

SENATE BILL NO. 295

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

Introduced: 2/11/94  
Referred: RES, JUD, FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to financial assistance for certain owners or operators of  
2 underground petroleum storage tank systems; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 46.03.360(f) is amended to read:

5 (f) If the department determines that an owner or operator is not eligible for  
6 assistance under AS 46.03.410 - 46.03.430 or that a cost is not eligible under  
7 AS 46.03.415 - 46.30.430 and the affected owner or operator disputes that  
8 determination, or if an owner or operator disputes the ranking assigned to a request for  
9 assistance under AS 46.03.420, the owner or operator may apply to the board for  
10 resolution of the dispute. The board may issue a decision in a dispute brought to it  
11 under this subsection. The decision is binding on the owner, operator, and department.

12 \* Sec. 2. EXTENDED APPLICATION PERIOD FOR FINANCIAL ASSISTANCE  
13 RELATING TO UNDERGROUND STORAGE TANK SYSTEMS. (a) Notwithstanding  
14 AS 46.03.420, the owner or operator of an underground petroleum storage tank system, other

1 than the state or federal government, may apply for grants and loans under AS 46.03.420 if  
2 (1) before July 1, 1994, the owner or operator applied under AS 46.03.430 for  
3 a grant for upgrading or closure of an underground petroleum storage tank;

4 (2) while the person's grant application under AS 46.03.430 was pending or  
5 while closure or upgrading was taking place under an approved grant, contamination from the  
6 tank was discovered that the department determines was not reasonably obvious before  
7 December 22, 1993; and

8 (3) the owner or operator reported the contamination to the department in  
9 compliance with state and federal law before July 1, 1996; for purposes of this section, the  
10 time deadline of AS 46.03.420(c)(1)(A) does not apply.

11 (b) Except as provided in (a) of this section, an applicant who applies under this  
12 section for assistance under AS 46.03.420 must comply with all of the requirements of  
13 AS 46.03.420, including the requirement to demonstrate that the release occurred before  
14 December 22, 1993.

15 (c) A determination by the Department of Environmental Conservation relating to an  
16 application authorized under this section is subject to the same dispute resolution procedures  
17 under AS 46.03.360(f) that other applications for assistance under AS 46.03.410 - 46.03.430  
18 are subject to.

19 \* Sec. 3. This Act takes effect July 1, 1994.