Overview

This bill extends the Pollution Control Agency's (PCA) fix-it ticket authority to most violations of the above ground storage tank rules and certain other provisions. The bill also requires the Petrofund board to reimburse agricultural storage tank owners and operators for 90 percent of costs incurred prior to January 1, 2001 associated with removing agricultural storage tanks, up to a maximum of $7,500 per tank. Finally, the bill authorizes reimbursement from the Petrofund for certain small gasoline tank owners.

1 **Citation authority.** Extends the 90-day fix-it ticket (i.e. a letter from the PCA giving notice that if a violation is not fixed within 90 days, a ticket will be issued) to most violations of the rules applicable to above-ground storage tanks and to the law governing response plans for above ground storage tanks, and for trucks. Currently, the 90-day fix-it ticket authority applies to rules relating to underground tanks and to certain storage laws relating to both above and below ground storage tanks. Provides that 90-day fix-it tickets may only be issued until June 1, 2004, and that such fix-it tickets may not be issued if there is a discharge associated with the violation, if there is a violation of the rule governing secondary containment for above ground storage tanks, or if there is a violation of the rule governing substance transfer from tanks.

2 **Subd. 1. Definition.** Defines "agricultural storage tank" as an underground petroleum storage tank with a capacity of more than 1,100 gallons that has been registered with the PCA by January 1, 2000 and is located on a farm and used predominantly for farming purposes.

**Subd. 2. Reimbursement.** Requires the Petrofund board to reimburse the owner or operator of an agricultural storage tank for 90 percent of the costs incurred prior to January 1, 2001, associated with removing such a tank, including but not limited to the cost of tank removal, closure, backfill, resurfacing, and utility restoration costs. Provides that the owner or operator shall be reimbursed regardless of whether a petroleum spill has occurred at the site. Caps the amount of reimbursement under this section at $7,500 per agricultural storage tank.

3 **Small gasoline storage tank removal reimbursement.** Provides that a tank owner who:
(1) owned two locations in the state, and no locations in any other state, where motor fuel was dispensed to the public into motor vehicles, watercraft, or aircraft, and who dispensed motor fuel at that location;

(2) operated the tanks simultaneously for six months or less in 1995; and

(3) dispensed less than 200,000 gallons at both locations;

is a small gasoline retailer for purposes of section 115C.09, subdivision 3f, paragraph (c) and is eligible for reimbursement under the Petrofund.