



February 11, 1999

HOUSE BILL No. 1578

DIGEST OF HB1578 (Updated February 10, 1999 11:41 am - DI 69)

Citations Affected: IC 13-23; noncode.

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 certain underground storage tank owners and operators who closed or removed underground storage tanks after December 31, 1997, and before July 1, 1998. Transfers \$120,000 from the underground petroleum storage tank excess liability trust fund to the underground storage tank guaranty fund to be used by the Indiana development finance authority to award grants to these underground storage tank owners and operators.

Effective: July 1, 1999.

Wolkins, Sturtz

January 21, 1999, read first time and referred to Committee on Environmental Affairs.
February 10, 1999, reported — Do Pass.

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February 11, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

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HOUSE BILL No. 1578

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

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

- 1 SECTION 1. IC 13-23-10-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. (a) The authority
3 may use money in the fund to award grants to owners and operators to
4 assist in the closure or removal of underground storage tanks.
5 (b) An owner or operator may receive a grant from the fund if the
6 owner or operator meets the following requirements:
7 **(1) The owner or operator closed or removed an underground**
8 **storage tank:**
9 **(A) after December 31, 1997; and**
10 **(B) before July 1, 1998.**
11 ~~(2)~~ **(2)** The owner or operator submits an application for a grant
12 to the authority on a form provided by the authority.
13 ~~(3)~~ **(3)** The owner or operator owns or operates not more than
14 twelve (12) underground storage tanks.
15 ~~(4)~~ **(4)** The owner or operator:
16 **(A) had an adjusted gross income of less than fifty thousand**
17 **dollars (\$50,000) per year for the five (5) years immediately**

HB 1578—LS 7959/DI 69+



- 1 preceding the year the owner or operator submits an
 2 application for a grant; or
 3 (B) is a nonprofit corporation.
- 4 ~~(4)~~ (5) The owner or operator has complied with the following:
 5 (A) This article or IC 13-7-20 (before its repeal).
 6 (B) Rules adopted under this article or IC 13-7-20 (before its
 7 repeal).
 8 (C) 42 U.S.C. 6991 through 6991i.
 9 (D) Regulations adopted under 42 U.S.C. 6991 through 6991i.
- 10 ~~(5)~~ (6) The owner or operator has paid all registration fees that are
 11 required under IC 13-23-12.
- 12 ~~(6)~~ (7) The owner or operator verifies that the:
 13 (A) grant will be used to ~~close or remove~~ **compensate the**
 14 **owner or operator for closing or removing** an underground
 15 storage tank and will not be used to upgrade an underground
 16 storage tank; and
 17 (B) owner or operator will not be involved in the distribution
 18 of motor fuels after the underground storage tank is closed or
 19 removed.
- 20 ~~(7)~~ (8) The owner or operator submits any other information as
 21 required by the authority.
- 22 (c) The authority shall consider applications submitted under this
 23 section in the order the applications are received.
- 24 (d) The authority, department, and underground storage tank
 25 financial assurance board shall develop guidelines for awarding grants
 26 under this section.
- 27 SECTION 2. [EFFECTIVE JULY 1, 1999] (a) **On July 1, 1999, the**
 28 **auditor of state shall transfer one hundred twenty thousand dollars**
 29 **(\$120,000) from the underground petroleum storage tank excess**
 30 **liability trust fund established by IC 13-23-7-1 to the underground**
 31 **storage tank guaranty fund established by IC 13-23-10-1. The**
 32 **Indiana development finance authority shall use money transferred**
 33 **to the underground storage tank guaranty fund under this**
 34 **SECTION to carry out the purposes of IC 13-23-10-10, as amended**
 35 **by this act.**
- 36 (b) **This SECTION expires July 1, 2000.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1578, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STURTZ, Chair

Committee Vote: yeas 9, nays 0.

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