

HOUSE BILL NO. HB0054

Corrective action account distribution.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to environmental quality; providing for the
2 distribution of money from the corrective action account
3 for leaking underground storage tanks to the municipal
4 solid waste remediation account as specified; requiring
5 reports; repealing provisions providing for the suspension
6 of collection of fuel taxes as specified; providing for
7 loans from the state water pollution control revolving loan
8 account as specified; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

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12 **Section 1.** W.S. 16-1-206(b) and (c) and 35-11-1424(a)
13 and by creating new subsections (p) through (r) are amended
14 to read:

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1 **16-1-206. Financial assistance priorities.**

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3 (b) If there are no publicly owned wastewater
4 treatment works identified as not being in compliance with
5 the Water Pollution Control Act, 33 U.S.C. § 1251 et seq.,
6 then the monies in the account shall initially be used for
7 noninterest bearing loans to the department for taking
8 corrective actions at leaking underground and aboveground
9 storage tank sites and solid waste landfill remediation as
10 provided by W.S. 35-11-1424.

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12 (c) Principal payments to the account from loans made
13 for corrective actions at leaking underground and
14 aboveground storage tank sites and remediation at solid
15 waste landfills may be used for any purposes authorized in
16 this article.

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18 **35-11-1424. Corrective action account created; use of**
19 **monies; cost recovery.**

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21 (a) There is created the corrective action account.
22 This account is intended to provide for financial assurance
23 coverage required by federal law and shall be used by the

1 department to take corrective action in response to a
2 release and to remediate solid waste landfills. The
3 department shall use monies from the corrective action
4 account as appropriated by the legislature for the
5 administration of this article and W.S. 35-11-532 through
6 35-11-537. Interest earned by this account shall be
7 deposited in the general fund. Monies in the corrective
8 action account shall also be used for the state water
9 pollution control revolving loan account pursuant to W.S.
10 16-1-201 through ~~16-1-206~~ 16-1-207. Except as provided in
11 subsection (p) of this section, and contingent on fund
12 availability in the account, the director shall distribute
13 monies in the corrective action account to the solid waste
14 landfill remediation account created by W.S. 35-11-535 on
15 July 1 of each specified year in an amount not less than:

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17 (i) 2019 - two million dollars (\$2,000,000.00);

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19 (ii) 2020 - five million dollars
20 (\$5,000,000.00);

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22 (iii) 2021 - six million dollars
23 (\$6,000,000.00);

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(iv) 2022 - six million dollars (\$6,000,000.00);

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(v) 2023 - seven million dollars

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(\$7,000,000.00);

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(vi) 2024 and each year thereafter - the

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director shall determine expected expenditures from the

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corrective action account for the underground storage tank

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program for the next fiscal year and retain monies equal to

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that amount in the corrective action account, with the

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remainder of the funds deposited to the landfill

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remediation account, but in no event shall funds in the

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corrective action account on July 1 of any year be less than

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five million dollars (\$5,000,000.00).

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(p) The director is authorized to withhold

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distributions from the corrective action account to the

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municipal solid waste remediation account as provided in

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subsection (a) of this section in the event of:

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22

(i) An emergency involving a leaking underground

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storage tank which requires immediate corrective action

1 which will require an expenditure of funds in excess of the
2 funds available in the corrective action account; or

3
4 (ii) Funds in the account are less than the
5 amount required by federal law to provide for financial
6 assurance coverage or adequate leaking underground storage
7 tank remediation.

8
9 (q) The director shall submit a report to the joint
10 minerals, business and economic development interim
11 committee by June 15, 2019 and by June 15 of every year
12 thereafter, describing the amount to be withheld in the
13 corrective action account pursuant to subsection (a) of
14 this section, and the factors used in making that
15 determination.

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17 (r) In the event the director exercises the
18 authorization provided under subsection (p) of this
19 account, the director shall inform the joint minerals,
20 business and economic development interim committee in
21 writing of the withholding of the distribution.

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1 **Section 2.** W.S. 39-17-103(a)(ii) and 39-17-203(a)(ii)
2 are repealed.

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4 **Section 3.** This act is effective July 1, 2015.

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(END)