MINUTES OF THE
STORAGE TANK ADVISORY COMMITTEE MEETING
JUNE 4, 2025

The Storage Tank Advisory Committee (STAC) met on June 4, 2025, at the Rachel Carson State Office Building, 400 Market Street, Room 105, Harrisburg and virtually via Microsoft Teams at 10:00 a.m. Thirteen (13) voting members were present, which constituted a quorum.

VOTING MEMBERS OR ALTERNATES PRESENT

Local Government:

Dennis Hameister, Pennsylvania State Association of Township Supervisors
April Winklmann, Pennsylvania Municipal Authorities Association
Jennifer Case, Pennsylvania Municipal Authorities Association

Regulated Community:

Brandie Lehman, American Petroleum Institute Pennsylvania
Jonathan Lutz, American Petroleum Institute Pennsylvania
Andrew Walker, The Pennsylvania Petroleum Association
Christine Shorokey, Pennsylvania Chemical Industry Council
Kevin Leong, Pennsylvania Chemical Industry Council
J. Stephen Hieber, Tank Installers of Pennsylvania

Public:

Benjamin Andes, P.E. C.E.M., Synergy Environmental, Inc.
Matthew Wood, Babst Calland
Scott Nowicki, TTI Environmental, Inc.
Steve Treschow, P.G. C.P.G., Keystone Environmental, Health, and Safety, Inc.
Eric Wolfer, Highland Tank & Mfg. Co.

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.
Mark Miller, P.G., Moody and Associates, Inc.

Active Commercial Farm Owner/Operator:

Grant Gulibon, Pennsylvania Farm Bureau

CALL MEETING TO ORDER

Dennis Hameister, Vice-Chairperson, called the June 4, 2025, meeting of the STAC to order at 10:00 a.m.

APPROVAL OF MINUTES FROM THE DECEMBER 4, 2024, MEETING

A motion was made to approve the minutes from the December 4, 2024 meeting as submitted. The motion was seconded and unanimously approved by the Committee.

PUBLIC COMMENT

There was none.

STAC MEMBERSHIP LIST

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

Mr. Francis Catherine, as the member, and Mr. Mark Onesky, as the alternate member, representing the Registered Professional Engineer were both reappointed and have new term expiration dates of December 31, 2028.

Ms. Jennifer O'Reilly, as the member, and Mr. Mark Miller, as the alternate member, representing the Hydrogeologist were both reappointed and have new term expiration dates of March 1, 2029.

Mr. Michael Platt, as the member, representing the Active Commercial Farm Owner/Operator was reappointed and has a new term expiration date of May 1, 2029. Mr. Grant Gulibon, as the alternate member, representing the Active Commercial Farm Owner/Operator was appointed and has a new term expiration date of May 1, 2029.

Terms expiring before the next STAC meeting scheduled to be held on September 3, 2025, will be Ms. Jo Ellen Litz, as the member, and Mr. Frank Mazza, as the alternate member, both representing the Local Government and the County Commissioners Association of Pennsylvania, have term expiration dates of September 1, 2025. Mr. Martin will be reaching out to Ms. Litz and Mr. Mazza to gauge their interest in being reappointed to the advisory committee for additional 4-year terms.

Ms. Brandie Lehman, as the member, and Mr. Jonathan Lutz, as the alternate member, both representing the Regulated Community and the American Petroleum Institute Pennsylvania, have term expiration dates of September 1, 2025. Mr. Martin will be reaching out to Ms. Lehman and Mr. Lutz 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), Pennsylvania Insurance Department, attended the meeting representing the USTIF.

Mr. Lorah reported that for the second quarter of 2025, as of March 31, 2025, the USTIF had a long-term investment increase of $33 million year over year from 2024. That increase was driven by fee revenue which exceeded expenditures. The long-term investment increase resulted in the fund having a total overall increase of $36 million since the same time last year. Mr. Lorah reported that, in revenues, this quarter showed the gallon fee held steady as compared to the same time period last year. Typically, this particular quarter shows a slight decrease in gallon fees. There was also a $11 million decrease in fair value investments due to market volatility. Next, Mr. Lorah reported on USTIF's cash flow statement and their expenditures. There has been a decrease in third-party administrator costs and also a decrease in USTIF's losses. This is attributed to an overall decrease in claim counts being handled by USTIF. The DEP allocations were up $1 million since this same time last year. Mr. Lorah reported that the USTIF actuarial liabilities are continuing to decrease year over year due to reduced claim counts. The USTIF continues to maintain a positive fund balance to ensure that USTIF can pay claims. The current fund balance is approximately $494 million, and after accounting for approximately $14.5 million in liabilities, the positive fund balance is approximately $479 million. During calendar year 2024, there were 144 total claims which is a record low. The next lowest year was 2015, with 156 claims. In 2025, year to date, there were a total of 60 claims. Regarding open claims, the average age of open claims is around five years and the average time to closure is seven years. The current time to eligibility determination is around four months. Looking at the trend line for the year 2025, if the trend continues, the year 2025 should produce around 140 claims. Looking at the five-year average, an average year produces 176 claims.

Mr. Lorah next provided some recent administrative updates. During the second quarter of 2025, USTIF published their 2024 Annual Report and placed it on their website, received Independent Regulatory Review Commission (IRRC) comments on their amended eligibility regulations which will be voted on at the next Underground Storage Tank Indemnification Board (USTIB) meeting with the final package to be delivered to the IRRC in the fall, and updated the USTIF website with additional information including a new USTIB membership list and previous USTIF actuarial studies. Mr. Lorah stated that they are preparing for their summer audit season and their next actuarial study which will be presented in December 2025. The remaining USTIB meeting dates are June 12, 2025, September 18, 2025, and December 11, 2025. During the March 2025 USTIB meeting, the annual elections for Chair and Vice-Chair were held. Mr. Steve Heiber was re-elected Chair. Mr. Heiber is a representative from the Tank Installers of Pennsylvania. Ms. Stephanie Catarino Wissman was re-elected as Vice-Chair. Ms. Catarino Wissman is a representative from the American Petroleum Institute Pennsylvania.

Mr. Dennis Hameister asked Mr. Lorah why there was a spike in open claims in 2024. Mr. Lorah responded that the open 2024 claims are recent claims and the average lifespan of an open claim is five years. Most of the 2024 claims remain open. Mr. Hameister also asked if the

General Assembly has recently contacted USTIF about borrowing any funds to balance the budget. Mr. Lorah stated that the General Assembly has not contacted him to date.

DEP UPDATE

Mr. Randy Martin, Storage Tank Program Manager, provided the DEP Update. Mr. Martin reported that online storage tank registration fee payments have increased by 17% since end-of-year 2023 with 67% of registration fees now paid online. Of those, 46% of registration fees have been paid using the program's Quick Pay system. The overall goal of the program is to eventually see 95% of all payments being made online. 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.

Mr. Martin 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 typically replaced with an underground storage tank that has a larger capacity or it is replaced with a small aboveground storage tank. Mr. Martin displayed a variety of charts and figures showing the number of underground storage tank and aboveground storage tank facilities and tanks located in the various DEP regions of Pennsylvania.

Mr. Martin next displayed and discussed the numbers of third-party storage tank inspections being completed, received, and processed each month and annually since 2017. Mr. Martin displayed and discussed the numbers of third-party modification reports that were completed, received, and processed each month and annually since 2017.

Mr. Martin stated that, as of March 31, 2025, the number of regulated aboveground storage tanks was 17,313 with a compliance rate of 59.4% for the 1,574 aboveground storage tank third-party inspection reports received over the rolling year. Mr. Martin stated that, as of March 31, 2025, the number of regulated underground storage tanks was 20,782 with a technical compliance rate of 79.8% for the 2,744 underground storage tank third-party inspection reports received over the rolling year. At the low end, the underground storage tank technical compliance rate was approximately 50% and is now almost 80%. In comparison, the national average for the underground storage tank technical compliance rate is 61.0%. Pennsylvania ranks number eight out of the top ten states and territories with number of regulated underground storage tanks. Regarding technical compliance rate, Pennsylvania ranks number two out of the top ten states and territories with the greatest number of regulated underground storage tanks.

Mr. Martin next displayed and discussed the numbers of storage tank registration and permitting application forms being completed, received, and processed each month and annually since 2019 and the push to have the regulated community use the ePermitting system. Lastly, Mr. Martin discussed the current number of DEP-certified companies, 258, and the current number of DEP-certified individuals, 797, and some efforts made to maintain or increase those numbers.

Mr. Hameister asked about inspection frequencies for aboveground storage tanks and underground storage tanks. Mr. Martin explained that underground storage tanks are required to be inspected by a DEP-certified inspector within six to twelve months after a new tank installation or a change of facility ownership. Underground storage tank periodic third-party inspections must occur every three years thereafter. Aboveground storage tanks have different inspection types and frequencies based on the size of the tank, the construction of the tank, at tank installation, during major modifications to the tank system, etc. There are a variety of variables with aboveground storage tanks. DEP field staff also perform a variety of different inspections of the different types of storage tanks. They perform compliance evaluation inspections, follow-up inspections, routine partial inspections, complaint inspections, etc.

Mr. Hameister next introduced Mr. Joshua Blanco, Environmental Group Manager, Registration, Permitting and Certification Section, to provide a presentation titled, "Division of Storage Tanks Road to greater than 95% Online Payments and Modernization." Mr. Blanco explained that the program wishes to transition to mostly online payments and to eventually transition to online communications which will reduce paper waste and usage and remove barriers to timely action. Major recent accomplishments for the program include 70% of current payments are made online and digitization of most historical, paper records of registration applications, inspection reports, and modification reports. The program also encouraged third-party certified companies and certified individuals to submit documents electronically through the Public Upload and Payment (PUP) system. Additionally, the program has worked with the agency's information technology (IT) team to increase the functionality of the PUP system after receiving both positive and negative feedback from the third-party certified companies, certified individuals and the regulated community. Through various ongoing IT modernization efforts, the storage tanks program has: continued to work with an outside test vendor to administrator on demand online exams for third-party certification exams, started to provide an online alternative for DEP-provided administrative and technical trainings that DEP-certified individuals are required to attend to maintain certifications, implemented an upgraded an ePermitting system that has handled 26% of all registration/permitting applications from March 2024 through March 2025, and implemented and continue to develop a robust mobile inspection application for DEP-field staff.

Mr. Blanco stated that the program will continue to ask for online payments and is looking to sunset paper registration certificates, sunset paper invoices, and sunset temporary registration letters. Mr. Hameister asked if there are any particular classes of stakeholders that are delinquent on going online. Mr. Blanco stated that some organizations are contradictory in their own processes. Some organizations require electronic invoices from DEP but then refuse to pay the invoices and registration fees online. The ePermitting system can also be challenging for infrequent users or small tank owners that do not wish to set up an electronic account in Greenport. For those users, there is currently little incentive to set up an online account. The program's goal is to continue making things easier for all online users. Mr. Martin commented that USTIF went to online payments in 2017 and the DEP storage tanks program is spring boarding off that information. Since USTIF payments are being made online, the program is challenging the very same storage tank owners to also pay their DEP storage tank registration fees online. Additionally, on the online submittal topic, the program is also looking at revising various forms, form instructions, and technical guidance documents to eliminate the paper mailing option and instead reference the available electronic submittal options such as PUP.

Mr. Hameister next introduced Carole Clarke Smith, Department Counsel, Office of Chief Counsel, Pennsylvania Insurance Department, who provided a presentation titled, "Sunshine Act and Recusal: A Guide to Open Meetings." Ms. Smith discussed the Sunshine Act and the obligations of public government, agencies, and boards or committees that take official actions or render advice on matters of agency business. At the beginning of the calendar year, agencies shall provide public notice of meetings at least three days in advance of the meeting and provide the schedule of its remaining regular meetings. Public notice must state the place, date, and time of a meeting in a paid newspaper of general circulation in the political subdivision where the meeting will be held. The posting must also be prominently displayed at the public building where the meeting is to be held and be provided to interested parties. The agenda must be on the website no less than 24 hours in advance and provided to interested parties and include all items that will be subject to deliberations or official action. Recording of votes must be publicly cast and recorded. Written meeting minutes must be kept stating the date, time, and place of the meeting, all members present, the substance of all official actions, roll call votes, the names of all citizens who appeared and the subject of their testimony. The exemptions to these requirements are conferences and executive sessions since no official actions are taken. Conferences or executive sessions are used to discuss items that may be subject to personnel actions, may involve attorney client privilege, labor negations, and/or to avoid violating privilege or confidentiality requirements. Official actions must be taken during the public open meeting. There are penalties for violations of the Sunshine Act as a summary offense. Recusal by members must occur if the member has a prosecutorial role or a direct financial interest in the outcome of the matter. Recusal is where the member is unable to vote while abstention is withholding one's vote. Neither recusal nor abstention affect meeting quorum requirements.

OTHER BUSINESS

Mr. Hameister asked the committee if there was any old business to discuss. There being none, Mr. Hameister asked the committee if there was any new business to discuss. There being none, Mr. Hameister reminded the committee of the remaining STAC meeting dates for 2025 being Wednesday, September 3, and Wednesday, December 3.

ADJOURNMENT

A motion was made to adjourn the meeting at 11:27 a.m. The motion was seconded and unanimously approved by the Committee.