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Stephen Hoffman

From: ecomment@pa.gov
Sent: Tuesday, October 13, 2020 9:43 AM
To: Environment-Committee@pasenate.com; IRRC; environmentalcommittee@pahouse.net; regcomments@pa.gov; ntroutman@pasen.gov; timothy.collins@pasenate.com; gking@pahousegop.com
Cc: c-jflanaga@pa.gov
Subject: Comment received - Proposed Rulemaking: Control of VOC Emissions from Gasoline Dispensing Facilities (Stage I and Stage II) (#7-525)

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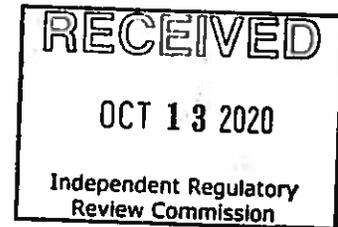


Re: eComment System

The Department of Environmental Protection has received the following comments on Proposed Rulemaking: Control of VOC Emissions from Gasoline Dispensing Facilities (Stage I and Stage II) (#7-525).

Commenter Information:

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Comments entered:

Please accept Crompco's comments below on the proposed rulemaking. Can we receive a confirmation that our comments have been received? Thank you for allowing us to provide input.

Comment 1:

There is no clear timeline in the proposed regulations for existing facilities that have already decommissioned their stage II vapor recovery systems in the 12 affected counties to begin performing the "once-in-every-12-month" testing requirements (CARB TP-201.3, TP-201.1E, TP-201.3C and TP-201.1B) or install a continuous pressure monitoring system. Since it is highly unlikely that any owners will actually choose to install a complete Stage I EVR system along with a CPM system, can the Department please clarify when the routine once-in-every-12-month testing must begin for existing decommissioned facilities once the regulations are finalized. Our suggestion would be that all decommissioned facilities begin to perform the routine once-in-every-12-month testing within 1 year of the effective date of the regulations.

Comment 2:

The language in proposed subsection (o) should be written to state that the CARB Executive Order required for low permeation hoses and enhanced conventional nozzles can be maintained

onsite or available from another location within a reasonable amount of time. Since multiple sites are owned by large companies (i.e., Wawa, Sunoco, Speedway, etc.) the CARB E.O. would be available to the Operator upon request or via an online portal. With all the technology that is used for retaining documents, the language should include the option for maintaining documents at a remote storage area or being maintained electronically online. The only option for maintaining that record should not be only by maintaining a hard copy on site.

Comment 3:

The Department should consider including wording to, at minimum, incorporate 40 CFR Part 63 Subpart CCCCCC and the routine 3-year testing (CARB TP-201.3 and CARB TP-201.1E) that is required with the federal regulation for facilities with throughputs greater than 100,000 gallons per month for all counties in PA outside the 12-county Philadelphia and Pittsburgh areas. Why are the facilities outside the 12-county Philadelphia and Pittsburgh areas being ignored when many of them require stage I vapor recovery as well? These facilities are much less likely to have "vapor-tight" gasoline tank systems because no routine stage I testing or inspections have ever been required by PA DEP for these facilities and they pose as much as a hazard to emit gasoline vapors as the facilities in the 12-county Philadelphia and Pittsburgh areas. The facilities in the 12-county area should have been doing regular stage II testing which included a vapor leak test (CARB TP-201.3) every 12 months for vac-assist systems and every 5 years for balance systems. The facilities outside the 12-county area have never been required to perform routine leak testing unless they were complying with 40 CFR Part 63 subpart CCCCCC. And that rule is not enforced whatsoever.

Comment 4:

I'm not sure we understand why the Department would mandate the use of PA DEP UMX/UMI certified individuals to perform stage II decommissioning activities at facilities yet not require PA DEP (UMX, UMI, UTT or IUM) certified individuals to perform the routine testing that will need to occur on an annual basis after decommissioning has occurred or if the facility continues to operate a balance stage II system. Crompco fully supports the requirement of requiring trained and certified individuals to perform all required work on regulated facilities. These individuals go through extensive training to fully understand the work they are doing including performing stage I and stage II vapor recovery testing activities. Requiring PA DEP certified individuals (UMX, UMI, UTT, IUM) will protect the facility's best interest, better protect the environment and reduce the likelihood that individuals who are not knowledgeable of performing the routine testing are not hired to perform these critical tests of a stage I or stage II system. PA DEP has a "UTT" certification category which is a "tightness tester" category and these individuals have the training and knowledge to properly perform these tests even more so than the UMX, UMI and IUM certified individuals even though I would say most UMX, UMI & IUM individuals are knowledgeable enough to perform these routine tests as well and I would suggest including them as eligible certified individuals to perform the work. Why would the Department not require a certified individual to perform these routine tests when plenty of certified individuals are available to perform this work? It makes absolutely no sense to specifically state in (q)(2) that "A person only performing a test specified under subsection (b) is not required to be certified under this subsection." We firmly believe that is not appropriate to not require a certified individual to perform these tests.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

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