



General Assembly

Amendment

February Session, 2002

LCO No. 5017

HB0521105017HD0

Offered by:

REP. TALLARITA, 58th Dist.
REP. JARMOC, 59th Dist.
REP. SCRIBNER, 107th Dist.
SEN. KISSEL, 7th Dist.

To: Subst. House Bill No. 5211

File No. 374

Cal. No. 224

"AN ACT CONCERNING REIMBURSEMENT LIMITS FROM THE UNDERGROUND STORAGE TANK PETROLEUM CLEAN-UP ACCOUNT."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 22a-449c of the general statutes,
4 as amended by section 37 of public act 01-9 of the June special session,
5 is repealed and the following is substituted in lieu thereof (*Effective July*
6 *1, 2002*):

7 (a) (1) There is established an account to be known as the
8 "underground storage tank petroleum clean-up account". The
9 underground storage tank petroleum clean-up account shall be an
10 account of the Environmental Quality Fund. Notwithstanding any
11 provision of the general statutes to the contrary, any moneys collected

12 shall be deposited in the Environmental Quality Fund and credited to
13 the underground storage tank petroleum clean-up account. Any
14 balance remaining in said account at the end of any fiscal year shall be
15 carried forward in said account for the fiscal year next succeeding.

16 (2) The account shall be used by the Commissioner of
17 Environmental Protection to provide money for reimbursement or
18 payment pursuant to section 22a-449f to responsible parties or parties
19 supplying goods or services, or both, to responsible parties for costs,
20 expenses and other obligations paid or incurred, as the case may be, as
21 a result of releases, and suspected releases, costs of investigation of
22 releases and suspected releases, and third party claims for bodily
23 injury, property damage and damage to natural resources.
24 Notwithstanding the provisions of this section regarding
25 reimbursements of parties pursuant to section 22a-449f, the responsible
26 party for a release shall bear all costs of the release that are less than
27 ten thousand dollars or more than one million dollars, except that for
28 any such release which was reported to the department prior to
29 December 31, 1987, and for which more than five hundred thousand
30 dollars has been expended by the responsible party to remediate such
31 release prior to June 19, 1991, the responsible party for the release shall
32 bear all costs of such release which are less than ten thousand dollars
33 or more than [three] five million dollars, provided the portion of any
34 reimbursement or payment in excess of three million dollars may, at
35 the discretion of the commissioner, be made in annual payments for up
36 to a five-year period. There shall be allocated to the department
37 annually, for administrative costs, two million dollars.

38 Sec. 2. Section 22a-449b of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective October 1, 2002*):

40 [(a)] Not later than thirty days immediately following the tax due
41 date for the tax imposed under section 12-587, as amended, a portion
42 of such tax, in the amount of [one-third of the total amount of tax due
43 under said section] three million dollars, shall be credited by the
44 Comptroller to the underground storage tank petroleum clean-up

45 account established under section 22a-449c, as amended.

46 [(b) If the balance in said account at the end of any month exceeds
47 fifteen million dollars, as determined by the Comptroller, he shall
48 suspend the further crediting of tax payments to said account until he
49 determines that the balance in said account has fallen below five
50 million dollars.] "

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| This act shall take effect as follows: | |
| Section 1 | <i>July 1, 2002</i> |
| Sec. 2 | <i>October 1, 2002</i> |