

HOUSE RESEARCH

Bill Summary

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Authors: Hoppe and others

Subject: Regulations governing underground and aboveground storage tanks

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Overview

House File 2365 amends regulations governing underground and aboveground storage tanks, shortens the period tank owners and operators have to bring their operations into compliance following a violation in order to avoid a citation, and increases monetary penalties for certain violations.

Section

- 1** Makes aboveground storage tanks subject to the same existing statutory requirements as underground storage tanks with respect to providing corrosion, spill, and overflow protection, and having a leak detection method in place.

This section also requires owners or operators of aboveground tank facilities to abide by the same existing statutory provisions as underground tank owners and operators once a red tag is issued by the Commissioner of the Pollution Control Agency in response to a violation.

- 2** Amends the provision in current law that gives tank owners and operators 90 days to correct violations of the statutes and rules governing storage tanks before a citation may be issued. Under this existing provision, set to expire on June 1, 2004, the grace period may not apply if the violation is associated with a discharge; concerns a failure to surround aboveground tanks with a continuous dike to prevent releases from contaminating surface waters; or regards a failure to provide safeguards to contain a release when loading or unloading a substance onto a truck or rail car.

This section amends the duration of the grace period (after June 1, 2004) from 90 days to 60

Section

days. Exceptions may be made to this 60-day period if the violation is associated with a discharge or is a repeat violation identified during a previous inspection.

- 3** Increases monetary penalties from \$250 to \$500 per violation of rules relating to upgrading existing underground storage tank systems, and from \$100 to \$250 per violation of rules relating to general operating requirements for such systems.