

State of Arkansas

As Engrossed: H3/18/25

95th General Assembly

A Bill

Regular Session, 2025

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.



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

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

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

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

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

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25 */s/Gramlich*
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28 **APPROVED: 4/16/25**
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