

STATEWIDE PUBLIC NOTICE

Notice of Availability of Preliminary Drafts for Consideration Regarding the Petroleum Bulk Storage and Chemical Bulk Storage Regulations

Statewide - Notice is hereby given that the New York State Department of Environmental Conservation (DEC) is providing Preliminary Drafts for Consideration of revised Petroleum Bulk Storage (PBS) and Chemical Bulk Storage (CBS) regulations for comment by stakeholders. DEC will be revising these regulations regarding the handling and storage of petroleum and hazardous substances to reflect changes in state and federal laws. These drafts and an informal public comment period are being provided to help inform stakeholders and to identify any major issues to be addressed before the regulations are formally proposed.

These Preliminary Drafts for Consideration represent Phase I of a two-phase rule making process. Phase II will occur once the U.S. Environmental Protection Agency finalizes a rule making process that is currently underway to revise the federal regulations governing the storage of petroleum and hazardous substances in underground storage tanks (40 Code of Federal Regulations Parts 280-281). Phase I accomplishes three goals: 1) reflect changes in state and federal law in the implementing regulations, particularly regarding the requirement for facility operator training and the ability of DEC to prohibit deliveries of petroleum and hazardous substances to tank systems that are in significant non-compliance with the regulations; 2) consolidate existing state and federal requirements so that they are all in one set of regulations; and 3) increase the consistency between state and federal regulations particularly regarding key definitions and the structure of the regulations. Issuing these drafts for consideration provides opportunities for public participation in the rule making process and for DEC to obtain informal public comments before the draft regulations are formally proposed and published in the Department of State's *State Register*.

To help the public understand the draft regulations, ask questions, and provide informal comments, the DEC will be hosting a live webinar on August 14, 2013 from 10:00am - 12:00pm and a public information meeting on September 10, 2013 from 10:00am - 12:00pm in Albany (staff will also be available for discussion after the meeting). Details regarding how to participate in the webinar or reserve a place at the public meeting are available on the DEC's website at [see link below].

A longer, formal, public comment period will be provided in fall-winter 2013 once the regulations are officially proposed. Additional public meetings and formal hearings will also be announced and held.

Written comments regarding these Preliminary Drafts for Consideration will be accepted until Friday, September 20, 2013. Comments should be submitted to Mr. Russ Brauksieck, New York State Department of Environmental Conservation, Division of Environmental Remediation, 625 Broadway, Albany, New York 12233-7020 or e-mailed to derweb@gw.dec.state.ny.us. Please include "Comments on Drafts for Consideration" in the subject line of the email.

All documents and related information are available on DEC's website at <http://www.dec.ny.gov/chemical/92526.html> (not active until 7/31). If you do not have internet access, please write to the address above or call (518) 402-9553.