

MINUTES

HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

DATE: Monday, January 28, 2019

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Vander Woude, Vice Chairman Amador, Representatives Anderson, Anderst, Horman, Moon, Scott, Ehardt, Armstrong, Furniss, Hartgen, Lickley, Raybould, Young, Smith, Chew, Ellis, Mason

**ABSENT/
EXCUSED:** None

GUESTS: None

Chairman Vander Woude called the meeting to order at 1:31 p.m.

Chairman Vander Woude turned the gavel over to **Vice Chairman Amador**.

H 26: **Chairman Vander Woude** presented **H 26**, Underground Storage Tank Systems. This legislation establishes the compliance date for certain regulations for testing and inspection of petroleum underground storage tanks (USTs) incorporated by reference by the state of Idaho in IDAPA 58.01.07.004. This conforms Idaho regulations with other states and maintains compliance of insurance contracts providing for environmental clean up of UST's issued by the Petroleum Clean Water Trust Fund.

Suzanne Budge, SBS Associates testified **in support** of **H 26** and presented an overview of the distribution of petroleum throughout the State of Idaho. She stated the adjusted deadline of 2021 will help owners be in compliance and also aligns Idaho with surrounding States. Under the new laws, owners of underground storage tanks are required to have their tanks tested timely and carry a higher level of insurance coverage.

The rules relating to testing require a third party vendor to come to the site, which is difficult in rural areas as there are very few vendors who service those communities. With so few vendors, the wait time is often lengthy. Extending the deadline to 2021 will help ensure owners have ample time to get their systems tested.

The Idaho Petroleum Clean Water Trust Fund plays a critical role in ensuring underground storage tanks are compliant with state and federal laws. The Idaho Petroleum Clean Water Trust Fund, administered by the Petroleum Storage Tank Fund (PSTF), is a state-created, not-for-profit insurance organization that provides coverage for approved petroleum cleanup costs and valid third-party claims resulting from covered accidental releases commencing during the policy period. Under the new law, owners must obtain increased insurance coverage, which is costly, particularly for small businesses. Moving the deadline to 2021 will assist the owners in preparing for the increased insurance costs.

Dennis Campo, Campo & Poole Oil testified **in support** of **H 26** and spoke about the challenges underground storage tank owners face. Owners face time constraints in getting their systems tested/repared due to shortage of materials, test/repair vendor availability and financial constraints. Dennis Campo supports extending the deadline to 2021 in order to give owners more time to prepare and become compliant.

MOTION: **Rep. Erhardt** made a motion to hold **H 26** for time certain, February 12, 2019.

MOTION WITHDRAWN: **Rep. Erhardt** withdrew her motion to hold **H 26** for time certain, February 12, 2019.

MOTION: **Rep. Scott** made a motion to send **H 26** to the floor with a **DO PASS** recommendation.

DeLon Lee, Idaho Farm Bureau Federation, testified that the Idaho Farm Bureau supports **H 26**.

Chairman Vander Woude stated that in accordance with Rule 38, he needed to disclose he may have a possible conflict with **H 26**.

VOTE ON MOTION: **Vice Chairman Amador** called for the vote to send **H 26** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Chairman Vander Woude** will sponsor on the floor.

Vice Chairman Amador passed the gavel to **Chairman Vander Woude**.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 2:04 p.m.

Representative Amador
Vice Chair

Renee McPherson
Secretary