

## HB 192 -- Environmental Protections

Sponsor: Jones (89)

This bill changes the laws regarding dry-cleaning facilities, an underground storage tank operator training program, and motor fuel measuring devices.

### DRY-CLEANING FACILITIES

The expiration date on the provisions regarding dry-cleaning facilities and their operations is extended from August 28, 2012, to August 28, 2022.

### UNDERGROUND STORAGE TANK OPERATOR TRAINING PROGRAM

Beginning August 28, 2012, the board of trustees of the Petroleum Storage Tank Insurance Fund must hold one or more public hearings to determine whether to establish and fund an underground storage tank operator training program. The bill specifies the criteria the board must consider when making its decision. If after conducting the hearings, a majority of the board votes to establish and fund a program, the program at a minimum must:

- (1) Meet federal requirements;
- (2) Be developed in collaboration with the departments of Natural Resources and Agriculture, the board's advisory committee, and affected members of the private sector;
- (3) Be offered at no cost to the required participants;
- (4) Specify standards, reporting, and documentation requirements; and
- (5) Be established by rule.

The board can contract with a third party to establish a program; and it can, at any time, be modified or eliminated by the board adopting a rule. Any records regarding a program must be made public and readily available to the Department of Natural Resources.

### MOTOR FUEL MEASURING DEVICES

The bill specifies that the state and all political subdivisions are to disregard the manufacturer's expiration date on motor fuel pump nozzles, hoses, and hose breakaway equipment; cannot issue or impose any fines or penalties regarding the expiration date of these items; and are to continue to require a replacement only

when the equipment fails inspection. The manufacturer's expiration date on these items will not impose any new or additional liability on motor fuel retailers and wholesalers as well as the retailers and wholesalers of the devices and equipment.

Any automatic volumetric correction device for measuring certain motor fuel sold at retail fueling facilities is prohibited by state or national rules unless specifically authorized and required by state law. Any motor fuel mandate will also be prohibited unless authorized and required by state law.

Only the Department of Natural Resources is authorized to set stage 1 and 2 motor fuel vapor recovery fees which must be uniform across the state and which cannot be changed by political subdivisions or local law enforcement agencies.