

## WRPS

Comment 1: WAC 173-360A-0110(2)(a)(iii): Typo: The reference to 10 CFR. Part 501 is incorrect. It should be 10 CFR Part 50, consistent with 40 CFR 280.10(c)(4).

Comment 2: Requirement to use certified service provider: The proposed rule requires the use of "service providers" for various aspects of UST activities, such as installation, upgrades, tightness testing, cathodic protection testing, periodic equipment inspections, etc. The proposed revision would add a new level of stringency to the certification requirements for "service providers." To some degree, the requirement to use certified providers is consistent with (but more prescriptive than) the approach in the current regulation, which requires certification to ensure that trained professionals are used for many UST activities. However, under the proposed rule certified service providers would be needed for several newly identified activities. For example, a service provider certified for "tightness testing or installation/repair" would be required to perform or supervise inspection of overfill prevention equipment under WAC 173-360A-0470, and to perform or supervise testing of release detection equipment (including testing of alarms, battery backups, probes and sensors, and hand-held electronic sampling equipment) under WAC 173-360A-0480. No nexus exists between tightness testing certification and inspection of electronic and other equipment associated with overfill protection or release detection. In looking at the International Code Council testing content for tank tightness certification (identified in WAC 173-360A-0930(2)(a) as UST Tightness Testing –U3), it is clear that the testing is not designed to assess proficiency in inspection or testing of alarms or overfill equipment. The requirement to use a service provider certified in tank tightness testing for these types of activities represents an expensive, unnecessary, and nongermane provision. This requirement should be deleted from WAC 173-360A-0470 and -0480.