

Notes for Oral Testimony - 10/20/16
Carol Eighmey, PSTIF

- 1. We oppose the proposed Missouri-specific changes to several definitions in 10 CSR 26-2.012 that would significantly alter the regulatory scope of the rule package and create significant challenges for owners and operators.**

Definitions of “connected piping” and “underground storage tank.”

- 2. We oppose two Missouri-specific requirements not in EPA’s rules.**

Sections (1) and (4) of 10 CSR 26-2.019 requiring owners/operators to notify the Department fourteen days prior to installing any new piping.

10 CSR 26-2.021(3)(A)1.G., requiring owners/operators to obtain and retain photographs when their underground tanks are lined.

- 3. We question whether the impact of the proposed new equipment testing requirements has been fully analyzed and communicated, and we specifically request either a delay of one of the requirements, or flexibility in how one meets it.**

New equipment testing requirements in 10 CSR 26-2.030, 2.035, and 2.040. PSTIF Advisory Committee requests flexibility in how ATG probes are tested. Consider delaying promulgation of some or all of these equipment testing requirements until more information can be obtained.

- 4. No fiscal notes were published for most of the rules; yet many of the rules will create new costs for small business owners, as well as for the Petroleum Storage Tank Insurance Fund.**

Sections 536.200 and 536.205, RSMo
Both private and public costs.

- 5. Related to #3 & #4, no information has been provided indicating what the Department’s response will be when equipment that has never had to be tested before fails a test. That response will significantly affect costs.**

- 6. We oppose the requirement in 10 CSR 26-2.020 that any tank installed after July 1, 2017 must be double-walled.**

Increases costs; disincentive for owners to replace old infrastructure.
No data to indicate will reduce the frequency or severity of leaks.
A “de facto ban” on steel tanks and a mandate that owners purchase fiberglass tanks.
Support requiring double-walled piping and containment sumps.