

CHAPTER 252

LABOR AND INDUSTRY

SENATE BILL 07-247

BY SENATOR(S) Veiga, Hagedorn, Taylor, and Tochtrop;
also REPRESENTATIVE(S) Frangas, and Kerr A.

AN ACT

**CONCERNING PETROLEUM STORAGE TANKS, AND, IN CONNECTION THEREWITH, ALLOWING MONEYS
IN THE PETROLEUM STORAGE TANK FUND TO BE USED AS INCENTIVES TO UPGRADE EXISTING
STORAGE TANKS.**

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

SECTION 1. 8-20.5-103, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

8-20.5-103. Petroleum storage tank fund - creation - rules - repeal.
(3.5) MONEYS IN THE PETROLEUM STORAGE TANK FUND MAY BE USED AS INCENTIVES TO UNDERGROUND STORAGE TANK OWNERS AND OPERATORS TO UPGRADE EXISTING SYSTEMS. THE DIVISION OF OIL AND PUBLIC SAFETY SHALL PROMULGATE RULES TO IMPLEMENT THIS SUBSECTION (3.5).

SECTION 2. The introductory portion to 8-20.5-202 (1) and 8-20.5-202 (1) (g), Colorado Revised Statutes, are amended, and the said 8-20.5-202 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

8-20.5-202. Duties of the director of the division of oil and public safety.
(1) The director of the division of oil and public safety shall ~~make~~, promulgate and enforce rules ~~which~~ THAT are no more stringent than the requirements contained in 42 U.S.C. sec. 6991 ET SEQ., AS AMENDED, and the regulations promulgated thereunder for:

(g) ~~Out-of-service underground storage tank systems and closure, and~~

(1.5) THE DIRECTOR OF THE DIVISION OF OIL AND PUBLIC SAFETY SHALL PROMULGATE AND ENFORCE RULES FOR OUT-OF-SERVICE UNDERGROUND STORAGE

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

TANK SYSTEMS AND CLOSURE OF SUCH TANKS.

SECTION 3. 8-20.5-102 (1), Colorado Revised Statutes, is amended to read:

8-20.5-102. Registration and fees. (1) Each owner or operator of an underground or aboveground storage tank shall register such tank with the director of the division of oil and public safety within thirty days after the first day on which the tank is actually used to contain a regulated substance or, in the case of an aboveground storage tank, on or before July 1, 1993, or, thereafter, within thirty days after the first day on which the tank is actually used to contain a regulated substance. Each owner or operator shall renew such registration annually on or before the calendar day and month of initial registration for each year in which the storage tank is in use. An underground storage tank is considered to be in use at all times, except when the tank has been either removed from the ground or permanently closed in accordance with the rules promulgated pursuant to section 8-20.5-202 ~~(1)~~(g) (1.5) that relate to the closure of such tanks.

SECTION 4. Effective date. This act shall take effect July 1, 2007.

SECTION 5. 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 18, 2007