

MAINE STATE LEGISLATURE

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NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1123, L.D. 1579, Bill, "An Act to Ensure Stable Funding of Pollution Abatement Programs Administered by the Department of Environmental Protection"

Amend the bill in section 4 by striking out all of paragraph B-2 and inserting in its place the following:

'B-2. An applicant is not eligible for coverage for any discharge discovered or reported to the commissioner after October 1, 1998 if the discharge is from an underground oil storage facility or tank that is not constructed of fiberglass, cathodically protected steel or other noncorrosive material approved by the department or from an aboveground oil storage facility that has underground piping that is not constructed of fiberglass, cathodically protected steel or other noncorrosive material approved by the department. An applicant who would otherwise not be eligible for coverage pursuant to this paragraph is not subject to this exclusion from coverage for such a discharge discovered or reported to the commissioner on or before October 1, 1999 if the facility or tank was not operated or used to store oil after the applicable compliance date under section 563-A and the applicant:

(1) Can not secure financing to remove the facility or tank as evidenced by letters from 3 financial institutions; or

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(2) Can not obtain the services of a certified underground oil storage tank installer or remover required pursuant to section 566-A as evidenced by letters from 3 certified underground oil storage tank installers or removers.

Further amend the bill by striking out all of section 5.

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

	1997-98	1998-99
REVENUES		
Other Funds	\$62,250	\$75,000

Allowing fees paid to the Maine Environmental Protection Fund to be adjusted by the United States Consumer Price Index will increase dedicated revenues to the fund by \$62,250 in fiscal year 1997-98 and by \$75,000 in fiscal year 1998-99. The effect on future years can not be determined at this time.

Depending on the number of nonconforming oil tanks that remain in the ground, the Ground Water Oil Clean-up Fund within the Department of Environmental Protection may experience a one-time savings of up to \$2,000,000 in fiscal year 1998-99.

Extending the authorization for current oil import fees through calendar year 2005 will increase dedicated revenues to the Ground Water Oil Clean-up Fund by \$6,662,200 in fiscal year 1999-2000 and \$13,324,400 annually beginning in fiscal year 2000-01.

SUMMARY

This amendment adds an exception to the provision in the bill making discharges from nonconforming underground oil storage facilities and tanks ineligible for coverage by the Ground Water Oil Clean-up Fund if the discharge is discovered or reported after October 1, 1998. The amendment extends eligibility for coverage until October 1, 1999 if the facility or tank was not

operated or used to store oil after the required removal date and
the applicant for coverage was unable to secure financing to
remove the facility or tank or unable to obtain the services of a
certified underground oil storage tank installer or remover.

The amendment also strikes from the bill the provision
making costs incurred to implement a voluntary response action
plan ineligible for coverage by the Ground Water Oil Clean-up
Fund. This amendment adds a fiscal note to the bill.