



Senate

General Assembly

File No. 320

January Session, 2003

Substitute Senate Bill No. 896

Senate, April 14, 2003

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE METHOD OF PAYMENT 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-449d of the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective*
3 *from passage*):

4 (d) To the extent that funds are available in the residential
5 underground heating oil storage tank system clean-up subaccount, the
6 board may order payment from such subaccount to registered
7 contractors for reimbursement of eligible costs for services associated
8 with the remediation of a residential underground heating oil storage
9 tank system prior to July 1, 2001, to owners of such systems for
10 payment for eligible costs incurred after July 1, 2001. No such payment
11 shall be authorized unless the board deems the costs reasonable based
12 on the guidelines established pursuant to subsection (c) of this section.
13 Notwithstanding the provisions of this subsection, if the board

14 determines that the owner may not receive reimbursement payment
15 from the contractor, the board may, if reimbursement has not been sent
16 to the contractor, directly reimburse the owner of such system for
17 eligible costs incurred by the owner and paid to the registered
18 contractor for services associated with a remediation of a system prior
19 to July 1, 2001.

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

ENV *Joint Favorable Subst.*

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:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill allows for the direct reimbursement of remediation costs to owners and has no impact on program eligibility. This impacts less than five approved reimbursement claims. No fiscal impact is anticipated.

OLR Bill Analysis

sSB 896

AN ACT CONCERNING THE METHOD OF PAYMENT FROM THE UNDERGROUND STORAGE TANK FUND**SUMMARY:**

Under current law, the Underground Storage Tank Petroleum Clean-Up Account Review Board may order reimbursement from available funds in the residential underground heating oil storage system clean-up account, for eligible residential underground storage tank remediation costs to (1) registered contractors, for eligible remediation costs incurred before July 1, 2001 and (2) owners, for eligible costs incurred after July 1, 2001. This bill allows the board to reimburse owners directly for remediation costs incurred before July 1, 2001 that the owner paid the contractor if the board determines (1) it has not yet reimbursed the contractor and (2) the contractor may not reimburse the owner.

EFFECTIVE DATE: Upon passage

BACKGROUND***Underground Storage Tank Petroleum Clean-up Account***

This program exempts owners of residential underground storage tanks from civil liability to the state for costs related to an oil spill if the owner has the tank removed or replaced by December 31, 2001 and meets certain other requirements. The law also provides reimbursement for costs of remediating spills found during the removal or replacement of the storage tanks.

Related Bill

sHB-6424, which the Environment Committee reported favorably on March 28, gives owners until July 1, 2003 to apply for reimbursement for contractors paid for work completed before July 1, 2002 where the contractor failed to apply for reimbursement by the original December 1, 2001 deadline.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 25 Nay 0