

**Hughes, Marjorie**

**ORIGINAL: 2532**

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**From:** Dell Cromie [DCromie@Glassmere.com]  
**Sent:** Tuesday, May 30, 2006 7:20 PM  
**To:** RegComments@state.pa.us; Bob Teorsky; Dell Cromie; Darlene Steiner  
**Subject:** Proposed UST Regualtions/vol36/36-16/656.html

May 30, 2006

Sirs:

I must comment on the proposed changes to Pa State Underground Storage Tank revisions. Specifically, Section 1530, whereby the State will require 1 of 2 things: 1) Secondary Containment for new and replacement storage tank systems, or 2) Financial Responsibility for manufacturers and installers of Underground Storage Tank Systems. My opinion is that there is no way that the State is going to require financial responsibility for installers/manufacturers, in that IF the coverage is even available, undoubtedly the premiums would be so high that no installers, and thus, tank owners engaging these installers could afford them. Secondly, this option would require more State regulation, and thus funding, to further "police" installers. Thus, it would seem that the "easy way out" is to require secondary containment for all replacement/new tank systems. which I feel puts even more undue financial burden on the owner(s) of these systems. As a Petroleum Marketer, I feel we have been inundated with regulations on UST'S, (and from what I hear, regulations for Aboveground Storage Tank Systems, "AST'S" are next on the agenda) and now you want to almost double the cost to replace them? I would like to know if you have done any failure rate analysis since the Federal regulations were initiated in 1988. I would guess that that rate of releases from these tanks is a fraction of what it was before the requirement of protected steel tanks or fiberglass UST'S. As in calculating any cost/benefit analysis, the law of diminishing returns comes into play, whereby the cost of eliminating the last few percentage points of failure rate is so high that it is ridiculous to spend so much additional money for so little return. I think this is the road the Pa DEP is taking, without concern for the tank owners expense.

Between UST'S and AST'S we have about reached the limit on how much we can enforce the EXISTING rules and regulations (let alone additional ones) because not only are we responsible for making sure our own tank systems are in compliance and all the paper shuffling and labor involved in accomplishing that, but the DEP also requires we as fuel suppliers to police our CUSTOMERS' tank systems as well, because they don't want to spend the money do so! And get who gets fined if we make a mistake? Not the customer! US!

I have no problem with the stipulation requiring secondary containment when tank systems are close to navigable waters or drinking sources; but to require them across the board is completely ludicrous!

Sincerely,

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