

House Research Act Summary

CHAPTER: 169

SESSION: 2004 Regular Session

TOPIC: Regulations governing underground and aboveground storage tanks

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Overview

Chapter 169 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** **Underground and aboveground storage tanks; red tags.** 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. These include prohibitions against tank filling and tampering with or removing a red tag.
- 2** **Authority to issue.** Shortens from 90 to 60 days the grace period given to tank owners and operators to correct violations of the statutes and rules governing storage tanks before a citation may be issued. The Act stipulates that no grace period may be granted if the violation is a repeat violation identified during a previous inspection.
- 3** **Penalty amount.** 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.