

CHAPTER 218

LABOR AND INDUSTRY

HOUSE BILL 94-1353

BY REPRESENTATIVES Taylor, Fleming, Acquafresca, Chlouber, Martin, and Ratterree;
also SENATOR Hopper.

AN ACT**CONCERNING FINANCIAL RESPONSIBILITY REQUIREMENTS FOR PETROLEUM STORAGE TANKS THAT
ARE LOCATED ON PROPERTY THAT IS LEASED FROM THE FEDERAL GOVERNMENT.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-20-509 (5), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

8-20-509. Financial responsibility for petroleum underground storage tanks.

(5) Underground storage tanks containing petroleum or other regulated substances which are owned or operated by, or are on property owned or leased by the federal government, or any agency or subcontractor thereof shall be subject to federal financial responsibility regulations. ~~and~~ Any financial responsibility requirements for damages caused by such tanks shall not be the responsibility of the fund UNLESS SUCH TANKS ARE OWNED OR OPERATED BY A PERSON, OTHER THAN THE FEDERAL GOVERNMENT OR ANY AGENCY OR SUBCONTRACTOR THEREOF, AND LOCATED ON PROPERTY WHICH IS LEASED FROM OR OTHERWISE OCCUPIED PURSUANT TO A PERMIT OR OTHER AGREEMENT WITH THE UNITED STATES OR ANY AGENCY THEREOF OTHER THAN THE DEPARTMENT OF DEFENSE OR THE DEPARTMENT OF ENERGY.

SECTION 2. 8-20-705 (6), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

8-20-705. Financial responsibility for petroleum aboveground storage tanks.

(6) Aboveground storage tanks containing petroleum or other regulated substances which are owned or operated by, or are on property owned or leased by the federal government or any agency or subcontractor thereof shall be subject to federal financial responsibility regulations. ~~and~~ Any financial responsibility requirements for damages caused by such tanks shall not be the responsibility of the fund UNLESS SUCH

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

TANKS ARE OWNED OR OPERATED BY A PERSON, OTHER THAN THE FEDERAL GOVERNMENT OR ANY AGENCY OR SUBCONTRACTOR THEREOF, AND LOCATED ON PROPERTY WHICH IS LEASED FROM OR OTHERWISE OCCUPIED PURSUANT TO A PERMIT OR OTHER AGREEMENT WITH THE UNITED STATES OR ANY AGENCY THEREOF OTHER THAN THE DEPARTMENT OF DEFENSE OR THE DEPARTMENT OF ENERGY.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 22, 1994