



General Assembly

February Session, 2002

Raised Bill No. 5080

LCO No. 501

Referred to Committee on Environment

Introduced by:
(ENV)

**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3 is repealed and the following is substituted in lieu thereof (*Effective*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17 repealed and the following is substituted in lieu thereof (*Effective from*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>

Statement of Purpose:

To provide a six-month grace period to allow an owner of an underground storage tank system to submit an application for reimbursement from the Underground Storage Tank Fund where such owner's contractor failed to submit an application on his or her behalf prior to the December 1, 2001, deadline and to allow the Underground Storage Tank Petroleum Clean-Up Account Review Board to directly reimburse an owner for costs of remediation where the owner's contractor is bankrupt or financially unstable.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]