



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR

04/05/2020

William Brandenstein
Steel City Fueling Systems, Inc.
2750 Banksville Ave
Pittsburgh, PA 15216
wrb@steelcityfueling.com

Transmitted via email

RE: Application of Steel City Fueling Systems, Inc. to Continue Business Operations at its Physical Locations

Dear William Brandenstein:


By Executive Order dated March 19, 2020, and pursuant to powers granted to us by law, we ordered that no person or entity shall operate a place of business that is not a life-sustaining business, regardless of whether the business is open to members of the public. These orders (the "COVID-19 Orders") are necessary to stop the spread of the novel coronavirus COVID-19.

In response to your request for an exemption from the applicability of the COVID-19 Orders, pursuant to the powers granted to us to protect the legitimate business, industry, and commerce of the Commonwealth, and to prevent and control the spread of disease, it has been determined that the business identified above, to the extent described in your application, plays a critical role in the manufacture and supply of goods and services necessary to sustain life, and may continue to operate at the physical location identified in your application.

This exemption approval is subject to continuance of and compliance with the social distancing and other mitigation measures to protect employees and the public, including virtual and telework operations (e.g. work from home) as the primary option when available, which were submitted with your request and which have been established by the Department of Health and the Centers for Disease Control and Prevention to-date and going forward. In-person work at a business site is only to be performed on the most limited basis possible to deliver the services or goods of your life-sustaining business.

Sincerely,


TOM WOLF
Governor


RACHEL L. LEVINE, M.D.
Secretary of Health

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To: DEP Storage Tank Certified Companies and Individuals.

On March 19, 2020, Governor Tom Wolf ordered that no person or entity shall operate a place of business in the Commonwealth that is not a life-sustaining business. Life-sustaining businesses may remain open, but they must follow, at a minimum, the social distancing practices and other mitigation measures defined by the Centers for Disease Control and Prevention to protect workers and patrons. A list of life-sustaining businesses that may remain open can be found at <https://www.governor.pa.gov>. In addition, all 67 counties in Pennsylvania are now under a [Stay at Home Order](#) through April 30.

DEP-certified tank handling companies employing certified inspectors and installers play a critical role in the manufacture and supply of goods and services necessary to sustain life. Failure of storage tank systems and storage tank components to remain in a good state of repair and function as designed could contribute to a release of product. **After receiving additional clarification and until further notice, the following activities are allowed to continue:**

1. **Inspection, upgrade, repair and testing activities on regulated storage tank systems that are performed by DEP-certified tank handling companies;**
2. **Third-party inspection activities required by storage tank regulations to identify storage tank system and component failures;**
3. **Installation of storage tank systems at life-sustaining businesses by DEP-certified tank handling companies;**
4. **Removal of storage tank systems should be limited in scope where removal is necessary for subsequent tank installation or to protect human health and the environment.**

DEP has posted this information on the [Division of Storage Tanks](#) webpage and on the [DEP Coronavirus Information](#) webpage under "Storage Tank Guidance". The individual notice can be found here: [NOTICE – Tank Inspections and Installations During COVID-19 Response](#)

Please note that DEP has an obligation to protect the environment by enforcing applicable rules, regulations, and permits, as well as ensuring adherence to operating, monitoring, and record-keeping requirements. DEP also recognizes and acknowledges the potential compliance challenges the regulated storage tank community may face due to COVID-19 restrictions. These potential challenges include newly implemented remote-work requirements and reduced onsite staffing due to social distancing guidelines, supply disruptions, reduced or unavailability of consulting and testing firms, and other pandemic-related disruptions.

While the requirements of 25 Pa Code, Chapter 245 remain in effect, routine inspection and testing requirements are normally a requirement of regulated storage tank owners and not of certified installers and inspectors. If you are contacted by a storage tank owner and operator to perform an inspection or test required by regulation and have made a business decision to discontinue field operations for the safety of you or your employees, please communicate that reason to the storage tank owner and operator so that they can explore other options in order to maintain storage tank compliance.

If strict compliance with 25 Pa. Code, Chapter 245 will prevent, hinder, or delay necessary action in coping with the COVID-19 emergency **the storage tank owner** may request a temporary suspension of regulatory requirements by [completing this form](#) and submitting it to:

RA-EPCOVID19SuspReq@pa.gov.

TO Certified Tank Handling Companies

FROM Kris A. Shiffer
Chief, Division of Storage Tanks
Bureau of Environmental Cleanup and Brownfields

DATE April 2, 2020

RE Tank Inspections and Installations During COVID-19 Response

On March 19, 2020, Governor Tom Wolf ordered that no person or entity shall operate a place of business in the Commonwealth that is not a life-sustaining business. Life-sustaining businesses may remain open, but they must follow, at a minimum, the social distancing practices and other mitigation measures defined by the Centers for Disease Control and Prevention to protect workers and patrons. A list of life-sustaining businesses that may remain open can be found at <https://www.governor.pa.gov>.

DEP-certified tank handling companies employing certified inspectors and installers play a critical role in the manufacture and supply of goods and services necessary to sustain life. Failure of storage tank systems and storage tank components to remain in a good state of repair and function as designed could contribute to a release of product. After receiving additional clarification and until further notice, inspection, upgrade, repair and testing activities that are performed by DEP-certified tank handling companies may continue. Third-party inspection activities required by storage tank regulations to identify storage tank system and component failures may also continue.

Installation of storage tank systems at life-sustaining businesses by DEP-certified tank handling companies may continue. Removal of storage tank systems should be limited in scope where removal is necessary for subsequent tank installation or to protect human health and the environment. Please note that any in-person work at a business site is only to be performed on the most limited basis possible to deliver the services or goods.

DEP would also like to remind our storage tank community that all of 25 Pa. Code, Chapter 245 requirements remain in effect. This includes, but is not limited, to the following:

- All storage tank and piping release detection, monitoring, and cathodic protection equipment should remain on, properly functioning, and continue to be monitored. In addition, leak detection alarms and suspected releases should be responded to by owners and operators appropriately. While releases to the environment are infrequent, a release from a storage tank or storage tank facility can become both costly and dangerous;
- All third-party inspections, third-party testing and monthly walkthrough inspections should continue as required.

This situation remains fluid and DEP will continue to advise the storage tank community as circumstances or situations change. Any updates will be posted on the DEP Storage Tanks website at <https://www.dep.pa.gov/Business/Land/Tanks/Pages/default.aspx>. If you have any questions or require further clarification, please contact the Division of Storage Tanks at tanks@pa.gov.