



MAVERIK, INC.
185 SOUTH STATE STREET
SUITE 800
SALT LAKE CITY, UT 84111
PHONE: 801-936-5557
DENNIS.RIDING@MAVERIK.COM

June 3, 2016

Paula Wilson, Administrative Rules Coordinator
DEQ State Office
Attorney General's Office
1410 N. Hilton
Boise, ID 83706
(208) 373-0418
paula.wilson@deq.idaho.gov

Kristi Lowder, UST Program Manager
Idaho DEQ State Office
Waste Management & Remediation Division
1410 North Hilton
Boise, ID 83706
(208) 373-0347
kristi.lowder@deq.idaho.gov

Subject: Underground Storage Tank Systems: Docket No. 58-0107-1601
Negotiated Rulemaking
Comments Submitted for Consideration

Dear Ms. Wilson and Ms. Lowder:

Maverik very much appreciates the opportunity for involvement in the current negotiated rulemaking process. I personally attended the first negotiated rulemaking meeting for this docket in Boise on April 28th of this year, and I appreciated the positive and cooperative nature of meeting and DEQ's responsiveness to the questions and comments expressed.

My purpose in writing today is to follow-up on IDEQ's new alternative test method that is included in the current negotiated rulemaking as Section 101. This new method would allow testing of only the lower portion of a containment sump if the associated sump sensor meets specific requirements and is programmed to "shut down power to the submersible turbine pump (positive shutdown) when the sensor is in contact with liquid..." In configuring and programming the sump sensor in this way, the sump sensor effectively becomes a line leak detector as originally envisioned by EPA. In the preamble to EPA's 1988 rules, they state the following:

"The Agency intends the term automatic line leak detector to include a wide variety of devices that meet the standard including automatic shutoff devices, automatic flow restrictors, continuous interstitial monitors,..." (Federal Register, Vol. 53, No. 185; September 23, 1988; Page 37167)

Maverik suggests that any facility that is equipped with sump sensors that are configured and programmed in accordance with Section 101 ("Alternative Periodic Testing of Containment Sumps Used for Interstitial Monitoring of Piping") has adequate line leak detection measures in place already without the need to also install pressurized line leak detectors (PLLDs). We suggest that

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the underground storage tank rules that are the subject of Docket No. 58-0107-1601 should expressly acknowledge that any facility so equipped does not also need to install PLLDs.

We have noted a recent trend in other nearby states to adopt a comparable position regarding the efficacy of sump sensors as line leak detectors. Specifically, Utah's draft rules that are currently out for public comment state the following:

“When a sump sensor is used as an automatic line leak detector, the secondary containment sump shall be tested for tightness annually according to the manufacturer's guidelines or standards, or by another method approved by the Director. The sensor shall be located as close as is practicable to the lowest portion of the sump.” (UAC R311-203.5(c))

Wyoming also allows sump sensors to serve as line leak detectors without a separate requirement for PLLDs. Please consider adding language to Idaho's underground storage tank rules stating that any facility equipped with sump sensors that are configured and programmed in accordance with Section 101 does not need to also install PLLDs. Maverik appreciates your consideration of these comments.

Sincerely,

Maverik, Inc.

A handwritten signature in black ink, appearing to read "DRiding", with a long vertical stroke extending downwards from the end of the signature.

Dennis Riding, PE & PG
Environmental Director