

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# SENATE RESOLUTION

No. 125 Session of  
2005

INTRODUCED BY M. WHITE, MUSTO, BOSCOLA, ARMSTRONG, COSTA,  
TARTAGLIONE, KITCHEN, EARLL, ORIE, FERLO, LOGAN, ERICKSON,  
GORDNER, O'PAKE, WENGER, LEMMOND, RAFFERTY, D. WHITE,  
PILEGGI, WAUGH, CONTI, RHOADES, SCARNATI, STOUT, GREENLEAF,  
PIPPY, WOZNIAK AND THOMPSON, MAY 26, 2005

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, MAY 26, 2005

## A RESOLUTION

1 Encouraging the Congress of the United States and the United  
2 States Environmental Protection Agency to release funds to  
3 the states from the Leaking Underground Storage Tank Trust  
4 Fund.

5 WHEREAS, In 1989 the Commonwealth of Pennsylvania passed the  
6 Storage Tank and Spill Prevention Act, becoming one of the  
7 largest industrial states to regulate underground storage tanks  
8 to protect ground and surface water and to comply with a Federal  
9 mandate to regulate these tanks; and

10 WHEREAS, There are more than 56,300 underground storage tanks  
11 in the Commonwealth of Pennsylvania owned by service stations,  
12 farmers, local governments, petroleum product distributors,  
13 convenience stores, small businesses, truck stops and food  
14 merchants; and

15 WHEREAS, The owners of underground tanks pay more than \$3.8  
16 million in fees every year to support the Storage Tank Program  
17 of the Department of Environmental Protection and now face fee

1 increases that would in most cases triple the existing rates;  
2 and

3 WHEREAS, The Storage Tank Advisory Committee has offered to  
4 work with the Department of Environmental Protection to reduce  
5 administrative costs of the Storage Tank Program; and

6 WHEREAS, Underground tank owners in the Commonwealth of  
7 Pennsylvania pay more than \$29 million in fees for leak cleanup  
8 insurance every year to the Underground Storage Tank  
9 Indemnification Fund in response to a Federal mandate to have  
10 spill cleanup coverage; and

11 WHEREAS, While Pennsylvania gasoline and diesel fuel  
12 consumers pay more than \$6.4 million to the Leaking Underground  
13 Storage Tank Trust Fund every year, the Commonwealth of  
14 Pennsylvania receives only \$1.8 million in return to help fund  
15 the Storage Tank Program; and

16 WHEREAS, The Leaking Underground Storage Tank Trust Fund now  
17 has a balance of more than \$2 billion that could be allocated to  
18 states to offset the administrative costs of the Storage Tank  
19 Program; and

20 WHEREAS, The Congress is now considering changes to Federal  
21 requirements covering underground storage tanks that may impose  
22 additional unfunded mandates on states responsible for  
23 administering Federal storage tank regulations; therefore be it

24 RESOLVED, That the Senate of the Commonwealth of Pennsylvania  
25 strongly encourage the Congress and the United States  
26 Environmental Protection Agency to take the steps necessary to  
27 redistribute more of the \$2 billion in the Leaking Underground  
28 Storage Tank Trust Fund to states to offset administrative costs  
29 of the federally mandated program; and be it further

30 RESOLVED, That these actions be accomplished as soon as

1 practicable to help the Commonwealth of Pennsylvania avoid  
2 unnecessary fee increases for owners of underground storage  
3 tanks; and be it further

4       RESOLVED, That copies of this resolution be transmitted to  
5 the administrator of the Environmental Protection Agency, to the  
6 presiding officers of each house of Congress and to each member  
7 of Congress from Pennsylvania.