

399

Kathy Cooper

From: ecomment@pa.gov
Sent: Monday, March 26, 2018 4:07 PM
To: Environment-Committee@pasenate.com; IRRRC; eregop@pahousegop.com; environmentalcommittee@pahouse.net; regcomments@pa.gov; apankake@pasen.gov
Cc: c-jflanagan@pa.gov
Subject: Comment received - Proposed Rulemaking: Administration of the Storage Tank and Spill Prevention Program



Re: eComment System

The Department of Environmental Protection has received the following comments on Proposed Rulemaking: Administration of the Storage Tank and Spill Prevention Program.

Commenter Information:

Grant Gulibon
Pennsylvania Farm Bureau (grgulibon@pfb.com)
510 S. 31st Street
Camp Hill, PA 17001 US



Comments entered:

Attached.

These links provide access to the attachments provided as part of this comment.

Comments Attachment: [PA Farm Bureau Comments--DEP-EQB Storage Tank Regulations \(2018-03-26\).pdf](#)

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

Jessica Shirley
Director, Office of Policy
PA Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
Office: 717-783-8727
Fax: 717-783-8926
ecomment@pa.gov

Pennsylvania Farm Bureau

510 S. 31st Street, P.O. Box 8736 | Camp Hill, PA 17001-8736 | 717.761.2740 | www.pfb.com

March 26, 2018

Kris A. Shiffer
Chief, Division of Storage Tanks
P.O. Box 8762
Rachel Carson State Office Building
Harrisburg, PA 17105-8762

3199



Keith J. Salador
Assistant Counsel, Bureau of Regulatory Counsel
P.O. Box 8464
Rachel Carson State Office Building
Harrisburg, PA 17105-8464

Dear Ms. Shiffer and Mr. Salador:

Pennsylvania Farm Bureau (PFB) is pleased to offer its comments on the proposal by the Environmental Quality Board (EQB) to amend Chapter 245 (relating to administration of the Storage Tank and Spill Prevention Program). PFB is a general farm organization, made up of more than 62,000 members. Since 1950, PFB has provided support, advocacy and informational and professional services for Pennsylvania agriculture and farm families, including those with storage tanks located at their facilities, and PFB recommends all on-farm fuel tanks of 3,000 gallons or less used to store motor fuel be exempt from Department of Environmental Protection regulations. Given the preceding, we offer the following additional comments on the proposal.

First, we question how, given the significant changes in the regulations, the Department is going to ensure that current A/B operators are trained on those changes. It is likely, at least in the short term, that many owners/operators will not be aware of the new requirements. The Department needs to consider how it will address this issue. At the same time, we have concerns about the change in the timeframe for the Inspection Modification Report from 60 days to the proposed 30 days, as different trades complete their work in different amounts of time, and this could necessitate different inspection modification requirements for different trades. Finally, the new UMI certification category is not necessary with the proposed decrease in activity requirements for UMX certification.

We also question the need for the "owner's representative" signature on each of the draft "new" test reports. Currently, there is no requirement to obtain a signature on line tightness test reports, leak detector test reports, cathodic protection test reports, or tank tightness test reports. Testers sign and attest to the accuracy of the information on their test reports, but in many cases, there will be no one at the site that is familiar with the applicable testing or having the needed knowledge to review the report with any accuracy, and asking them to sign these forms makes no sense. If the signature of a responsible individual is needed, the Department must allow for ample time for the reports to be completed by the technician doing the work, submitted to the class A/B operator for review and signature, be returned to the tester doing the work and then documented. This would also provide the turnaround time to submit failure reports to the Department in a timely manner if signatures are needed.

Thank you very much for the opportunity to comment on this proposal.

Sincerely,



Grant R. Gulibon, Director, Regulatory Affairs