

# An Act

ENROLLED HOUSE  
BILL NO. 3050

By: Boles of the House

and

Green of the Senate

An Act relating to petroleum storage tanks; amending 17 O.S. 2021, Section 310, which relates to inspections and investigations; modifying time frame for appeal; removing certain statutory references; and providing an effective date.

SUBJECT: Petroleum storage tanks

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 17 O.S. 2021, Section 310, is amended to read as follows:

Section 310. A. If upon inspection or investigation, or whenever the Corporation Commission determines that there are reasonable grounds to believe that a storage tank system owner, operator or responsible person is in violation of the Oklahoma Petroleum Storage Tank Consolidation Act or of any rule promulgated pursuant thereto or of any order of the Commission, the Commission shall give written notice or issue a Notice of Violation to the alleged violator specifying the cause of complaint. Such notice shall require that action or corrective action be immediately initiated. The notice shall be delivered to the alleged violator in accordance with the provisions of subsection C of this section.

B. 1. If action or corrective action is not taken in response to the notice issued pursuant to subsection A of this section, the

Commission shall initiate proceedings and hold a hearing to determine if:

- a. the alleged violator should be found in contempt or in violation of Commission rules, requirements, enabling statutes, and/or Commission orders,
- b. any permit or license issued to the alleged violator should be suspended, revoked or not reissued, or
- c. whether any other appropriate relief should be granted.

2. Notice of the hearing shall be delivered to the alleged violator at least twenty (20) days prior to the time set for hearing. The notice shall be delivered to the alleged violator in accordance with the provisions of subsection C of this section.

3. After hearing, the Commission shall make findings of fact and conclusions of law, and enter its order reflecting its decision in the matter. The order of the Commission shall become final and binding on all parties unless appealed to the Supreme Court ~~as provided in Section 318 of Title 75 of the Oklahoma Statutes~~ within ~~sixty (60)~~ thirty (30) days of the Commission's order. ~~Except as otherwise provided by this section, Sections 319 through 322 of Title 75 of the Oklahoma Statutes shall be applicable to such appeals.~~

C. 1. Except as otherwise expressly provided by law, any notice, order, or other instrument issued by or pursuant to authority of the Commission may be served on any person affected thereby personally, by publication, or by mailing a copy of the notice, order, or other instrument by certified mail directed to the person affected at the last-known post office address as shown by the files or records of the Commission. Service shall be considered complete if certified mail service is returned unclaimed, undeliverable, unable to forward, vacant or refused. Proof of service shall be made as in the case of service of a summons or by publication or may be made by the affidavit of the person who did the mailing.

2. Such proof of service shall be filed in the court clerk's office of the Commission.

3. Every certificate or affidavit of service made and filed as provided in this section shall be prima facie evidence of the facts therein stated. A certified copy thereof shall have like force and effect.

SECTION 2. This act shall become effective November 1, 2024.

Passed the House of Representatives the 26th day of February, 2024.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 17th day of April, 2024.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

