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Mr. David Ziegele, Director
Office of Underground Storage Tanks
US Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460

Dear Mr. Ziegele,

I would like to request clarification in writing on an issue that continues to confuse the UST leak detection industry, as well as many state regulators. In the federal UST regulations under 280.43(d)(2) there is the requirement of inventory control in addition to automatic tank gauging. This requirement is not consistent with that portion of the regulations (280.43) because the last section [(h)] says that "Other methods" may be used that can detect a release of 0.2 gph with a Pd of 0.95 and a Pfa of 0.05. Section (h) does not require other methods to be supplemented by inventory control. Automatic tank gauging clearly can meet the general leak detection requirements and, therefore, should not be mandated to have inventory control as a supplement.

I understand that this issue was clarified a couple of years ago in a letter from Jim McCormick to a Washington, D.C. law firm. We would greatly appreciate a letter that reiterated that clarification. Thank you very much.

Sincerely,

/s/

Philip B. Durgin
Senior Research Scientist