P.O. Box 68 · Highspire, PA 17034-0068

Phone 717/902-0210 · Fax 717/902-0290

PPMCSA
PENNSYLVANIA PETROLEUM MARKETERS
& CONVENIENCE STORE ASSOCIATION

"Knowledge & Experience
Working for You"

ORIGINAL: 2532

June 29, 2006

RECEIVED
2006 JUL 11 AM 11: 20
INDEPENDENT REGULATORY
REVIEW COMMISSION

TO: Environmental Quality Board

FROM: John V. Kulik, Executive Vice President

SUBJECT: Comments Regarding Title 25, Environmental Protection, Part I. Department of Environmental Protection, Subpart D. Article VI, Chapter 245, Administration of the Storage Tank and Spill Prevention Program

Pennsylvania Petroleum Marketers & Convenience Store Association (PPMCSA) represents nearly 500 independent petroleum marketers in the state. Our members distribute motor fuel products to over 5,000 retail facilities as well as to commercial, agricultural and governmental entities. PPMCSA member companies also deliver heating oil to 1.2 million homes and thousands of businesses across the state.

The passage of federal legislation last year significantly changed the requirements of states in regard to storage tank regulations. This development has led us to respectfully ask that implementation of these new state regulations be delayed until further guidance is received from the United States Environmental Protection Agency. At that point, a more complete picture will emerge in terms of how to construct the state program going forward.

One provision of the federal law, for example, provides that installer certification - which Pennsylvania currently requires - would eliminate the need for double wall piping and tanks in upgrades and new construction. The state's proposed regulations do not permit this as an alternative, but, if in place, would establish both as requirements.

Another concern that should be taken into account is the cost to the Commonwealth to implement the new federal regulations on storage tanks. In our view, the expectation of the Department in terms of federal funding is an important factor that should be considered as alternatives are chosen in the final regulation.

PPMCSA stands ready to continue to work with the Department toward the further development of this program.