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W. DARKO PUZ
ENVIRONMENTAL

CERTIFIED MAIL

June 7, 2006

Environmental Quality Board
P. O. Box 8477
Harrisburg, PA 17105-8477

Subject: Aboveground Storage Tank Regulations

Dear Environmental Quality Board Representative:

Penreco is a manufacturer of specialty hydrocarbon products based in Karns City, Pennsylvania. The company is submitting comments regarding the Administration of the Storage Tank and Spill Prevention Act proposal published in the Pennsylvania Bulletin on April 22, 2006.

The aforementioned proposal would mandate the use of guidance documents in the revised regulation. By mandating the use of guidance documents, the Department would be circumventing the opportunity for industry and the citizens of the Commonwealth to comment on revisions to the regulations since guidance documents are merely "guidance" and are subject to a lesser standard as far as revisions are concerned.

The first guidance document is referenced in the changes proposed to Chapter 245.542, Containment Requirements for Above-Ground Storage Tank Systems. The Department's guidance document entitled "Verification of Emergency Containment Structures for Aboveground Storage Tanks" is cited. Further, the proposal states that a determination of the containment structure permeability should be determined, but does not list any methods or alternatives, which is in conflict with other sections of Chapter 245.

The second guidance document is referenced in the changes proposed to Chapter 245.561, Permanent Closure or Change-in-Service. The Department's guidance document entitled "Closure Requirements for Aboveground Storage Tank Systems" is cited. Again, by mandating the use of this guidance document, the regulation would circumvent the opportunity for industry and the citizens of the Commonwealth to comment on revisions to the regulations. References to guidance documents should be removed.

Attached is a one-page summary that can be provided to each member of the Board in the agenda packet distributed prior to the meeting.

If you have any questions, please contact me at (724) 756-0110, extension 228.

Sincerely,

PENRECO

W. Darko Ruz
Environmental

cc: Tim Barnhart
Dana Hook
Bill Powers
Steve Ellison

ASTREG.DOC

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