

An Act relating to petroleum storage tanks; amending 17 O.S. 2001, Sections 303, 304, 305, 306, 307, 308, 308.1, 309, 310, 311, 312, 313, 314, 315, 316, and 365, which relate to the Oklahoma Storage Tank Regulation Act; transferring regulatory program from the Corporation Commission to the Department of Environmental Quality; modifying definitions; defining regulatory jurisdiction of certain storage tanks and storage tank systems; designating the Department of Environmental Quality as state agency to administer certain federal acts; transferring certain powers and duties of the Corporation Commission to the Department of Environmental Quality; requiring Department to promulgate certain rules governing storage tank systems; removing authorization allowing adjacent property owners to remediate contaminated property; providing for Department to issue permits; authorizing persons required to maintain financial responsibility to use certain methods allowed by federal law; removing cap on certain fees; requiring Department to take certain corrective actions; requiring Department to make certain inspections and investigations; modifying certain method of appeals; providing for Department to issue certain administrative penalties; providing for enforcement actions and remedies; requiring Department to make certain reports and keep certain records confidential; requiring Department to prepare certain annual reports; transferring certain revolving fund from the Corporation Commission to the Department of Environmental Quality; prohibiting certain governmental entities from enacting ordinances or rules in conflict with certain Department rules; transferring the Oklahoma Leaking Underground Storage Tank Trust Fund from the Corporation Commission to the Department of Environmental Quality; amending 27A O.S. 2001, Section 2-2-201, which relates to advisory councils; creating the Storage Tank Management Advisory Council; stating membership; stating jurisdiction of Council; amending 27A O.S. 2001, Section 1-3-101, as amended by Section 1, Chapter 397, O.S.L. 2002 (27A O.S. Supp. 2002, Section 1-3-101), which relates to jurisdiction of state environmental agencies; modifying jurisdictional areas of certain agencies; amending 17 O.S. 2001, Section 52, which relates to jurisdiction of state environmental agencies; modifying jurisdictional areas of certain agencies; amending 17 O.S. 2001, Section 139, which relates to jurisdiction and authorities of the Corporation Commission and the Department of Environmental Quality; modifying jurisdictional areas; amending 17 O.S. Sections 350, 352, 353, 354, as last amended by Section 1, Chapter 371, O.S.L. 2002, 355, 356, 356.1, 357, 358, 359, 360 and 361 (17 O.S. Supp. 2002, Section 354), which relate to the Oklahoma Petroleum Storage Tank Release Indemnity Program; transferring Indemnity Program from the Corporation Commission to the Department of Transportation; removing references to certain duties of the Corporation Commission; defining terms; deleting references to Administrator of the Indemnity Program; prohibiting certain monies in the Indemnity Fund to be used for certain employee salaries; removing requirement for certain employee cross training; modifying distribution of certain motor fuel assessment; clarifying reference to certain types of damages; modifying eligibility for certain persons to seek reimbursement from fund; providing for damages and costs of certain legal actions; updating statutory reference; removing reference to maintenance of certain list of fees; requiring Department of Transportation to submit certain reports; providing for certain annual audit; requiring certain annual report of expenditures; requiring Department of Transportation to employ certain number of employees to implement program; repealing 17 O.S. 2001, Sections 306.1, 318, 321, 322, 323, 324, 325, 326, 327 and 340, which relate to the Oklahoma Storage Tank Regulation Act; providing for recodification; providing an effective date; and declaring an emergency.