

Agenda Item: 14-24 **Request for 30-Day Waiver and Request for Petition for Rulemaking 15A NCAC 2L .0400 – Amendment to Risk-based Assessment and Corrective Action for Underground Petroleum Storage Tanks**

Explanation: The Risk-Based Assessment and Correction Action for Petroleum Underground Storage Tanks rules (15A NCAC 2L .0400) address requirements for response to releases from petroleum Underground Storage Tanks (USTs). Mr. Marvin Taylor, Jr. has petitioned the EMC to amend the provisions of Section .0400 of 15A NCAC 2L to extend the risk-based assessment and corrective action regime set forth in Section .0400 to discharges and releases from aboveground storage tanks.

Recommendation: The Division respectfully recommends that instead of adopting the Petitioner's Petition at this time, that the Division, the Commission, and the Petitioner to the extent available to him, work with the General Assembly as it considers the adoption of risk-based rules for, among other things, remediation of petroleum releases other than from UST sources.