

**A-Engrossed**  
**Senate Bill 106**

Ordered by the Senate March 9  
Including Senate Amendments dated March 9

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Department of Environmental Quality)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Increases filing fee for request of certification of heating oil tank decommissioning. Increases filing fee for request of certification of heating oil tank corrective action.  
Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to heating oil tanks; creating new provisions; amending ORS 466.872; and declaring an  
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 466.872 is amended to read:

6 466.872. (1) In establishing the requirements to certify a voluntary decommissioning or to ap-  
7 prove corrective action on the basis of a certification received from a heating oil tank service pro-  
8 vider, the Department of Environmental Quality shall include:

9 (a) A process for conducting inspections of sites where a heating oil tank has been decommis-  
10 sioned or where a heating oil tank service provider certifies corrective action is complete;

11 (b) The specific information that a person must submit to certify that corrective action is com-  
12 plete;

13 (c) Provisions that allow the department to reject certification and require additional corrective  
14 action prior to approval by the department that the certification is complete and complies with the  
15 standard set forth in ORS 465.315; and

16 (d) Provisions to require additional information about a decommissioning before certifying the  
17 decommissioning.

18 (2) Any person requesting certification of a heating oil tank decommissioning under subsection  
19 (1) of this section shall file a request with the department accompanied by a filing fee of [~~\$50~~] **\$75**.

20 (3) Any person requesting certification of a heating oil tank corrective action under subsection  
21 (1) of this section shall file a request with the department accompanied by a filing fee of [~~\$125~~]  
22 **\$200**.

23 **SECTION 2.** The amendments to ORS 466.872 by section 1 of this 2007 Act apply only to  
24 requests made on or after September 1, 2007, or on or after the first day of the second cal-  
25 endar month following the effective date of this 2007 Act, whichever is later.

26 **SECTION 3.** This 2007 Act being necessary for the immediate preservation of the public

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
2 **on its passage.**

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