

THE VOICE OF FOOD RETAIL

Feeding Families  Enriching Lives



June 20, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator Pruitt:

This letter is in reference to the EPA's Office of Underground Storage Tanks (OUST) 2015 final rulemaking; *Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training.*¹ The Petroleum Marketers Association of America (PMAA), the Food Marketing Institute (FMI), the National Association of Convenience Stores (NACS) and the National Association of Truck Stop Operators (NATSO) respectfully request a short delay in the compliance deadline for a minor component of the final rule, namely the testing deadline for sumps, spill buckets and overfill prevention devices. We request that this deadline be extended to October 13, 2024.

We are not requesting that the final rule be repealed nor are we requesting that the rule's *effective date* be delayed. We are, however, concerned that the current October 13, 2018 compliance deadline for the testing of sumps, spill buckets and overfill prevention devices will be difficult to meet due to several logistical challenges our members are facing.

Our members are concerned there are far too few qualified contractors available to install the upgraded equipment mandated under the final rule. There are more than 553,000 active underground storage tank systems operating nationwide, many of which will need to be retrofitted to ensure compliance. Such a large number of active UST sites cannot be retrofitted for compliance in the three short years currently provided under the final rule due to the limited number of contractors and the weather conditions in some regions that prevent work during several months of the year due to frozen ground.

We believe this extension of the deadline will provide enough time for small business petroleum marketers and truck stop operators to find qualified contractors to carry out the installation of new equipment. In light of the 10-year compliance period provided by OUST for the initial 1988 UST upgrade requirements,² we believe a six-year

¹ 80 Fed. Reg. 41,566 (July 15, 2015)

² 53 Fed Reg. 37,082 (September 23, 1988)

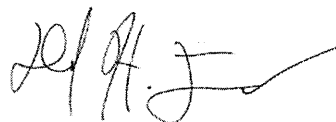
deadline extension for the specific UST equipment mentioned above is both reasonable and necessary for small business UST operators to adequately comply in an orderly manner.

Thank you for your attention to this important regulatory issue facing our industry. Please do not hesitate to contact us should you require additional information.

Sincerely,



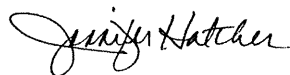
Rob Underwood
President, PMAA



David Fialkov
VP, Government Relations, NATSO



Paige Anderson
Director, Government Relations, NACS



Jennifer Hatcher
Senior VP, Gov't Affairs, FMI

cc: The Honorable John Barrasso, Senate Environment and Public Works Committee Chairman
The Honorable Thomas Carper, Senate Environment and Public Works Committee Ranking Member