
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jacob K. Wilson.

DIGEST

SB 247 Original

2024 Regular Session

Cathey

Present law provides for the Motor Fuels Underground Storage Tank Trust Dedicated Fund Account and for definitions of "eligible participant" and "specialized services".

Proposed law retains present law and adds that eligible participants include an owner who has registered a temporarily closed tank and has not been excluded from coverage for noncompliance. Proposed law provides that specialized services includes site assessment and characterization.

Present law defines "underground storage tank", provides for registration of such tanks, and provides for certain exceptions.

Proposed law retains present law and specifies that tanks used to store heating oil blended with hazardous waste are not excluded from registration. Proposed law excludes pipeline facilities regulated under federal law and intrastate pipeline facilities determined by the secretary of transportation to be connected, operated, or intended to be capable of operating as an integral part of a pipeline, from registration.

Present law prohibits placing of a regulated substance into a tank that has not been registered with the department and which has no current certificate.

Proposed law retains present law but removes the requirement of no certificate.

Present law provides for uses of account funds for closure of abandoned tanks and provides for prohibitions.

Proposed law retains present law and adds that account funds shall be used to defray investment fees. Proposed law provides that the secretary may declare a tank abandoned where a release is not eligible for the account or where action by the department is the most efficient way to address conditions.

Present law limits account expenditures to the greater of an amount necessary to satisfy federal requirements or \$1,500,000, per occurrence.

Proposed law changes the dollar amount from \$1,500,000 to \$2,000,000, and adds that expenditures may exceed federal requirements where the secretary determines necessary.

Present law provides for reasonable disbursements from the account to tank owners for reimbursement of payment to approved response action contractors, only after amounts required by law have been paid by the owner.

Proposed law provides that for remediation work contracted on or after August 1, 1995, the department shall pay the response action contractor directly upon presentation of invoices.

Present law provides that no disbursement from the account may be made until an eligibility verification is made and that initial assessments shall be made within two years of receipt of a request.

Proposed law retains present law but removes the requirement that an initial assessment be made within two years of request.

Present law provides for financial responsibility for noncompliance, for annual review of requirements and recommendation of adjustments thereto, and requires that adjustments be no less than amounts currently established by law.

Proposed law retains present law but removes the requirement that adjustments be no less than amounts in current law.

Effective August 1, 2024.

(Amends R.S. 30:2194(B)(4) and (11), (C)(2), and (4)(a) and (b), 2194.1, 2195(D) and (F)(3), 2195.2(A)(1)(c)(ii), 2195.4(A)(1) and (3)(c), and 2195.10(D); repeals 2194(C)(4)(c) and 2195.4(A)(3)(d))