

# STATE OF ALASKA

## THE LEGISLATURE

1991

Source

SJR 25

Legislative  
Resolve No.

33



Relating to regulation of underground petroleum storage tanks.

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### BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

**WHEREAS** the Environmental Protection Agency (EPA) adopted regulations in 1986 that extensively regulated underground petroleum storage tanks; and

**WHEREAS** these EPA regulations require all owners and operators to demonstrate a minimum of \$1,000,000 in financial responsibility for pollution cleanup, with owners of 1 to 12 tanks required to meet this requirement by October 26, 1991; and

**WHEREAS** most owners and operators who have any degree of contamination on their property are unable to meet the financial responsibility requirements, thus facing fines of up to \$10,000 a day, which would have a particularly severe effect on small businesses; and

**WHEREAS** the Sixteenth Alaska State Legislature demonstrated a good faith intent to comply with the EPA regulations by enacting AS 46.03.360 - 46.03.450, which regulate underground petroleum storage tanks and provide financial assistance to owners of underground petroleum storage tanks to help them meet all the requirements of the EPA regulations; and

**WHEREAS** the Alaska Department of Environmental Conservation has demonstrated an intent to assume responsibility for regulation of underground petroleum storage tanks in this state;

and

**WHEREAS** owners and operators of storage tanks in Alaska, like in many states, are still in the process of assessing the extent of their pollution problems and the state is still in the process of determining the best course of action to protect both the state's groundwater and its local economy;

**BE IT RESOLVED** that the Alaska State Legislature respectfully requests the Environmental Protection Agency to delay the implementation of federal regulations requiring a minimum of \$1,000,000 in financial responsibility for private storage tank owners for at least one year in Alaska in order to allow owners and operators of the tanks adequate time to complete site assessment and to address potential pollution problems so that they can meet the financial responsibility requirements.

**COPIES** of this resolution shall be sent to William K. Reilly, Administrator of the United States Environmental Protection Agency; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.