

# SENATE BILL REPORT

## SB 6159

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As Amended by House, February 28, 2018

**Title:** An act relating to the reauthorization of the underground storage tank program.

**Brief Description:** Concerning the reauthorization of the underground storage tank program.

**Sponsors:** Senators Takko, Honeyford, Fain and Chase; by request of Department of Ecology.

**Brief History:**

**Committee Activity:** Energy, Environment & Technology: 1/11/18, 1/18/18 [DP].

**Floor Activity:**

Passed Senate: 2/13/18, 47-0.

Passed House: 2/28/18, 98-0.

<p><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Extends the Underground Storage Tank (UST) program until July 1, 2029.</li></ul>
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### SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TECHNOLOGY

**Majority Report:** Do pass.

Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Brown, Hawkins, Hobbs, McCoy, Ranker, Sheldon and Wellman.

**Staff:** Jan Odano (786-7486)

**Background:** The federal Resource Conservation and Recovery Act gives the Environmental Protection Agency (EPA) the authority to regulate USTs containing petroleum products and hazardous substances. The EPA established a UST regulatory program that requires leak detection systems, upgrading of tanks, record-keeping systems, reporting of releases and corrective actions, standards for tank closure, and financial responsibility assurances.

In 1989, Washington adopted a state UST law requiring the Department of Ecology (Ecology) to adopt rules to establish requirements for all USTs regulated under the federal law. The rules must be consistent and no less stringent as federal law. The state program operates in lieu of the federal program. Ecology regulates more than 9200 tanks at more than

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

3400 facilities, including gas stations, industrial and commercial properties, and government-owned properties.

The state UST law expires on July, 1, 2019. Without reauthorization of the state UST program, federal regulations, inspections, and enforcement would apply to state UST owners and operators.

**Summary of Bill:** The expiration date for the UST law is extended to July 1, 2029.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: We need to have this program. The program should be kept in place so there is no need for EPA to implement it.

**Persons Testifying:** PRO: Senator Dean Takko, Prime Sponsor; David Ducharme, Washington Oil Marketers Association.

**Persons Signed In To Testify But Not Testifying:** PRO: Russell Olsen, PLIA; Jim Pendowski, Manager, Toxics Cleanup Program, Department of Ecology.

**EFFECT OF HOUSE AMENDMENT(S):**

- Establishes a limit of \$15 million per calendar year for pollution liability direct insurance provided by the Pollution Liability Insurance Agency.