

**COMMENTS AND RESPONSES FOR PERIODIC REVIEW OF EXISTING RULES
15A NCAC Subchapter 02N, Underground Storage Tanks**

**15A NCAC 02N .0301 PERFORMANCE STANDARDS FOR UST SYSTEM INSTALLATIONS
OR REPLACEMENTS COMPLETED AFTER DECEMBER 22, 1988 AND BEFORE
NOVEMBER 1, 2007**

Comment received electronically:

Commenter Name: Doug Howey, NC Petroleum & Convenience Marketers

Do I agree with the Agency's determination? No

I would determine this rule's classification as: Unnecessary

Do I want to submit a written comment on this rule? Yes

My comment type on this rule is: Another type of comment

Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text: Having different rules apply depending on the date installed is confusing to the regulated parties. The rule should mirror the EPA regulation found at 40 CFR 280.

Agency Response:

The agency's final determination is "necessary with substantive public interest." This comment will be considered during the readoption process.

**15A NCAC 02N .0304 IMPLEMENTATION SCHEDULE FOR PERFORMANCE STANDARDS
FOR NEW UST SYSTEMS AND UPGRADING REQUIREMENTS FOR EXISTING UST
SYSTEMS LOCATED IN AREAS DEFINED IN RULE .0301(D)**

Comment received electronically:

Commenter Name: Doug Howey, NC Petroleum & Convenience Marketers

Do I agree with the Agency's determination? No

I would determine this rule's classification as: Unnecessary

Do I want to submit a written comment on this rule? Yes

My comment type on this rule is: An objection to the rule

Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text: The EPA regulation has no such rule and NC should not be more stringent.

Agency Response:

The agency's final determination is "necessary with substantive public interest." This comment will be considered during the readoption process.

15A NCAC 02N .0901 GENERAL REQUIREMENTS

Comment received electronically:

Commenter Name: Doug Howey, NC Petroleum & Convenience Marketers

Do I agree with the Agency's determination? No

I would determine this rule's classification as: Unnecessary

Do I want to submit a written comment on this rule? Yes

My comment type on this rule is: Another type of comment

Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text: This rule is more stringent than the federal rule. The rule should mirror the EPA regulation found at 40 CFR 280.

Agency Response:

The agency's final determination is "necessary with substantive public interest." This comment will be considered during the readoption process.