

## Legislative Report

The 2010 session of the Missouri General Assembly ended on May 14. Among the ideas considered this year were two of particular interest:

**“Sweep” of PSTIF funds** – Because Missouri’s “general revenues,” consisting primarily of income and sales taxes, are running about 12% lower than last year, it’s been a real challenge for the Governor and Legislature to balance the state’s budget. At one point this spring, during a Senate Committee hearing, a proposal surfaced to “sweep” money from special state funds and use it to pay for things that are supported by “general revenues,” like education, corrections, social services, etc.

A list was circulated that proposed taking about \$40 million from the PSTIF, slightly more than half of the Fund’s cash balance at the time.

The PSTIF Board of Trustees voted to oppose the proposed “sweep” and sent a memo to the Senate Committee members, explaining why such a move would have negative consequences for property transactions and redevelopment. The Missouri Petroleum Marketers and Convenience Store Association and the Missouri Oil Council communicated their concerns to legislators. In the end, the legislature took no action on the proposed “sweep” of the PSTIF.

**UST Operator Training** – A bill was filed in both the House and Senate that would require the PSTIF to implement and pay for a training program that meets federal requirements. While no opposition was expressed during hearings on the bill, it got “stuck” in the deluge of bills being debated and voted on in the final days of the legislative session and did not pass.

## Reminders for AST Owners

**SPCC Deadline** – Apparently EPA has finally decided what its SPCC requirements will be. November 10, 2010 is the deadline for amending or preparing and implementing a Spill Prevention, Control, and Countermeasure Plan that complies with EPA rules issued since 2002.

Farms are subject to this requirement also. See <http://snipurl.com/spcc393>.

**Cathodic protection on piping** – Some AST owners report that equipment companies are telling them they must have cathodic protection on all buried piping. This is not correct. There are no state or federal regulations that require this, and while it may be a good idea, owners should be cautious and ask questions before spending money to add cathodic protection to their AST piping. Its effectiveness will depend on the specific equipment configuration and, in some cases, it will not be an effective corrosion inhibitor.

**“Financial Responsibility” deadline** – And don’t forget that all ASTs regulated by Missouri’s Division of Weights and Measures must have pollution liability insurance by December 31, 2010. The PSTIF stands ready to help you fill out an application. Call us at 800-765-2765.

## ULSD Problems?

Recently, reports and photographs have surfaced showing unusual corrosion, deterioration of gaskets and seals, odd “crust,” and other equipment issues on some tank and piping systems that store and dispense ultra-low sulfur diesel. Together, EPA and industry representatives conducted a survey to discern how widespread the problem is and to see whether the tank systems where these problems are occurring have any common features.

Of nearly 1200 respondents, 42% reported they are having more problems than before ULSD was introduced; the most frequently cited problem was clogged filters. The Clean Diesel Fuel Alliance plans to continue its analysis of why these problems are developing, and will issue guidance on monitoring and maintenance of ULSD fuel distribution and dispensing equipment.

Tank owners or equipment companies who have experienced equipment problems that may be related to ULSD are encouraged to alert their trade association and/or the PSTIF. The PSTIF insures numerous tank systems where ULSD is stored and dispensed, and will monitor this issue as it develops.



## “Stage I” Air Pollution Requirements

Remember those federal rules you heard about a couple of years ago? The ones that required all “Gas Dispensing Facilities” to fill out a form and notify EPA how much “throughput” you have at your store and whether you have drop tubes in the fill ports of your underground tanks, or have a “vapor balance” between the tank and delivery truck?

Missouri’s Department of Natural Resources is in the process of adopting similar rules and taking over responsibility from EPA for that piece of the air pollution regulatory program. Watch for more information on this in coming months. In the meantime, if you have questions, call 573-751-4817.

## Advisory Committee Meeting

The PSTIF Advisory Committee met in Jefferson City on June 8. Members discussed ideas for updating and changing Missouri’s rules governing UST operations. Efforts to persuade AST owners/operators to comply with Missouri’s pollution liability insurance requirement also were reviewed.

## MO Tanks Seminar

Tank owners, consultants, equipment companies and other interested parties are invited to attend the Missouri Waste Control Coalition’s annual meeting on June 20-22 at Lodge of the Four Seasons, Lake of the Ozarks. There will be special breakout sessions for tank owners. An agenda is available at <http://www.mowastecoalition.org/mission.html>.

## MO Environmental Conference

The Missouri Chamber of Commerce will hold its annual Environmental Conference on July 29-30 at Tan-Tar-A, Osage Beach.

## National Tanks Conference

State and federal regulators, equipment industry representatives, environmental consultants, tank owners and others interested in tank issues will assemble at the 22nd National Tanks Conference in Boston, Massachusetts on September 20-22, 2010. For information on the conference, see <http://www.neiwpc.org/tanksconference/>.

## ARRA for Tank Sites

As part of the federal “Stimulus Bill” enacted in February 2009, Missouri’s Department of Natural Resources received a one-time special grant of \$3.25 million to clean up UST sites. The DNR contracted with several environmental firms, who did tank removals, site characterizations and cleanups at about 75 sites where there is no viable responsible party.

At some sites, additional corrective action is needed and if the property owner chooses to continue the cleanup, it will be reimbursed by the PSTIF.

## Free Info

Tank owners, equipment companies and consultants may be interested in reading “LUSTLine,” a unique newsletter published for and read by UST regulators across the country. It is available at <http://www.neiwpc.org/lustline/>.



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