

**MINUTES OF THE
STORAGE TANK ADVISORY COMMITTEE MEETING
DECEMBER 7, 2021**

The Storage Tank Advisory Committee (STAC) met on December 7, 2021, at the Rachel Carson State Office Building, 400 Market Street, Room 105, Harrisburg and virtually via WebEx at 10:00 a.m. Eleven (11) voting members were present, which constituted a quorum.

VOTING MEMBERS OR ALTERNATES PRESENT

Local Government:

Ronald Grutza, Pennsylvania State Association of Boroughs
Dennis Hameister, Pennsylvania State Association of Township Supervisors

Regulated Community:

Brandie Lehman, Associated Petroleum Industries of Pennsylvania
Jonathan Lutz, Associated Petroleum Industries of Pennsylvania
Michael DeBerdine, III, Pennsylvania Petroleum Association
John Kulik, Pennsylvania Petroleum Association
J. Stephen Hieber, Tank Installers of Pennsylvania
J. Benjamin Hieber, Tank Installers of Pennsylvania

Public:

Charles Frey, Jr., Highland Tank & Mfg. Co.
Eric Wolfer, Highland Tank & Mfg. Co.
Timothy Bytner, Babst Calland
Scott Nowicki, TTI Environmental, Inc.

Active Commercial Farm Owner/Operator:

John Bell, Pennsylvania Farm Bureau.
Michael Platt, PM Farms, Inc.

Registered Professional Engineer:

Mark Onesky, P.E., Onesky Engineering, Inc.

Hydrogeologist:

Jennifer O'Reilly, Groundwater & Environmental Services, Inc.
Mark Miller, Moody and Associates, Inc.

CALL MEETING TO ORDER

Dennis Hameister, Vice-Chair, called the December 7, 2021, meeting of the STAC to order.

APPROVAL OF MINUTES FROM THE MARCH 9, 2021, MEETING

The minutes from the March 9, 2021, meeting were approved as submitted, upon motion and seconded.

STAC MEMBERSHIP LIST

Kris Shiffer, DEP, reported that currently 14 of the 16 positions are filled. Vacancies exist representing local government and the County Commissioners Association of Pennsylvania. A nomination has been submitted to fill the County Commissioners Association of Pennsylvania vacancy and this nomination is pending. Since the last meeting, there have been several appointments to the committee. They were as follows:

- Mr. Steven Treschow, PG, alternate member representing the public.
- Ms. Jennifer O'Reilly, PG, has been appointed as member representing Hydrogeologists. Mark Miller, who was formerly the member, has been appointed as alternate member.

Mr. Hameister requested clarification on the local government vacancy. Mr. Shiffer responded that the Storage Tank and Spill Prevention Act mandates certain groups to be represented. Currently, the committee has representation from the Pennsylvania Association of Boroughs, County Commissioners Association of Pennsylvania, and the Pennsylvania State Association of Township Supervisors. The vacancy can be filled by any interested individual who represents local government, including an individual who currently serves as a school board director. Mr. Shiffer requested if any members are aware of an individual who meets the local government representation requirement who is interested in being on the committee to have them submit their name for consideration.

Mr. Shiffer reported no current members are set to expire by the next scheduled meeting.

USTIF UPDATE

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

Mr. Burgan reported that USTIF receipts at the end of the first quarter (July 1, 2021 – September 30, 2021) totaled \$11,304,948. Expenditures during this same period was \$11,373,496. For the first time in a while, USTIF had an operating deficiency during this time of \$68,548. This was mainly due to a \$3 million drop in investment revenue during the first quarter. Mr. Burgan stated that per the USTIF comptroller 1st Quarter financial statements for the period ending September 30, 2021, USTIF had a total balance in their assets of \$411,253,960. Mr. Burgan

reported that the unfunded liability has been zeroed out and USTIF has a fund balance available beyond what is needed to pay projected claims of \$74.6 million. Last year at this time, USTIF had an unfunded liability of approximately \$37 million. The main reason for this turnaround was the repayment by the legislature of the general fund loan, which originated in 2002. This action amounted to \$67.5 million in principal and \$19 million in interest for a total of \$86.5 million being paid back to USTIF. Mr. Burgan thanked the committee in their previous efforts to assist USTIF in getting the loan paid off.

Mr. Burgan stated that next week, the 4th Quarter meeting of the Underground Storage Tank Indemnification Board (USTIB) is scheduled. During this meeting, the 2021 actuarial report will be presented, and DEP will request annual allocations needed to support the storage tank program.

On Friday, USTIF will begin mailing December invoicing statements. This includes issuing approximately 7,658 facility owner statements and 219 tank installer statements. Mr. Burgan reported that these same statements were posted electronically for account owners last week. As of yesterday, 184 facility accounts were paid in full.

As of December 3, 2021, USTIF had 159 tank owner claims and 1 tank installer claim. These numbers reflect a decrease in claims from last year. Last year at this time, USTIF had 196 claims. Mr. Burgan was unsure of the reasons for the decrease and speculated it could be due to the recent Chapter 245 rulemaking changes.

Mr. Burgan lastly reported that Amy Steiner, Claims Manager, will retire on January 7, 2022. Ms. Steiner has been with USTIF since 2006 and will be missed.

DEP UPDATE

Mr. Shiffer introduced Matt Leuck, Technical Manager, Renewable Road Transportation at Neste. Mr. Leuck provided an overview of renewable diesel fuel, explaining what it is, how it's made and why it's different than biodiesel. Mr. Leuck explained to the committee some performance benefits related to storage, combustion, and emissions.

Mr. DeBerdine asked if there is a concern over the long range of ensuring there is enough feedstock in supply to sustain renewable diesel fuel manufacturing nationwide. Mr. Leuck indicated studies have shown we are not at the wall in terms of fats, oils, and greases available. Mr. Leuck pointed out that the next resource being looked at for feedstock of renewable diesel fuel is forestry and ag waste. Shifting to this resource would increase the feedstock availability by tenfold. Mr. DeBerdine also inquired on the price point for renewable diesel fuel. Currently, with credits, renewable diesel fuel is in line with traditional fuel costs. Without credits, it would be more.

Mr. Alex Eckman, Aboveground Storage Tank (AST) Unit Supervisor, Division of Storage Tanks, presented a demonstration on robotic inspections during out of service inspections on large ASTs. Periodically, DEP is approached with a question about using an internal robotic inspection in lieu of a standard, manned-entry inspection to meet the inspection requirements in Chapter 245. DEP lists specific items that must be evaluated during an out of service inspection.

Many of these items can be inspected externally, to some extent, utilizing ultrasound thickness and/or other tools, however, limitations associated with the internal inspection robots prevent complete evaluation of the interior of the entire tank system.

DEP policy, supported by current regulatory requirements, prevents robotic inspections to satisfy the inspection requirements in Chapter 245. However, technology is always changing, and DEP continues to evaluate newer robotic inspection techniques when making regulatory decisions.

Mr. Shiffer next provided the committee an update on the Mobile Inspection Application and reported that DEP staff have completed over 4,300 mobile inspections. The planned enhancement of adding commonly requested items needed to bring a facility into compliance mentioned in the March 2021 committee meeting was completed and is now available for DEP staff to use. In addition, on November 4, 2021, the project intake request was submitted to begin work on a third-party mobile application. The program envisions this application would allow third party installers and inspectors to input inspection and modification report information with the required form being completed on the back end. The form could then be submitted to DEP with status updates available to the certified individual.

Mr. Eric Lingle, Environmental Group Manager, Division of Storage Tanks, next provided an update on the storage tank program's ePermitting platform. The program has thus far received over \$2.1 million in registration fee revenue through the online fee payment process. Currently, approximately 30% of registration fee payments are being made online. Mr. Lingle also reported that storage tank owners can now make updates to their facility contact information online. This enhancement allows owners to electronically apply these changes across all facilities owned rather than submitting paper registration amendments for each site. Planned enhancements to ePermitting include making it easier to create accounts for first time users and being able to process change of ownerships. In addition, creating the ability for certified installers and companies to create registration applications through ePermitting on behalf of the storage tank owner is scheduled to be completed. Many certified companies already perform this task as a service to the storage tank owner and having this ability through ePermitting will allow program staff to spend less time processing registrations.

OTHER BUSINESS

Mr. Hameister asked the committee if there was any old business to discuss. There being none, under new business, Mr. Hameister asked if any STAC member or member of the public in attendance wished to provide public comment. There being no public comments, the meeting dates for 2022, currently proposed as March 8, June 7, September 7 and December 6, were approved, upon motion and seconded.

ADJOURNMENT

The meeting was adjourned at 11:34 p.m., upon motion and seconded.