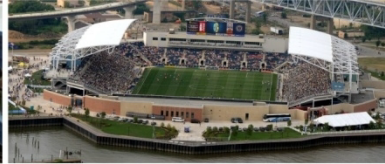




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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Environmental Cleanup & Brownfields

Storage Tank Advisory Committee

In-Person / Virtual Meeting

December 13, 2023

10:00 a.m.

Josh Shapiro, Governor

Jessica Shirley, Interim Acting Secretary

Membership & USTIF Updates

- Approval of Minutes from September 6, 2023 Meeting
 - Chairperson
- STAC Membership List
 - Randy Martin, Storage Tank Program Manager
- Underground Storage Tank Indemnification Fund
 - Benjamin Lorah, Director, Bureau of Special Funds, Department of Insurance

DEP Updates

- Environmental Justice Policy
 - Justin Dula, Director, Department of Environmental Protection, Office of Environmental Justice will review Pennsylvania's new Environmental Justice Policy, the PennEnviroScreen, and its impact on the regulated community

DEP Updates

- Technical Guidance Document Proposed Revisions
 - Closure Requirements for Underground Storage Tank Systems, Technical Guidance Number 263-4200-601 – Tim Slack, Solid Waste Program Specialist
 - Closure Requirements for Aboveground Storage Tank Systems, Technical Guidance Number 263-4200-001 – Alex Eckman, Environmental Group Manager

UST Closure Guidance

Proposed Revisions to UST Closure Guidance

Primary changes to align with current Chapter 245 regulations and Storage Tanks Program policy.

- Temporary Removal from Service (Out-of-Service)
- Suspected Releases and Release Reporting
- Certification and Site Assessment Requirements for Replacing Product Piping within Chase Piping
- Classifying and Sampling Soils
- Vapor Intrusion Screening
- Electronic Submissions
- Minor Revisions

UST Closure Guidance

Temporary Removal from Service (Out-of-Service)

- Replaced “temporarily closed” with “temporarily removed from service (out-of-service).”
- A UST system is not temporarily out-of-service until it has been emptied.
 - Current: “A UST system is required to be emptied within 30 days of being placed temporarily out-of-service.”
 - Updated: “A UST system is required to be emptied prior to being placed temporarily out-of-service.”

UST Closure Guidance

Suspected Releases and Release Reporting

- Replaced “indication of a release” with “suspected release.”
- Replaced “reportable release” with “release.”
- “An owner or operator must immediately initiate corrective action after a release is confirmed and notify the appropriate DEP regional office as soon as practicable, but no later than 24 hours after the confirmation of a release, in accordance with 25 Pa. Code § 245.305(a) and (b).”

UST Closure Guidance

Suspected Releases and Release Reporting

- “In addition, certified installers must submit a *Notification of Release/Notification of Contamination* form to DEP within 48 hours of observing any of the following while performing tank handling activities: a release of regulated substance; suspected or confirmed contamination of soil, surface water, or groundwater from regulated substances; or a regulated substance in a containment structure or facility. This reporting is required by 25 Pa. Code § 245.132(a)(4) and (6) (*relating to standards of performance*).”

UST Closure Guidance

Certification and Site Assessment Requirements for Replacing Product Piping within Chase Piping

- The March 24, 2011 Technical Bulletin, *Regarding Replacement of Pipe Extracted Through a Chase Pipe*, incorrectly stated that the replacement of primary product piping through a chase pipe (without excavation) was considered a minor modification activity and not a closure activity.
- Presented findings to STAC on September 9, 2020.
- Partially rescinded and updated on February 24, 2021.

UST Closure Guidance

Certification and Site Assessment Requirements for Replacing Product Piping within Chase Piping

- The February 24, 2021 Technical Bulletin states:
 - “...when primary product piping, which is considered underground product piping even installed in a chase pipe, is replaced, by regulation it is a permanent closure of the underground product piping requiring the direct onsite supervision of a UMR Certified Individual.”
 - “A site assessment is required; however, actual collection of samples may not be always necessary.”

UST Closure Guidance

Certification and Site Assessment Requirements for Replacing Product Piping within Chase Piping

- Current: “Note that closure operations which pull or lift piping out of the ground without excavation are considered closure-in-place for purposes of site assessment, as they do not allow a thorough inspection and visual evaluation of the conditions in the vicinity of the piping.”
- Addition: “As a matter of policy, sampling is not required when existing double-walled product piping is removed from an existing piping chase and is replaced with new double-walled product piping, unless evidence indicates that the previous double-walled product piping or the existing piping chase is/was in poor condition, is/was damaged, or otherwise is/was no longer structurally sound.”

UST Closure Guidance

Certification and Site Assessment Requirements for Product Piping within Chase Piping

- Addition: “Sampling is required for closure of double-walled piping contained in an existing chase when (1) the chase is removed or (2) the product piping is not replaced within the existing chase.”
- Addition: “Sampling is required when existing single-walled product piping is removed from an existing chase and replaced with new double-walled product piping, unless the existing chase and the previous single-walled product piping are both tested and both are found to be tight within 30 days prior to the single-walled product piping removal.”

UST Closure Guidance

Classifying and Sampling Soils (VI.C. Site Assessment)

- Replaced “not suspected to be contaminated” with “presumably uncontaminated.”
- Added explicit prohibition of blending obviously contaminated soils with presumably uncontaminated to meet numeric limits for on-site reuse.

UST Closure Guidance

Classifying and Sampling Soils (VI.C. Site Assessment)

- Added bullet points to description of “Obvious contamination”
 - “Product odors in soil or backfill.”
 - “Contamination observed through other field screening procedures.”
- Change to sampling protocol for on-site reuse of material from obviously contaminated soil pile. For up to 100 cubic yards of the obviously contaminated soil pile:
 - Current: one discrete sample for each 50 cubic yards
 - Updated: one discrete sample for each 25 cubic yards

UST Closure Guidance

Soil Vapor Intrusion (VI) Screening (VI.C. Site Assessment)

- Added sections related to VI screening where there is localized contamination
 - Proximity distances to inhabited buildings for petroleum and non-petroleum
 - Additional confirmatory sampling requirements
 - “An additional confirmatory soil sample must be collected from each sidewall of the localized contamination excavation that is closest to the inhabited building(s) located within the appropriate proximity distance.”

UST Closure Guidance

Soil Vapor Intrusion (VI) Screening (VI.C. Site Assessment)

- Reference to the *Land Recycling Program Technical Guidance Manual* for an explanation of the derivation of the statewide health standard vapor intrusion screening values (SVSOIL).
- The most current SVSOIL values are provided in Table 2 of DEP's Vapor Intrusion Screening Value Tables located on DEP's Vapor Intrusion web page.

UST Closure Guidance

Electronic Submission (throughout document)

Ex. Notify the Division of Storage Tanks that the UST system has changed status from currently-in-use to temporarily out-of-service using the online submittal option through e-permitting, available at <https://www.dep.pa.gov>,

OR

Submit an amended *Storage Tanks Registration/Permitting Application Form* [...]

UST Closure Guidance

Minor Revisions

- Revised language for clarity
- Revised references to the “UST”, the “Tank,” etc. to consistently reflect the UST system, where appropriate
- Updated contact information, web addresses, etc.
- Updated intra-document references
- Reformatted document titles
- Reformatted Sections, subsections, etc.

AST Closure Guidance

Proposed Revisions to AST Closure Guidance

Primary Changes to align with proposed revisions to the UST Closure Guidance, as appropriate.

- Classifying and Sampling Soils
- Vapor Intrusion
- Electronic Submissions
- Minor Revisions

AST Closure Guidance

Classifying and Sampling Soils (VI.C. Site Assessment)

- Replaced “not suspected to be contaminated” with “presumably uncontaminated.”
- Added explicit prohibition of blending obviously contaminated soils with presumably uncontaminated to meet numeric limits for on-site reuse.

AST Closure Guidance

Classifying and Sampling Soils (VI.C. Site Assessment)

- Added bullet points to description of “Obvious contamination”
 - Product odors in soil or backfill
 - Contamination observed through other field screening procedures
- Change to sampling protocol for reuse of material from obviously contaminated soil pile on-site. For up to 100 cubic yards of the obviously contaminated soil pile:
 - Current: one discrete sample for each 50 cubic yards
 - Updated: one discrete sample for each 25 cubic yards

AST Closure Guidance

Soil Vapor Intrusion Screening (VI.C. Site Assessment)

- Added sections related to VI screening
 - Proximity distances to inhabited buildings for petroleum and non-petroleum
 - Additional sampling requirements
 - Reference to the *Land Recycling Program Technical Guidance Manual* for statewide health standard vapor intrusion screening values (SVSOIL)

AST Closure Guidance

Electronic Submission (throughout document)

Ex. Notify the Division of Storage Tanks that the AST system has changed status from currently-in-use to temporarily out-of-service using the online submittal option through e-permitting, available at <https://www.dep.pa.gov>,

OR

Submit an amended *Storage Tanks Registration/Permitting Application Form* [...]

AST Closure Guidance

Minor Revisions

- Revised language for clarity
- Revised references to the “AST”, the “Tank,” etc. to consistently reflect the AST system, where appropriate
- Updated contact information, web addresses, etc.
- Updated intra-document references
- Reformatted document titles
- Reformatted Sections, subsections, etc.

Closure Report Forms

Proposed Revisions to both AST and UST Closure Report Forms

Changes to align document with the Revised AST Closure Guidance and provide additional clarification and utility.

- Cover Page – Additional Checkboxes
- Section III – Subsection F. related to exclusion/limitation of confirmatory sampling (*AST Only*)
- Section IV – NEW for submission of Closure Report as an SCR under 245.310(b)

Closure Report Forms

Cover Page

- Added checkbox for partial AST system closure (*AST Only*)
- Added checkbox under “Obvious, Localized Contamination – Sample Results Meet Standards/Levels”
 - Site Characterization Report in accordance with 25 Pa. Code § 310(b) (*Complete Section IV in addition to other required sections*)
 - Positively identifies Closure Reports being submitted as 310(b) SCRs

Closure Report Forms

Section III. Site Assessment Information

- Added Section F. Confirmatory Sampling (*AST Only*)

F. CONFIRMATORY SAMPLING

Confirmatory sampling is a required element of site assessment unless specific conditions are met, and DEP approves exclusion or limitation of the site assessment and/or confirmatory sampling in advance:

Was confirmatory sampling completed?

YES

NO → Explain why confirmatory sampling was not completed:

- Ensure understanding of conditions of exclusion/limitation of confirmatory sampling requirements.

Closure Report Forms

Section IV. 310(b) SCR Information

- Developed new section for Closure Reports submitted as an SCR under 245.310(b)
 - Standard Selection
 - Attainment Demonstration
 - Vapor Intrusion Pathway Evaluation
 - Ecological Receptor Evaluation
- Ensure consistency and completeness of Closure Reports submitted as 310(b) SCRs.



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Tim Slack

Solid Waste Program Specialist

Site Remediation Division

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DEP Updates

- Storage Tank Advisory Committee Bylaws Proposed Amendments
 - Randy Martin, Storage Tank Program Manager
 - **ARTICLE IV. MEMBERSHIP:** Each member may designate one alternate. Alternate members must be appointed by the Secretary in the same manner as the members. Members and alternate members shall be appointed for a four-year term. The Secretary shall also reappoint members and alternate members to the Committee. **If a member or alternate vacates their position before the expiration of the four-year term, the Secretary shall appoint a replacement to serve until the expiration of that term.**
 - **ARTICLE V. VOTING:** Each member (or alternate member serving in the absence of the member) shall be entitled to one vote, in person **(including by telephone, virtually, or another form of real time attendance)**, on all matters as shall come before the Committee.

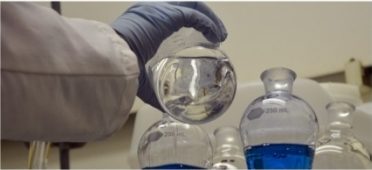
Old Business & New Business

Old Business – Chairperson

New Business – Chairperson

- Public Comment
- Action Item: Committee Motion to Approve, Deny, or Table Amendments to the Committee Bylaws as Presented
- Approval of Meeting Dates for 2024
 - Wednesday, March 6
 - Wednesday, June 6
 - Wednesday, September 4
 - Wednesday, December 4

Adjourn - Chairperson



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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Randy Martin

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