

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Atkinson, Bates, Beyer, Prozanski, Avakian
Nays:	0
Exc.:	0
Prepared By:	Sue Marshall, Administrator
Meeting Dates:	2/08

WHAT THE MEASURE DOES: Increases the filing fee for requesting certification of decommissioning of heating oil tanks. Increases the filing fee for requesting certification of heating oil tank corrective action. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Consumer protection
- Complaints under previous system

EFFECT OF COMMITTEE AMENDMENT: Raises filling fee from \$50 to \$75 for a request of certification of heating oil tank decommissioning. Increases the filing fee from \$125 to \$200 for a request of certification of heating oil tank corrective action.

BACKGROUND: The heating oil tank program was enacted by the 1999 Legislative Assembly, authorizing the Department of Environmental Quality (DEQ) to oversee a third party certification program where service providers that decommission heating oil tanks verify to DEQ and the homeowner that the work was done in accordance with set standards. DEQ does not directly inspect the service providers' work, and there have been instances discovered in the past several years of at least seven licensed service providers having provided false reports to DEQ and homeowners.

Senate Bill 106-A increases the filing fees for certification of decommissioning heating oil tanks and for certification of corrective actions related to heating oil tanks. With a portion of the fee increase, DEQ proposes to increase staffing by one full time position so that the agency can perform service provider audits. DEQ believes this will allow them to identify and remedy service provider irregularities in a timely manner and protect homeowners from the risk of fraud.