

Senator Mike Gabbard, Chair and Members
Senate Committee on Agriculture and Environment

and

Senator Clarence Nishihara, Chair and Members
Senate Committee on Public Safety, Intergovernmental and Military Affairs

Testimony of Marshall T. Mott-Smith
in support of SB 1259
February 8, 2017
Honolulu, Hawaii

Aloha Chair Gabbard, Chair Nishihara and Committee Members:

I would like to thank the Committee Members for the opportunity to speak here today. My name is Marshall Mott-Smith. For 22 years of the 31 years I was with the Florida Department of Environmental Protection, I was the Administrator of the Storage Tank Regulation Section. I managed the program that regulated underground and aboveground storage tanks statewide. I have testified in Congress four times about underground storage tanks (USTs) and above ground storage tanks (ASTs), and was one of the Experts the United States Environmental Protection Agency hired to review their new UST rules. For the last nine years, I have managed my own company, Mott-Smith Consulting Group, for environmental consulting for the petroleum industry.

Florida is similar to the State of Hawaii in terms of reliance on groundwater for public drinking water. Florida gets approximately 90 percent of its drinking water from groundwater resources, so keeping petroleum products from leaking underground and aboveground storage tanks out of the drinking water was very important. In 1990, we went to the Governor and Cabinet to get permission to pass rules more stringent than the federal government, and they directed the Florida Department of Environmental Protection to establish rules with a twenty-year deadline for upgrading existing single-wall storage tank systems to systems with secondary containment or double-wall systems.

The 2010 Florida Upgrade Deadline passed, and Florida is now the only state in the nation where every regulated storage tank system has secondary containment. In the early 1990's, the Florida Department of Environmental Protection received between 300 and 400 petroleum discharge reports each month. After the 2010 deadline, the number of discharge reports average about 100-to 200 per year. You can still have discharges because of human error and equipment problems (for example, you can overfill a double-wall tank), but secondary containment with interstitial monitoring for release detection allows you to detect releases sooner, and the sooner a release is detected, the less environmental damage occurs and it is less expensive to clean up.

In addition to the environmental benefit of protecting the groundwater from petroleum products, keeping fuel from leaking storage tanks out of the ground-waters and surface waters is good for the economy and business. Like Hawaii, much of Florida's economic viability comes from tourism, agriculture, and development. People come to visit Hawaii and Florida to enjoy the beaches, rivers, streams, and lakes, and those waters must be clean. Agriculture uses and requires large amounts of groundwater, and those waters must also be clean. You cannot have new development in the state without clean water as well, so keeping petroleum products out of the groundwater from leaking storage tank systems is good for the economy and keeps people working.

Preventing leaks is much more cost effective than cleaning up releases of petroleum products. The only way to effectively prevent releases from Red Hill is to require the installation of secondary containment or double-wall technology.

Thank you again for this opportunity to testify.



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