

HCS HB 1436 -- PETROLEUM STORAGE TANKS

SPONSOR: Knight

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Conservation and Natural Resources by a vote of 19 to 0.

The following is a summary of the House Committee Substitute for HB 1436.

Currently, certain fees collected relating to underground storage tanks are placed in the Underground Storage Tank Regulation Program Fund. This bill specifies that any general revenue, federal funds, gifts, bequests, transfers, or moneys appropriated by the General Assembly will also be paid into the Fund. The Underground Storage Tank Regulation Program Fund will be administered by the Department of Natural Resources.

Currently, the Petroleum Storage Tank Insurance Fund expires on December 31, 2025. The bill extends the expiration date to December 31, 2030.

Currently, the Petroleum Storage Tank Insurance Fund assumes costs of 3rd-party claims and cleanup of contamination caused by releases from petroleum storage tanks and pays legal defense costs for eligible 3rd-party claims. The bill separates the legal defense costs from other coverage limits and allows the Fund to set a limit for such coverage.

Beginning in fiscal year 2023 and continuing each year until the expiration of the Petroleum Storage Tank Insurance Fund, an allocation of no more than \$4.60 per transport load will be deposited into the Underground Storage Tank Program Fund to be used for the Department's petroleum related activities, for the fiscal year in which funds are being deposited. Any remaining funds will be transferred to the Petroleum Storage Tank Insurance Fund no later than August 31st of the subsequent fiscal year. No later than October 1st of each year, the Department will provide a written accounting of all moneys spent from the allocation authorized for the previous fiscal year to the Petroleum Storage Tank Insurance Fund Board of Trustees.

In the event the Petroleum Storage Tank Insurance Fund Board of Trustees has suspended the collection of the fee on petroleum products, the Board will make payments in equal monthly installments into the Underground Storage Tank Regulation Program Fund, up to the appropriated budgetary amount set by the General Assembly, for the Department's petroleum related activities, for

the fiscal year in which the funds are being deposited until such time as the Board has reinstated the fee.

This bill is similar to SB 546 (2021) .

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the Petroleum Storage Tank Insurance Fund is one of the most successful and least known environmental programs in the state. The program helps clean up sites contaminated by faulty storage tanks and allows the properties to be used again. This bill would extend the sunset on the program in order for the fund to continue operating. It would also ensure the Department has sufficient funding for its tank related activities.

Testifying for the bill were Representative Knight; Rich Germinder, Missouri Department of Natural Resources.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that it is important to have an adequate insurance program that meets the federal requirements, but the number of claims filed each year is declining. Those testifying expressed support for the extension of the program and the changes to the legal defense provisions, but expressed concerns with the provisions allocating money to the Department.

Testifying on the bill were Petroleum Storage Tank Insurance Fund; Missouri Petroleum and Convenience Association.