

Meeting Minutes

UST Compliance

Advisory Committee Meeting

Oct. 26, 2017
ODOT Building
123 NW Flanders St.
Portland, OR, 97209

List of Attendees

Danelle Romain
Marjorie MartzEmerson
Mark Fitz
Donny Goddard
Jeff Stephens
Danielle Miller
Zach Goodman
Dan Hermann
Michael Barber
Mike Freese
David Livengood
Eric Clough
Stephanie Holmes
Mitch Scheel

List of Handouts and Presentation Notes

- PP presentation – notes page

- 9:00** Meeting Commencement Time
- Welcome, introductions and logistics

Introduction

- Advisory committee meetings - background
- Meeting agenda, context and expectations described – meeting to discuss:
 - Proposed Oregon-specific UST regulations
 - 2015 revised Federal UST regulations
 - Fiscal Impact Statement

Review of Items From Last Meeting

- Previous tank fee options presented
 - Throughput option
 - Capacity option
- Advisory committee tank fee recommendation noted
 - Per tank fee increase over 4 years



State of Oregon
Department of
Environmental
Quality

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DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.

Proposed Oregon-specific UST Regulations

- House Bill 2268 passed by 2017 Legislature
 - Increase in annual tank fee from \$135 to \$325/year over 4 years
- Update codes of practice
- Make corrections and improvements

2015 Revised Federal UST Regulations

- Remove deferrals for airport hydrant fuel distribution systems & UST systems with field-constructed tanks
- Remove release detection deferral for emergency generator tanks
- Requirements demonstrating compatibility with fuels containing greater than 10 percent E10 or 20 percent B20
 - Advisory Committee: Recommend DEQ consider future alternative fuels in rule development
- Eliminating flow restrictors (i.e., ball floats) in vent lines as an overfill prevention option
- Spill prevention equipment tests
 - DEQ will work with interested AC members and others to develop guidance on equipment testing
- Overfill prevention equipment inspections
- Walkthrough inspections
 - Advisory Committee: Are facilities already complying with O&M walkthrough inspections? Answer: Yes, mostly at cardlock facilities
 - Advisory Committee: Recommend DEQ create a walk through inspection checklist for facilities. Answer: Yes, DEQ will develop this before the 2021 implementation date
- Require testing after repairs to spill and overfill prevention equipment and secondary containment
- Operability tests for release detection equipment
- Referencing newer technologies
- Containment sump tests
- Addressing responses from interstitial alarms

Fiscal Impact Statement

- ACTION ITEM: DEQ to evaluate new alternative fuels consulting with interested advisory committee members
- Advisory Committee member: There are several small businesses in rural Oregon where there are 5 or less employees
- Advisory Committee member: Challenges coming to DEQ's Tanks program with decrease in facilities due to consolidation and electric vehicles.
- Extent of impact:
 - Advisory Committee: DEQ should explore ways to reduce inspections from different agencies
 - Small business impact:
 - AC members agree there is no SIGNIFICANT ADVERSE impact on small businesses, but do

agree small businesses will have varying degrees of impact depending on business decisions to comply and how much they put off paying for tank upgrades

- Housing: No impacts

Meeting Outcomes Summary

- Key points:
 - Inspection checklist crafted before proposed 2021 implementation of walk through inspection requirement
 - Alternative fuels – DEQ to work with interested AC members to evaluate new alternative fuels
 - Members agree with Oregon and federal rules as presented
 - Members agree Fiscal is accurate knowing there are disproportionate impacts on facility owners, depending on location, size and throughput

Questions and Next Steps

- AC member: Recommend EQC members tour UST site to understand the program and proposed rule changes
- AC members expect to see an email from Mitch, including:
 - if members have follow up questions
 - when the draft rules go out for public comment
 - when rules go to the Environmental Quality Commission

12:10 Meeting Adjournment Time

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