

January 16, 1998

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## SENATE BILL No. 158

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DIGEST OF SB158 (Updated January 14, 1998 6:29 pm - DI 87)

**Citations Affected:** IC 13-23-10.

**Synopsis:** Underground storage tank grant program. Allows the Indiana development finance authority to use money in the underground storage tank guaranty fund to award grants to underground storage tank owners and operators to assist in the closure or removal of underground storage tanks. Establishes procedures and requirements for underground storage tank owners and operators to receive grants from the fund.

**Effective:** July 1, 1998.

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January 6, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.  
January 15, 1998, reported favorably — Do Pass.

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SB 158—LS 6880/DI 69



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January 16, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## SENATE BILL No. 158

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A BILL FOR AN ACT to amend the Indiana Code concerning the environment.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 13-23-10-1, AS ADDED BY P.L.1-1996,  
2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 1. The underground storage tank guaranty fund is  
4 established as a reserve fund to be used to do any of the following:  
5 (1) Guarantee loans as described in section 6 of this chapter.  
6 (2) Carry out the loan guaranty program.  
7 (3) **Award grants as described in section 10 of this chapter.**  
8 (4) **Carry out the grant program.**  
9 SECTION 2. IC 13-23-10-3, AS ADDED BY P.L.1-1996,  
10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 1998]: Sec. 3. (a) The fund shall be charged with the expenses  
12 of the authority attributable and allocated to the underground storage  
13 tank loan guaranty program **and the underground storage tank grant**  
14 **program**, including interest and principal payments required by loan  
15 defaults under the guaranty program.  
16 (b) The fund shall be credited with the income of the authority  
17 attributable and allocated to the guaranty program, including guarantee

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2 SECTION 3. IC 13-23-10-7, AS ADDED BY P.L.1-1996,  
3 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 1998]: Sec. 7. When considering applications **for loan**  
5 **guaranties** under this chapter, the authority shall give priority to an  
6 application:

- 7 (1) involving an underground petroleum storage tank that poses  
8 an immediate threat to the environment; and  
9 (2) from an owner or operator unable to obtain financing for a  
10 tank upgrade without a subsidy under this chapter.

11 SECTION 4. IC 13-23-10-10 IS ADDED TO THE INDIANA  
12 CODE AS A NEW SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 1998]: **Sec. 10. (a) The authority may use**  
14 **money in the fund to award grants to owners and operators to**  
15 **assist in the closure or removal of underground storage tanks.**

16 **(b) An owner or operator may receive a grant from the fund if**  
17 **the owner or operator meets the following requirements:**

- 18 (1) **The owner or operator submits an application for a grant**  
19 **to the authority on a form provided by the authority.**  
20 (2) **The owner or operator owns or operates not more than**  
21 **twelve (12) underground storage tanks.**  
22 (3) **The owner or operator:**  
23 (A) **had an adjusted gross income of less than fifty**  
24 **thousand dollars (\$50,000) per year for the five (5) years**  
25 **immediately preceding the year the owner or operator**  
26 **submits an application for a grant; or**  
27 (B) **is a nonprofit corporation.**  
28 (4) **The owner or operator has complied with the following:**  
29 (A) **This article or IC 13-7-20 (before its repeal).**  
30 (B) **Rules adopted under this article or IC 13-7-20 (before**  
31 **its repeal).**  
32 (C) **42 U.S.C. 6991 through 6991i.**  
33 (D) **Regulations adopted under 42 U.S.C. 6991 through**  
34 **6991i.**  
35 (5) **The owner or operator has paid all registration fees that**  
36 **are required under IC 13-23-12.**  
37 (6) **The owner or operator verifies that the:**  
38 (A) **grant will be used to close or remove an underground**  
39 **storage tank and will not be used to upgrade an**  
40 **underground storage tank; and**  
41 (B) **owner or operator will not be involved in the**  
42 **distribution of motor fuels after the underground storage**



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- 1                    **tank is closed or removed.**
- 2                    **(7) The owner or operator submits any other information as**
- 3                    **required by the authority.**
- 4                    **(c) The authority shall consider applications submitted under**
- 5                    **this section in the order the applications are received.**
- 6                    **(d) The authority, department, and underground storage tank**
- 7                    **financial assurance board shall develop guidelines for awarding**
- 8                    **grants under this section.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 158 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 8, Nays 0.

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