



NEW MEXICO
ENVIRONMENT DEPARTMENT
Petroleum Storage Tank Bureau



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October 1, 2010

Dear Tank Owners, Operators, Environmental Contractors and Other Interested Parties,

The Petroleum Storage Tank Bureau ("PSTB") has scheduled a series of public Stakeholders meetings on proposed revisions to the Petroleum Storage Tank Regulations, 20.5 NMAC. We will hold the meetings in Roswell on October 19, Las Cruces on October 20, Albuquerque on November 4 and Farmington on November 10. Meeting schedules and locations are attached and are available on our New Mexico Environment Department PSTB website, www.nmenv.state.nm.us. Click on "Announcements" or "PST Regulations – Proposed". Maps to meeting locations and driving instructions are also posted on the website.

At the meetings, we will present and discuss draft revisions to existing Parts 1 through 18 of the regulations and conceptual changes for a new Part 19 on delivery prohibition. PSTB has prepared some rules in underline-strike-through format so you may view all changes proposed. Other parts will only be discussed in concept. No rules are currently posted; PSTB will be posting these over the new few weeks, in advance of the meetings.

Some proposed changes amend existing rules to clarify issues or improve format; others are the result of statutory changes from House Bill 81 passed in the 2010 Legislative Session; these changes to the Hazardous Waste Act and the Ground Water Protection Act extend the PSTB's authority to petroleum product deliverers (transport companies who deliver regulated substances), implement requirements for delivery prohibition required by the federal Energy Policy Act of 2005, and delete exemptions for emergency generator tanks.

PSTB is also proposing some changes in Part 12 to remediation requirements which clarify PSTB's authority to direct remediation projects whether or not reimbursement is sought from the Corrective Action Fund. Comparable changes are also proposed for Part 13. Additionally, some changes to the process for submitting a claim are proposed, as well as improvements to help manager the Corrective Action Fund. ***Please note that each meeting will start with remediation and Corrective Action Fund claim rule revisions, lasting approximately 30-60 minutes; this will allow stakeholders only interested in these parts of the rules to leave when this portion of the meeting concludes.***

PSTB will provide time at each meeting for stakeholders to present comments and questions; please contact Calvin Martin of my staff at (505) 476-4390 or kalvin.martin@state.nm.us with questions about the rule revisions or the meetings.

We look forward to your participation and thank you for your interest.

Sincerely,



Jennifer Pruett, Acting Bureau Chief