

CS FOR SENATE BILL NO. 295(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/24/94
Referred: Finance

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

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. AS 46.03.430(a) is amended to read:

13 (a) The department shall, by regulation, establish a grant program under which
14 the owner or operator of an underground petroleum storage tank, other than the state

1 or federal government, may, upon application, receive a grant for 60 percent of the
2 eligible costs of tank upgrading or closure, subject to a maximum total grant of
3 \$60,000 per facility. An application for assistance under this section must be
4 submitted before December 31, 1994.

5 * Sec. 3. EXTENDED APPLICATION PERIOD FOR FINANCIAL ASSISTANCE
6 RELATING TO UNDERGROUND STORAGE TANK SYSTEMS. (a) Notwithstanding

7 AS 46.03.420, the owner or operator of an underground petroleum storage tank system, other
8 than the state or federal government, may apply for grants and loans under AS 46.03.420 if

9 (1) before December 31, 1994, the owner or operator applied under
10 AS 46.03.430 for a grant for upgrading or closure of an underground petroleum storage tank;

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

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

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

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

26 * Sec. 4. This Act takes effect July 1, 1994.