

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 245]

Administration of the Storage Tank and Spill Prevention Program; Correction

An error occurred in the proposed rulemaking published at 48 Pa.B. 1101, 1130 (February 24, 2018). There was a typographical error in the acronym in the heading of proposed § 245.110(b)(2) (relating to certification of installers). The heading is corrected as follows. The remainder of the document was accurate as published.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE VI. GENERAL HEALTH AND SAFETY

CHAPTER 245. ADMINISTRATION OF THE STORAGE TANK AND SPILL PREVENTION PROGRAM

Subchapter B. CERTIFICATION PROGRAM FOR INSTALLERS AND INSPECTORS OF STORAGE TANKS AND STORAGE TANK FACILITIES

GENERAL CERTIFICATION REQUIREMENTS

§ 245.110. Certification of installers.

(a) An installer certification authorizes the person to whom it is issued to conduct tank handling activities or tightness testing activities pertaining to storage tank systems or storage tank facilities in one or more of the categories in subsection (b).

(b) Installer certifications may be issued for the following categories:

(1) Underground storage tank [**system-installation**] **system installation** and modification {UMX}. Installation and modification of underground [**storage tanks and**] storage tank systems including[, **but not limited to,**] the tank and all associated ancillary equipment, appurtenances, corrosion protection systems, structural components and foundations. This category also includes conducting preinstallation air pressure tests for underground storage tank systems, overfill prevention equipment evaluations, containment sump and spill prevention equipment testing, and release detection equipment testing.

(2) Underground storage tank system minor modification {UMI}. Limited to the performance of minor modifications of underground storage tank systems. This category also includes conducting overfill prevention equipment evaluations, containment sump and spill prevention equipment testing, and release detection equipment testing.

[(2)] (3) Underground storage [**tank-removal**] **tank system removal** {UMR}. Removal from service of underground storage tank systems [**or storage tank facilities**].

[(3)] (4) Underground storage tank [**system-tightness**] **system tightness** tester {UTT}. Tightness testing activities involved in conducting and interpreting results of volumetric and nonvolumetric tests on underground storage tank systems [**or storage tank facilities**]. This category also includes containment sump and spill prevention equipment testing and release detection equipment testing.

[(4)] (5) Aboveground manufactured metallic storage [**tank-installation**] **tank system installation** and modification {AMMX}. Installation and modification of aboveground manufactured metallic storage tank systems, including[, **but not limited to,**] the tank and all associated ancillary equipment, appurtenances and corrosion protection systems. This category also covers foundations, containment structures and structural components when they are designed by an engineer qualified in civil construction or when installing small aboveground UL-labeled tanks with manufacturer's installed self-containment or diking systems.

[(5)] (6) Aboveground nonmetallic storage [**tank-installation**] **tank system installation** and modification {AMNX}. Installation and modification of aboveground nonmetallic [**storage tanks or**] storage tank systems, including[, **but not limited to,**] the tank and all associated ancillary equipment and appurtenances. This category also covers foundations and structural components when they are designed by an engineer qualified in civil construction or as specified by the tank manufacturer.

[(6)] (7) Aboveground manufactured storage [**tank-removal**] **tank system removal** {AMR}. Removal from service of aboveground manufactured storage tank systems [**or storage tank facilities**].

[(7)] (8) Aboveground field constructed metallic storage [**tank-installation**] **tank installation, modification and removal** {AFMX}. Installation, modification and removal of aboveground field constructed metallic storage tanks and corrosion protection systems. This category also covers the modification of tank shell components of an aboveground manufactured metallic storage tank [**system**].

[(8)] (9) Aboveground field constructed storage [**tank-removal**] **tank system removal** {AFR}. Removal from service of aboveground field constructed and manufactured aboveground storage tank systems [**or storage tank facilities**].

[(9)] (10) Aboveground storage tank [**mechanical-installation**] **system mechanical installation, modification and removal** {AMEX}. Installation, modification and removal of tank related mechanical appurtenances, including[, **but not limited to,**] valves, fill piping, suction piping, foam system piping, pumps, corrosion protection systems, release detection systems, and spill and overfill prevention systems that are components of an aboveground storage tank system [**or storage tank facility**].

[(10)] (11) Aboveground storage [**tank-civil**] **tank system civil** {ACVL}. Installation and modification of

tank related structural components, including [, but not limited to,] foundations, dike walls, field grading, above and below grade vaults, pump supports, pipe supports, corrosion protection systems and drainage systems associated with an aboveground storage tank system [or storage tank facility].

[(11) *Storage tank-liner*] (12) *Storage tank liner (TL)*. Activities involved in installation or modification of internal linings for underground and aboveground storage tank systems [or storage tank facilities] and the evaluation of underground storage tank linings as required in § 245.422(b)(1)(ii) (relating to upgrading of existing underground **storage tank** systems).

[Pa.B. Doc. No. 18-356. Filed for public inspection March 9, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 53]

[L-2012-2317273]

Use of Fully Projected Future Test Year; Advance Notice of Proposed Rulemaking; Stakeholder Meeting and Revised Comment Period

This Secretarial Letter establishes a revised timeline in the captioned proceeding by setting the due date for the stakeholder meeting and setting a new due date for stakeholder comments.

By Order entered on December 22, 2017, the Pennsylvania Public Utility Commission (Commission) entered the Advance Notice of Proposed Rulemaking (ANOPR) Order at Doc. No. L-2012-2317273 relating to use of a fully projected future test year (FPFTY) by jurisdictional energy and water/wastewater utilities in this Commonwealth. The ANOPR established February 27, 2018, as the due date for comments and late March as the time frame for a stakeholder meeting.

The Energy Association of Pennsylvania (EAP), on behalf of its members,¹ requested that this time line be revised either to defer the due date for comments from all

¹ Electric distribution company members of EAP include Citizens' Electric Company, Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, Pike County Light & Power Company, PPL Electric Utilities, UGI Utilities, Inc.—Electric Division, Wellsboro Electric Company and West Penn Power Company. Natural gas distribution company members of EAP include: Columbia Gas of Pennsylvania, Inc.; Leatherstocking Gas Company, LLC; National Fuel Gas Distribution Corp.; PECO Energy Company; Peoples Natural Gas Company, LLC; Peoples Gas Company (formerly Peoples TWP); Philadelphia Gas Works; Pike County Light & Power Company; UGI Central Penn Gas, Inc.; UGI Penn Natural Gas, Inc.; UGI Utilities, Inc.; and Valley Energy, Inc.

parties until 30 days after the stakeholder meeting or to defer comments from all parties for 60 days until April 18, 2018, and to further defer the stakeholder meeting until not later than May 18, 2018. EAP Letter and Motion filed February 16, 2018.

EAP asserted that holding the stakeholder meeting before comments are due in the ANOPR proceeding will “focus and streamline the comment process, improve the end product, and facilitate the . . . review of Chapter 53.”² Motion at 4. EAP further asserted that delaying the comments in the ANOPR proceeding will “improve the process and eventual rules relating to use of a FPFTY [and] is a reasonable and justifiable solution to the constraints of providing comments in two complex proceedings.”³ Motion at 5.

EAP indicated that, in addition to the jurisdictional electric distribution companies and natural gas distribution companies, the Office of Consumer Advocate, the Office of Small Business Advocate, the National Association of Water Companies—Pennsylvania Chapter and Aqua Pennsylvania support the revised timeline.

Accordingly, the stakeholder meeting is scheduled for a full day on April 3, 2018, at the Commission's office in Harrisburg. Further details will follow. Comments⁴ will be due 30 days after the stakeholder meeting or by April 30, 2018, whichever is later. Filed comments and other documents pertinent to this proceeding may be accessed through the Commission's web site using docket number for this proceeding and the search feature at http://www.puc.pa.gov/about_puc/search_results.aspx.

In addition to filing their comments with the Commission's Secretary, parties are directed to provide Word-compatible versions to Commission staff at PA-PC-FPFTY2317273E@pa.gov.

If there are any questions, contact Erin Laudenslager, erinlaudensla@pa.gov, or Louise Fink Smith, finksmith@pa.gov. Parties are directed to provide the contact names, telephone numbers and e-mail addresses for persons in their organizations to be used for the informal exchange of information related to this proceeding.

ROSEMARY CHIAVETTA,
Secretary

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² The ANOPR addresses § 53.53 (relating to information to be furnished with proposed general rate increase filings in excess of \$1 million) in particular and the remaining portions of Chapter 53 (relating to tariffs for noncommon carriers) in general.

³ EAP also asserted that many of the same utility staff that are working on the ANOPR are also working on the response to the Commission's Secretarial Letter in Tax Cuts and Jobs Act of 2017 at Doc. No. M-2018-2641242 (February 12, 2018). Motion at 5.

⁴ E-filing instructions are at: <https://www.puc.pa.gov/efiling/default.aspx>. Browser compatibility is discussed at <https://www.puc.pa.gov/efiling/eFilingTechSupport.aspx>. Hard-copy filing instructions are at: http://www.puc.pa.gov/filing_resources/obtain_file_information.aspx.