



# House of Representatives

General Assembly

**File No. 175**

February Session, 2002

House Bill No. 5080

*House of Representatives, March 26, 2002*

The Committee on Environment reported through REP. STRATTON of the 17th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING CONSUMER RECOVERY FROM THE UNDERGROUND STORAGE TANK FUND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 22a-449l of the general statutes,  
2 as amended by section 39 of public act 01-9 of the June special session,  
3 is repealed and the following is substituted in lieu thereof (*Effective*  
4 *from passage*):

5 (d) Neither the Underground Storage Tank Petroleum Clean-Up  
6 Account Review Board nor the Commissioner of Environmental  
7 Protection shall accept applications pursuant to this section on or after  
8 December 1, 2001, for the reimbursement of eligible costs for services  
9 completed prior to July 1, 2001, except that, notwithstanding  
10 subsection (c) of this section, the board or commissioner may accept  
11 applications for reimbursement prior to July 1, 2002, from any owner  
12 who demonstrates that the owner paid for eligible costs for services  
13 provided to the owner prior to July 1, 2001, and the contractor failed to

14 timely file such application for reimbursement.

15 Sec. 2. Subsection (d) of section 22a-449d of the general statutes, as  
16 amended by section 38 of public act 01-9 of the June special session, is  
17 repealed and the following is substituted in lieu thereof (*Effective from*  
18 *passage*):

19 (d) To the extent that funds are available in the residential  
20 underground heating oil storage tank system clean-up subaccount, the  
21 board may order payment from such subaccount to registered  
22 contractors for reimbursement of eligible costs for services associated  
23 with the remediation of a residential underground heating oil storage  
24 tank system prior to July 1, 2001, to owners of such systems for  
25 payment for eligible costs incurred after July 1, 2001. No such payment  
26 shall be authorized unless the board deems the costs reasonable based  
27 on the guidelines established pursuant to subsection (c) of this section.  
28 Notwithstanding the provisions of this subsection, the board may,  
29 where a contractor is bankrupt or financially unstable, as determined  
30 by the board, directly reimburse the owner of such system for eligible  
31 costs incurred by the owner and paid to the registered contractor for  
32 services associated with a remediation of a system prior to July 1, 2001.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

**ENV**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

Fund-Type	Agency Affected
GO Bond Funds - Cost	Department of Environmental Protection

**Municipal Impact:** None

**Explanation**

Extending the deadline by 7 months for certain homeowners to receive reimbursement from the residential underground storage tank account and providing direct reimbursement in the event a contractor is bankrupt or financially unstable under certain conditions, is anticipated to cost the state a total of \$275,000-\$3,500,000. The potential minimal cost is based on the claims submitted after 12/1/2001 (approximately \$275,000). The potential maximum cost is based on the number of people who filed for amensty under the original program but did not file a claim, using an average claim of \$6,884. Approximately \$21,658,242 in claims have been reimbursed or are pending reimbursement under the residential programs. The total amount of funding that has been provided for the program is \$17,141,934 in GO bond funds. sSB 32, "AAC The Authorization of Bonds of the State for Capital Improvements and Other Purposes" authorizes an additional \$5.5 million in GO bond funds in Sec. 9(2) for FY 03 for this program. This leaves an estimated balance of \$983,692 for any additional potential claims (\$275,000-\$3,500,000).

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**OLR Bill Analysis**

HB 5080

***AN ACT CONCERNING CONSUMER RECOVERY FROM THE UNDERGROUND STORAGE TANK FUND***

**SUMMARY:**

This bill extends by seven months the deadline for certain homeowners to receive reimbursement from the underground storage tank fund. It gives the Underground Storage Tank Petroleum Clean-Up Account Review Board and the environmental protection commissioner until July 1, 2002 to accept applications for reimbursement from any homeowner who can show that (1) he paid for eligible services provided to him before July 1, 2001, and (2) the contractor failed to apply for reimbursement in time to meet the November 30, 2001 deadline.

The bill also authorizes the board, upon determining that a registered contractor is bankrupt or financially unstable, to reimburse a homeowner directly for eligible costs the owner incurred and paid to the contractor for remediation of a storage tank system before July 1, 2001.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Report

Yea 27    Nay 0