



General Assembly

January Session, 2009

**Raised Bill No. 6501**

LCO No. 3651

\* \_\_\_\_\_HB06501GL\_\_\_\_\_030609\_\_\_\_\_\*

Referred to Committee on General Law

Introduced by:  
(GL)

**AN ACT ELIMINATING SURETY BOND REQUIREMENTS FOR  
RESIDENTIAL UNDERGROUND HEATING OIL TANK REMOVAL OR  
REPLACEMENT CONTRACTORS.**

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

1 Section 1. Subsection (a) of section 20-420 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) No person shall hold himself or herself out to be a contractor or  
5 salesperson without first obtaining a certificate of registration from the  
6 commissioner as provided in this chapter, except that an individual or  
7 partner, or officer or director of a corporation registered as a contractor  
8 shall not be required to obtain a salesperson's certificate. No certificate  
9 shall be given to any person who holds himself or herself out to be a  
10 contractor that performs radon mitigation unless such contractor  
11 provides evidence, satisfactory to the commissioner, that the contractor  
12 is certified as a radon mitigator by the National Radon Safety Board or  
13 the National Environmental Health Association. No certificate shall be  
14 given to any person who holds himself or herself out to be a contractor  
15 that performs removal or replacement of any residential underground

16 heating oil storage tank system unless such contractor provides  
17 evidence, satisfactory to the commissioner, that the contractor (1) has  
18 completed a hazardous material training program approved by the  
19 Department of Environmental Protection, and (2) has presented  
20 evidence of liability insurance coverage of one million dollars, [, and  
21 (3) has presented evidence of a surety bond in an amount not less than  
22 two hundred fifty thousand dollars.]

23       Sec. 2. Section 22a-449k of the general statutes is repealed and the  
24 following is substituted in lieu thereof (*Effective from passage*):

25       No person shall remove or replace or subcontract for the removal or  
26 replacement of a residential underground heating oil storage tank  
27 system if the person finds such removal or replacement will involve  
28 remediation of contaminated soil or groundwater, the costs of which  
29 are to be paid out of the residential underground heating oil storage  
30 tank system clean-up subaccount established pursuant to subsection  
31 (b) of section 22a-449c, unless the person is a registered contractor. To  
32 become a registered contractor, a person shall provide to the  
33 Commissioner of Environmental Protection, on forms prescribed by  
34 said commissioner, (1) evidence of financial assurance in the form of  
35 liability insurance [, a surety bond] coverage or liquid company assets  
36 in an amount not less than [two hundred fifty thousand] one million  
37 dollars, and (2) a written statement certifying that such person has had  
38 any training required by law for such business and that such person  
39 has (A) performed no fewer than three residential underground  
40 petroleum storage tank system removals, or (B) has contracted for at  
41 least three removals of residential underground petroleum storage  
42 tank systems. Such person shall pay a registration fee of seven  
43 hundred fifty dollars to the commissioner. Each contractor holding a  
44 valid registration on July first shall, not later than August first of that  
45 year, pay a renewal fee to the commissioner of three hundred seventy-  
46 five dollars in order to maintain such registration. Any money  
47 collected for registration pursuant to this section shall be deposited in  
48 the Environmental Quality Fund. The commissioner may revoke a

49 registration for cause and, on and after the date the review board  
50 establishes requirements for financial assurance, training and  
51 performance standards under subsection (c) of section 22a-449d, may  
52 reject any application for registration that does not meet such  
53 requirements.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-420(a)
Sec. 2	<i>from passage</i>	22a-449k

**GL**        *Joint Favorable*