

FINAL BILL REPORT

SSB 5475

C 147 L 07
Synopsis as Enacted

Brief Description: Modifying provisions affecting underground storage tanks.

Sponsors: Senate Committee on Water, Energy & Telecommunications (originally sponsored by Senators Poulsen, Honeyford, Regala and Kohl-Welles; by request of Department of Ecology).

Senate Committee on Water, Energy & Telecommunications
Senate Committee on Ways & Means
House Committee on Agriculture & Natural Resources
House Committee on Appropriations

Background: The U.S. Energy Policy Act of 2005 created the federal Underground Storage Tank (UST) Compliance Act. This law amended the underground storage tank regulatory program, which was created to reduce leaks into the environment from USTs.

Until 1985, most USTs were made of bare steel, which over time would corrode and leak their contents into the environment. The greatest concern was underground storage tanks would leak petroleum or other hazardous substances into ground water, potentially contaminating the source of drinking water.

The U.S. Environmental Protection Agency delegated its authority for the underground storage tank program to Washington State, where the Department of Ecology (department) implements the program. The UST Compliance Act adds new requirements for state and federal underground storage tank programs.

Summary: The department must adopt rules to implement statewide requirements for underground storage tanks that are consistent with and no less stringent than the federal UST Compliance Act of 2005.

To meet federal Energy Policy Act requirements the department must ensure ground water protection measures include secondary containment and monitoring for new installation or replacement of all underground storage tanks systems or components; implement a "red tag" program to prevent delivery of regulated substances to USTs that have significant violations; and develop a program for owner and operator training.

The tank inspection fee is raised from \$100 to \$160 over three years at \$20 increments. If the department receives additional federal grant funding, there will be no fee increase for the third year.

Owners and operators may appeal financial penalties to the department instead of the Pollution Control Hearings Board.

Votes on Final Passage:

Senate 37 8
House 98 0

Effective: July 22, 2007