

USTAC Advisory Committee

Meeting Minutes

October 26, 2016

Opening

The first meeting of the USTAC Advisory Committee was called to order at 10am on October 26, 2016 in New Castle, DE by Alex Rittberg.

Present

Alex Rittberg, David Peterson, Pat Carzo, Mark Devey, Heidi Lentz, Rubin Hughes, Brett Michaels, R.T Leicht, Ted Beck, Hilary Valentine, Shelley Grabel, Ed Kubinsky, Ellen Valentino, Frank Breitbach, Mark Smith, Richard Negrete, Melissa Wilmot-Bruno, Patti Deptula, Gerald Pepper, Doyle Tiller, Shaikh Tayeb, Garcia Garnett, Ed Rhodes, Sandy Carl, Phil Georghiou, Josh Worth, Abigail Morrissey, Todd Coomes, Steve Stookey, Mark Baker, Al Schrum, William Towers, Tom Mckenna, Kathy Stiller, Marjorie Crofts, Chris Brown, Lori Spagnolo, Barbara Fawcett, Sara Golladay, Anne Martin, Mike Moyer, Pete Rollo, Jenn Vavala, Nina Dietrich

Minutes

1. Presentations were presented by Alex Rittberg, Lori Spagnolo, and Barb Fawcett can be found at <http://www.dnrec.delaware.gov/tanks/Pages/default.aspx>
2. The following questions were asked during the course of the meeting:
Q1 How is the DNREC UST Program funded?

A1: The UST Program is funded by a combination of grants and fees. The UST Program receives two grants from the EPA, the Leaking Underground Storage Tank Prevention Grant, and the Leaking Underground Storage Tank Corrective Action Grant. These grants total approximately 1 million dollars per year. The majority of the funding from the grants goes towards salaries. In addition to the grants, the UST Program receives tank registration and vapor recovery permitting fees to assist in funding the UST Program. Alex Rittberg committed to providing Ms. Ellen Valentino a detailed list of program revenue sources and expenses.

Q2: How many delivery prohibitions or red tagging events are there per year?

A2: In 2016, DNREC has issued delivery prohibition tags at four different facilities. In 2015, DNREC issued delivery prohibition tags at two facilities, and in 2014 only one.

Q3: Where are the weaknesses within the UST Program? Where do you think you need more funding?

A3: Alex Rittberg stated that we currently have to prioritize projects based on risk to human health and the environment and that there are several projects where the Department has determined that state lead cleanup work needs to be performed, but we currently do not have enough funding to get them started. Mr. Rittberg and Ms. Marjorie Crofts, also mentioned that given our current funding situation, we are only focusing on projects that have an immediate impact to health or may contaminate someone's drinking water well. There was also additional discussion on the need to lessen the turnaround time for reviews of UST installation plans.

Q4: Can DNREC be as stringent as the Federal UST Regulations rather than more stringent when it comes to inspecting containment sumps as part of the 30 day walk around inspections? The comment was also stated that lifting the larger sump covers on a monthly basis is a health and safety concern, meaning that someone could be struck by a vehicle during the inspection, and the requirement is too much of a burden for the UST owner.

A4: Alex Rittberg stated that DNREC and the USTAC could continue having discussions on this matter.

Q5: It was suggested that DNREC incorporate two different sets of requirements into the regulations, one for owners who have updated their UST systems with the latest technology, and another for owners of older systems that have not upgraded their facilities. The older systems would have more inspections and testing requirements.

A5: Alex Rittberg stated that DNREC and the USTAC could have continued discussions on this suggestion.

Q6: With regards to applying new technologies, someone asked what new technologies should the USTAC be researching? –

A6: Alex Rittberg stated that we will need to look at technologies that support release detection methods, secondary containment, and compatibility requirements.

3. Additional remarks by Alex Rittberg:

- EPA will be a part of the process throughout the revisions rather than waiting until after submitting the regs.
- DNREC will publish a draft containing some of the changes prior to the next meeting which will be held January 25, 2017.
- Timeline for Regulation Development:

- Draft Regulations and Solicit Feedback from Stakeholders October 2016-July 2017.
- Aiming on publishing August 2017
- Conduct public hearing in October 2017
- Promulgate Changes to the UST Regulation January 2018
- Submit Draft State Program Approval Documents to EPA April 2018
- Submit Final State Program Approval Documents to EPA August 2018

4. Alex Rittberg then asked the USTAC to fill out the form that asked meeting participants what activities the USTAC should focus on. Due to time constraints the USTAC decided to have Mr. Rittberg collect the forms and compile a list of suggestions which will be sent out to the meeting participants with the meeting minutes.

Adjournment

The Meeting was adjourned at 12pm by Alex Rittberg. The next general meeting will be on January 25, 2017, in New Castle, DE.

Minutes submitted by: Jennifer Vavala

Approved by: Alex Rittberg