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# THE UST PIPELINE

News from the Petroleum UST Release Compensation Board

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James R. Rocco, Chairman

James J. Leo, Executive Director

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## TANK OWNER SPOTLIGHT



Michele Nemenz Butler owns and operates Nemenz Little Village Shopper in Diamond, Ohio. The facility is located at the intersection of Tallmadge Rd. and State Route 225, just south of Interstate 76 in Portage County.

The business has been in existence since 1979 when it was founded by Fred Nemenz. Fred and Michele were married in 1980 and jointly ran the business until Fred's untimely death in August 1999, just after the tanks and piping were upgraded in February of 1999. Michele married Jim Butler in 2003, who is an integral part of the business today.

The Nemenz's obtained a loan from Mahoning National Bank in December 1998 to finance the upgrade. One year later, Michele read about the Board's linked deposit program, through which eligible tank owners can reduce interest rates on loans for financing tank system upgrades. She and her bank completed a linked deposit application and

she received a 3% interest rate reduction as a result.

During the tank and piping replacement, soil from the pit was excavated and treated on site. In August 1999, BUSTR issued a "no further action" for the site based upon satisfactory soil analyticals and Michele did not have to submit any costs to the Board for reimbursement. Michele's next project is a total dispenser and canopy upgrade.

As the name implies, Michele's operation includes a convenience store. However, because of her location (10 miles in all directions to the nearest supermarket), the inventory is more like a small supermarket than a typical C-store. Besides the usual C-store staples of beer, pop, cigarettes, and convenient food items, she carries a substantial line of pet foods, dairy, frozen foods, and other household needs. A full line deli featuring home made salads and more than 20 varieties of fresh made sandwiches invites a large lunch crowd. Homemade soups, chili, and stews make their debut next month.

The facility is located in close proximity to three lakes and sales increase during the summer months, when boaters fill up on high-octane gas and campers visit her mini market.

The second floor of the building has three apartments that Michele rents to supplement facility income.

Our thanks to Michele for her cooperation in preparing this "Tank Owner Spotlight".

### IN THIS ISSUE

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## BUSTR Releases New UST Field Guidance

By Pete Chace, Chief, BUSTR



The State Fire Marshal, Bureau of Underground Storage Tank Regulations (BUSTR) has recently released a "UST Field Guide" to tank owners and the public. This 38 page document is designed to explain underground storage tank (UST) rules and regulations to tank owners through the use of checklists, diagrams, and color pictures of UST components. The Field Guide is designed to allow tank owners to identify appropriate checklists and instructions for their tank system once they identify what kinds of spill and overfill protection, leak detection, and corrosion protection equipment they have. This should help tank owners prevent releases of petroleum and successfully pass any compliance inspection.

The Field Guide also contains the "BUSTR Operational Compliance Form" which tank owners are required to fill out and keep at their facility or home office. The purpose of this form is to verify that tank owners are aware of the operating and maintenance requirements for their tank system. The Guide should make it easier for owners to fill out this form.

There have also been recent changes to Federal law that affect regulated UST systems. One of the changes requires BUSTR to perform an on-site inspection of systems at least once every 3 years. The "UST Field Guide" will help you prepare for inspection.

Another change is that new UST systems installed within 1,000 feet of a private or public water supply must be secondarily contained. BUSTR is waiting for guidance from the U.S. EPA regarding the definition of a public or private water supply and whether existing UST systems must also meet secondary containment requirements when they are being modified or repaired. The BUSTR rules will be amended sometime in 2007 to reflect these new Federal requirements.

An additional requirement is that Ohio must have the authority to prohibit delivery of product to UST systems that are out of compliance with UST regulations. This delivery prohibition would take place within 14 days of discovering that a tank system is out of compliance with 1998 upgrade standards, or at the end of an administrative enforcement process for operational compliance violations. The Office of the State Fire Marshal is currently studying what legislative changes might be needed to obtain this authority.

If you have any questions about the Field Guide or upcoming rule changes to meet new Federal requirements, you can contact BUSTR at 1-800-686-2878 for more information. You can download a copy of the Field Guide from the BUSTR web site at <http://www.com.state.oh.us/sfm/bustr/>. BUSTR also has a limited number of copies available for distribution, although a small fee might be charged to cover the cost of printing and mailing.

## BOARD ELECTS OFFICERS SELECTS COMMITTEES SETS 2007 MEETING DATES

At its September Board meeting the Petroleum UST Release Compensation Board unanimously re-elected Jim Rocco as Chairman and John Hull as Vice-Chairman. Rules Committee appointments are Tom Stephenson; Mayor Don Kuchta; Jim Rocco; John Hull; and Pete Chace, representing Commerce Director Doug White. Finance committee appointments are Jim Rocco, John Hull, and Nancy Kister.

The Board also set tentative dates for its 2007 meetings at January 10, February 14, March 14, June 13, September 12 and November 14. All meetings are scheduled to begin at 10:00 a.m. However, it is suggested that you contact the Board to confirm the meeting date and time. The meetings are held at the Board's offices located in the LeVeque Tower at 50 West Broad Street, Suite 1500, Columbus, OH 43215.

Chairman Rocco welcomed back Board members Duane Cable, Manager, Product Development and Compliance, Motorists Insurance Group; Cheryl Hilvert, City Manager, City of Montgomery; and Tom Stephenson, President, Stephenson Oil Company, who were re-appointed to the Board by Governor Bob Taft in July of this year.

The next scheduled meeting of the Board is set for November 8, 2006 at 10:00 am at the Board's offices.

### THE PETROLEUM BOARD STAFF

James J. Leo Executive Director	Nicole Johnson Assurability Coordinator	Jonathan Maneval Compliance Coordinator	Rick Trippel Environ. Claims Analyst
Dave Reeder Assistant Director	Krista Nichols Accounts Receivable Specialist	Cindy Duann Environ. Claims Supervisor	Carol Anne McConnell Claims Admin. Assistant
Starr Richmond Chief Fiscal Officer	John Hickey Fiscal Specialist	Michael Grube Environ. Claims Analyst	Mary Jo McKenzie Claims Coordinator
Ellen Nahs Administrative Coordinator	Khia Naylor Assurability Analyst	Homayoun Sharifi Environ. Claims Analyst	Cheryl Hawkinson Legal Counsel
Rita Arnold Office Assistant			

If you have any questions regarding any of the information in this edition  
of the UST Pipeline, please contact the Petroleum UST Board at  
(800) 224-4659 (in Ohio only) or (614) 752-8963

