks into larger underground storage tanks. In general, the population of underground storage tanks is decreasing; however, if the underground storage tank is removed and replaced, the smaller underground storage tank is replaced with an underground storage tank that has a larger capacity or it is replaced with a small aboveground storage tank.

Mr. Eckman next discussed underground storage tank technical compliance rates and showed a pattern of increasing technical compliance rates over the past year. The underground storage tank technical compliance rate currently stands at almost 80% compliance. The aboveground

storage tank compliance rate hovers around 50% with a slight downward trend. The bulk of the aboveground storage tank violations are related to routine maintenance items that are not being completed. Some planned long-term solutions are: an annual AST training seminar for AST owners, a pre-inspection checklist for ASTs, updating violation coding in the DEP's compliance tracking database to be more precise, and tracking compliance trends more closely.

Mr. Tim Bytner expressed some concern regarding annual AST training seminars being placed as a requirement in any potential enforcement documents. It was explained that annual AST training seminars are currently not found in the storage tank regulations. DEP could potentially offer attendance at any kind of annual AST training seminar as an option during penalty document negotiations with violators and not as direct regulatory requirement in the potential enforcement documents.

Mr. Eckman offered updates on the Technical Guidance Document 2630-4200-001, Closure Requirements for Aboveground Storage Tank Systems and the Technical Guidance Document 263-4500-601, Closure Requirements for Underground Storage Tank Systems and the associated Aboveground Storage Tank Closure Report Form (2630-FM-BECB0514) and the associated Underground Storage Tank Closure Report Form (2630-FM-BECB0159). The Technical Guidance Document 263-4200-001, Closure Requirements for Aboveground Storage Tank Systems was published as FINAL in the *Pennsylvania Bulletin* on August 24, 2024. The Technical Guidance Document 263-4500-601, Closure Requirements for Underground Storage Tank Systems was published as FINAL in the *Pennsylvania Bulletin* on October 5, 2024.

Mr. Eckman offered updates on the the registration of aboveground storage tanks storing PFOS/PFOA regulated substances. To date, DEP has registered 33 aboveground storage tanks at 23 different facilities. Many of these registered aboveground storage tank systems have some areas of deficiency where the tank systems need to be upgraded to meet current storage tank technical requirements. With respect to that, DEP has developed a boiler-plate Consent Order and Agreement document which provides the tank owners time to either upgrade the tank systems or permanently close them. DEP has also discovered that many, but not all, of these tank systems operate under continuous pressure well in excess of 15 pounds per square inch gauge (psig) and therefore would be regulated by the Pennsylvania Department of Labor and Industry (L&I) as pressure vessels and would not be regulated by the DEP Storage Tanks Program. Ms. April Winklmann asked about volunteer fire companies and firefighting foam tanks in relation to storage tank registration with DEP. Mr. Eckman and Mr. Martin stated that many of the storage tanks typically located at volunteer fire companies would not fit the definition of a regulated storage tank under the storage tank regulations.

Mr. Robert May asked about ASME Section VIII tanks and asked for clarification on the storage tank regulations. Mr. Eckman explained that the actual operating pressure of the aboveground storage tank and whether or not it operates at 15 pounds per square inch gauge (psi) determines whether the tank is regulated by the Pennsylvania Department of Labor and Industry (L&I) as a pressure vessel or if the storage tank would be regulated by the DEP Storage Tanks Program. The keys are the pressure relief valve setting on the storage tank and at what pressure the storage tank continuously operates.

Mr. Eckman next introduced Ross Jarvis from Square Robot. Mr. Jarvis had recently approached the Department regarding robotic inspections of the internal floor linings in aboveground storage tanks. Mr. Jarvis delivered a presentation titled, "Introduction to In-Service Robotic Inspections." Square Robot created a robotic inspection system where a robot is able to enter fully online aboveground storage tanks that are containing a variety of products. The robotic inspections are intended to keep people out of confined spaces and to reduce emissions and environmental risks associated with emptying aboveground storage tanks for typical, human entry out-of-service inspections. The robot has a system that "swims" in the tank, uses thrusters to move around, and has a variety of ultrasonic thickness sensors and lighting systems with high-definition cameras to take various readings, floor scans, and photographs. To date, Square Robot has inspected a total of 245 aboveground storage tanks. Emptying a typical 100-foot diameter gasoline tank for an out-of-service inspection results in about 5 tons of carbon emission equivalents and for a gasoline tank that is 20 tons of carbon emission equivalents. The robotic system collects around 9,000 ultrasonic thickness measurements per square foot. The robotic system also saves the customer anywhere from \$300,000 to \$2,000,000 in costs and operational efficiency. A typical robot inspection scans from 70% to 98% of the floor and the sensors are able to get within ½ inch of the tank shell wall. The robotic systems can also evaluate tank bottom settlement under loaded conditions. Ms. Christine Shorokey asked about sludge on the bottom of the tanks. Mr. Jarvis added that sludge is a limiting factor with the robotic system and can handle about 3-4 inches of sludge and to provide adequate ultrasonic thickness readings. Mr. Jarvis indicated that there is always an API-653 certified inspector on the inspection team.

Mr. Eckman provided the DEP response. DEP does see the value in performing robotic inspections on aboveground storage tanks. However, at the current time, the limitation of the robotic system is that it cannot perform a full API-653 inspection as required under the storage tank regulations. However, DEP does also see the value of robotic internal floor lining inspections and will work with Square Robot and other robotic inspection companies to see if there is a future pathway forward for robotic systems to perform internal floor lining inspections while meeting all the regulatory requirements.

## **OTHER BUSINESS**

Mr. May asked the committee if there was any old business to discuss. There being none, under new business, Mr. May asked if any STAC member or member of the public in attendance wished to provide public comment. There were no public comments. Mr. May moved on to the election of officers and introduced Mr. Dennis Hameister, as the Vice-Chairperson of STAC, to provide the nominating committee report. Mr. Hameister described the process for the nominating committee. The nominating committee received 9 responses from the Storage Tank Advisory Committee members. There were no write in candidates. Mr. Martin provided the results. Currently, Mr. May is the Chairperson and Mr. Hameister is the Vice-Chairperson. In reviewing the results, all 9 responses indicated they wished that Mr. May continue as the Chairperson and Mr. Hameister continue as the Vice-Chairperson. Mr. Martin opened the floor for any other nominations. Having received none, Mr. Martin asked Mr. May to move forward with putting the nominations up for a vote. A motion was made, the motion was seconded, and unanimously approved by the Committee.

The next item was the approval of STAC meeting dates for 2025: Wednesday, March 5, Wednesday, June 4, Wednesday, September 3, and Wednesday, December 3. A motion was made, the motion was seconded, and unanimously approved by the Committee.

Ms. Shorokey asked Mr. Martin if he could start sending Microsoft Outlook meeting invites for the 2025 STAC meetings. Mr. Martin agreed to do so.

### **ADJOURNMENT**

A motion was made to adjourn the meeting at 11:12 a.m. The motion was seconded and unanimously approved by the Committee.