

USTAC Advisory Committee
DNREC's New Castle Field Office
391 Lukens Drive
New Castle, Delaware
October 26, 2016
AGENDA

10:00-10:20 Welcome and Introductions Alex Rittberg

10:20-10:45 Overview of Delaware's UST Program
Alex Rittberg
Barbara Fawcett
Lori Spagnolo

10:45-11:00 Purpose of the USTAC-Meeting Governance Alex Rittberg

BREAK

11:10 – 11:30 DNREC Presentation focusing on changes made to the federal
UST Regulations Alex Rittberg

11:30-11:50 Brainstorming of topics the USTAC should focus on

11:50-12:00 Next Steps

12:00 – 12:05 Public Comments/Open Forum General Public

Next meeting – Wednesday January 25th 2017

[Type here]

UST Advisory Committee October 26, 2016

[Type here]

Name (Please Print)	Address	Phone Number	E-mail address
David Petersen	2431 Annie Circle Chesapeake, VA 23323	407 463 2995	David.Petersen@7-11.com
PAT CARZO	5401 MONTICLAWMIRE WILM, DE 19807	302 575 0336	PATC_19710C@YAHOO.COM
Mark Devey	920 Keith Lane Unit 4 Owings, MD 20656	410-286-3850	Mdevey@ustservicescorp.com
Heidi Leutz			Hleutz@webdistribute.com
Rubin Hughes	Coastal Pump & Tank	302-398-3061	CPT@LS98.com
Brett Michaels	131 N. Dupont Highway Delaware Psychiatric Center	302-893-4102	bmicahals@fly Advanced Comm
YVETTE FERON	Delaware Psychiatric Center	302-355-1771	yvette.feron@state.de.us
R.T. LEICHT	OFFICE OF STATE FIRE MARSHAL	323-5365	R.T.LEICHT@STATE.DE.US
TED BECKEL	8502 FAIRFACED RD POTOMAC MD	443-6761558	PMG (POTOMAC LEAD MARKETING GROUP)

[Type here]

UST Advisory Committee October 26, 2016

[Type here]

Name (Please Print)	Company	Phone Number	E-mail address
MARY CROFTS	DNREC	734-9402	
Haley Valintini	DTCC	259 6384	hvalenta@dtcc.edu
Shelley Grabel	DTCC	254-6386	sgrabel@dtcc.edu
Ed Kubijsky	Compu	610-276-5914	ed.kubijsky@compu.com
Ellen Valintini	MANUA		ellen@manua.com
FRANK BREITBACH	S.S. MELFORD COOP	302 422-8066	frank.breitbach@sscoop.com
Chris Brown	DNREC - Tank Mgt.		
Mark Smith	AFS	978-464-2464	Mark@yourfuel solution.com
Richard Negrete	GPM Investments	302 697-7094	rnegrete@gpminvestments.com

[Type here]

UST Advisory Committee October 26, 2016

[Type here]

Name (Please Print)	Company	Phone Number	E-mail address
Melissa Wilmet-Round	Antea Group	443-830-6100	wilmet.melissa@antea-group.com
Patricia Deptula	SC	855-7815 302	pdeptula@Sussexcountyde.gov
Gerald R. Pepper	DE DOJ	302-674-7352	GERALD.PEPPER@STATE.DE.US
Doyle Tiller	OMB/DFM	302-639-8111	attitdoyle.tiller@State.de.us
Shaikh Tayeb	VAMC	(302) 633-5335	shaikh.tayeb@va.gov
Christina Barnett	Christina School Dist.	302 454-2281	CHRISTINA@christina.k12.DE.US
Ed Rhoad	Sunoco	(410) 959-1647	edward.rhoad@sunoco.com
Sandy Carl	Sunoco	610.833.3744	SANDRA.CARL@SUNOCO.COM
Phil Georghion	Sunoco	610.833.3815	Phillip.georghion@Sunoco.com

[Type here]

UST Advisory Committee October 26, 2016

[Type here]

Name (Please Print)	Company	Phone Number	E-mail address
Josh Worth	Wawa		josh.wa.worth@wawa.com
Wingail Morrissey	Wawa	850 297 2029	wingail.morrissey@wawa
Todd Coons	RLF / Chumba	651-7500 301*	tcoons@rlf.com
Steve Stookley	SMD	807-4499	sstookley@twgi.net
MARY BAHAR	BAHAR PETROLEUM	302-684-8569	MARKE.WILSON@BAHAR.COM
AL SCITENUM	NCCVT	302-299-9106	A.SCHUMBERG@NCCVT.K12.DE.US
WILLIAM JONES	CARTAC PUMP&TANK	302-398-3061	CPT6595@AOL.COM
Tom McKenna	DGS	831-8262 302-8262	mckennator@leku
Kathy Stiller	Bright Fields	302-656-9600	kstiller@brightfieldsinc.com

What would you like the USTAC to work on?



1. _____
2. _____
3. _____
4. _____
5. _____

What would you like the USTAC to work on?



1. _____
2. _____
3. _____
4. _____
5. _____

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND
HAZARDOUS SUBSTANCES



TANK MANAGEMENT SECTION
391 LUKENS DRIVE
NEW CASTLE, DE 19720
TELEPHONE: (302) 395-2500
FAX: (302)395-2555
WWW.DNREC.DELAWARE.GOV/TANKS

August 24, 2016

Senator Bruce Ennis
411 Legislative Avenue
Dover, DE 19903

SUBJECT: Delaware Underground Storage Technical Advisory Committee

Dear Senator Ennis,

Beginning in October of this year, the State of Delaware Department of Natural Resources and Environmental Control invites you to participate as a member of the Delaware Underground Storage Tank Advisory Committee (USTAC). The purpose of the USTAC is for the Department to exchange ideas with and solicit feedback from stakeholders on different matters concerning underground storage tanks in Delaware.

It's important that we establish the USTAC at this time because Delaware will be making changes to our regulations to maintain consistency with the Federal UST Program. We also want to clarify issues and encourage the use of new technology and best management practices that have come to our attention since our last comprehensive regulatory amendment in 2010.

The Delaware Department of Natural Resources and Environmental Control, Tank Management Section (DNREC-TMS) will be holding the first USTAC meeting at 10:00 AM on Wednesday, October 26th, 2016 at the DNREC Lukens Drive Office located at 391 Lukens Drive, New Castle, DE 19720. The DNREC-TMS plans to hold future meetings quarterly at least through the end of 2017.

If you cannot attend the meetings, please visit our Tank Management Section website where you can access meeting schedules and all documents pertaining to the regulatory amendment process:
<http://www.dnrec.delaware.gov/tanks/Pages/default.aspx>

Additional information regarding the promulgated 2015 Federal UST regulations can be found at the following website:
<https://www.epa.gov/ust/revising-underground-storage-tank-regulations-revisions-existing-requirements-and-new>

Please contact me at 302-395-2500 or Alex.Rittberg@state.de.us to let me know of your interest in participating as a member of the USTAC. We look forward to seeing you on October 26th.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Rittberg".

Alex Rittberg
Program Administrator
Tank Management Section

EAR2016-027

Delaware's good nature depends on you!



DNREC —Tank Management Section
391 Lukens Drive
New Castle, Delaware 19720
Phone: 302-395-2500

Delaware Department of Natural Resources and Environmental Control

Updates From DNRECs Tank Management Section August 2016

DNREC is Forming a New UST Advisory Committee

DNREC's Tank Management Section (DNREC-TMS) is forming an Underground Storage Tank (UST) Advisory Committee (USTAC) to assist the Department in making changes to the Delaware Regulations Governing Underground Storage Tank Systems and to maintain an open dialogue with the regulated community on matters affecting underground storage tanks. Delaware will be updating the regulations to maintain consistency with the Federal UST Program, which changed its regulations in October 2015. In addition, changes will be made to clarify issues and to encourage the use of new technology and best management practices. The DNREC-TMS will be holding the first USTAC meeting at 10:00 AM on Wednesday October 26th, 2016 at the DNREC Lukens Drive Office located at 391 Lukens Drive New Castle DE 19720.

EPA Publishes a Report on Diesel Tank Corrosion

Corrosion has been commonly reported in USTs storing diesel fuel and gasoline-ethanol blended fuels. The corrosion generally appears in different areas of the UST system for each fuel. When storing diesel fuel, corrosion generally appears on metal components inside USTs. When storing ethanol blended fuels, corrosion generally appears in sumps. UST owners should check for corrosion in their tank systems storing diesel fuel, and if they find corrosion, repair or replace equipment as necessary to ensure proper functionality. EPA has recently studied the problem and published a report which can be found at the following link.

<https://www.epa.gov/ust/alternative-fuels-and-underground-storage-tanks-usts#tab-5>

Aging USTs and the impact on private insurance

UST Owners and Operators must maintain financial responsibility for cleanup costs and third party damages as a result of a release from an UST. In Delaware over 80% of the active UST facilities use private insurance to comply with financial responsibility requirements. Tank age is becoming an increasingly important factor utilized by insurance companies to determine the type of insurance coverage offered, retroactive dates, the premium costs for the policy, possible non-renewal of existing policies, and whether a new owner can purchase a policy for an older tank. Owners and Operators may therefore find it increasingly difficult to insure USTs that are over 30 years old. Owners and operators should contact their insurance companies for questions regarding their specific policy and renewal requirements.

For more information on all of these topics please contact Alex Rittberg, Environmental Program Administrator-Tank Management Section, at: 302-395-2500, or by email at: Alex.Rittberg@state.de.us, or visit: <http://www.dnrec.delaware.gov/tanks/Pages/AST-Program.aspx>.

List of Responses by the Participants at the State of Delaware's Underground Storage Tank
Advisory Committee Meeting on October 26, 2016 to the Question:

What would you like the USTAC to work on?

What would you like the USTAC to work on?

1. Understanding of changes to notice for activities.
2. Focus on non-compliant USTs.
3. Less discretion in regs (need to be clearer).
4. Alignment of Fed Regs and DNREC Tank Regs (try not to make the DNREC Regs more onerous than Fed Regs).
5. Look at developing an Ad-hoc committee that meets periodically like MD.

WEBSITE

6. Can reporting by owner be done online and stored in database? To allow for statistical analyses of monitoring, detection hydro water level, water quality in wells.
7. Date all regs – updates on website to ensure we are using current regs.
8. Website search field – able to search for specific questions (i.e., when is training required? what are reporting requirements?). Allows you to click on that section of the regulations.

TRAINING/EDUCATION

9. Operator training and training materials.
10. Should DNREC develop a “tester” certification or registration?
11. Outreach for tank owners and realtors.
12. Educational needs and mandates.

TECHNICAL

13. Stormwater coordination with MS4 industrial stormwater program.
14. How AST piping will be addressed and coordinating with AST regulations.
15. Pre-2008 double walled product lines.
16. Any DEF (Diesel Exhaust Fluid) mention in the new regs?
17. Overfill protection methods: flapper requires fuel delivery truck to have flapper tool?
18. Cleanups – Increase funding.
19. Reconsider CPM utilization with Stage II Decommissioning.
20. Mandate STP & Dispenser Sump Installation.
21. Any thought on getting fuel carriers involved since they affect the delivery of fuels to a UST System. Carriers need to be responsible to avoid overfills.
22. Provide assistance in determining how to respond to microbes in diesel – hopefully this will be resolved prior to EPA lowering sulfur content in gasoline.

List of Responses by the Participants at the State of Delaware's Underground Storage Tank
Advisory Committee Meeting on October 26, 2016 to the Question:

What would you like the USTAC to work on?

- monthly release detection reports accept 3rd party reporting documents.
- 47. Release detection of piping: interstitial monitoring required? Frequency done by owner?
- 48. What detection methods to allow: interstitial monitoring.
- 49. Statistical Report – essentially a “fuel” budget, why not allowable primary detection method. Are other methods really better? Others may depend on sensors that stop working. But inventory would need to be high frequency like daily.
- 50. Focus on preventative groundwater pollution monitoring efforts.
- 51. Consider requiring double-walled spill buckets and maybe cut back on testing requirements (maybe every 2-3 years instead of annual).
- 52. What are the 30 day monthly inspections going to entail?
- 53. Frequency of walk around inspections: continuous sensors in place = less frequent vs. no continuous sensors in place = more frequent.

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.

- 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