

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/18/25

A Bill

HOUSE BILL 1277

By: Representative Gramlich

By: Senator J. Boyd

For An Act To Be Entitled

*AN ACT TO AMEND PAYMENTS FOR CORRECTIVE ACTION
REGARDING PETROLEUM STORAGE TANKS; AND FOR OTHER
PURPOSES.*

Subtitle

*TO AMEND PAYMENTS FOR CORRECTIVE ACTION
REGARDING PETROLEUM STORAGE TANKS.*

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 8-7-907(a), concerning payments for corrective action regarding petroleum storage tanks, is amended to read as follows:

(a)(1)(A) ~~No~~ A payment for corrective action shall not be paid from the Petroleum Storage Tank Trust Fund until the owner or operator has expended ~~seven thousand five hundred dollars (\$7,500)~~ the deductible set by the rule of the Arkansas Pollution Control and Ecology Commission on corrective action for the occurrence, except in cases in which the Director of the Division of Environmental Quality is using emergency authority under § 8-7-905(e).

(B) It is the intent of the General Assembly that this initial level of expenditure be considered the equivalent of an insurance policy deductible.

(2) Owners or operators of underground storage tanks must demonstrate financial responsibility for the ~~seven thousand five hundred dollar~~ deductible for corrective actions.



SECTION 2. Arkansas Code § 8-7-907(d), concerning payments for corrective action regarding petroleum storage tanks, is amended to read as follows:

~~(d)(1)(A) Payment for corrective action may be denied if the storage tank owner or operator fails to report a release as required by rule promulgated by the Arkansas Pollution Control and Ecology Commission, and the failure to report the release causes a delay in the corrective action that contributes to an adverse impact to the environment. The amount of the deductible incurred by the owner or operator before the owner or operator is eligible to receive payment for corrective action shall be established by rule by the division with the advice and input of the Advisory Committee on Petroleum Storage Tanks.~~

~~(B) However, the amount of the deductible shall not be greater than thirty thousand dollars (\$30,000).~~

~~(2)(A) The Arkansas Pollution Control and Ecology Commission, with the advice and input of the Advisory Committee on Petroleum Storage Tanks, shall provide through rule a deductible that is more than seven thousand five hundred dollars (\$7,500) but does not exceed thirty thousand dollars (\$30,000) for violations of rules of the division as identified at the time of the request for payment for corrective action.~~

~~(B) The rule may differentiate the variation of the deductible based on the provision or section of the commission rule that was violated.~~

/s/Gramlich