

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

**To:** The House Standing Committee on Agriculture

**From:** The Office of Revisor of Statutes

**Date:** March 12, 2020

**Re:** The Kansas Storage Tank Act — S.B. 285, S.B. 286 and S.B. 287

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Senate Bills 285, 286 and 287 amend the Kansas Storage Tank Act.

**Senate Bill 285 — UST Redevelopment Fund and UST Redevelopment Fund Compensation Advisory Board**

Under current law, the UST redevelopment fund is used to assist property owners in the removal of abandoned petroleum underground storage tanks. The UST redevelopment fund compensation advisory board makes recommendations to the secretary of health and environment regarding disputes over the disbursement of moneys from the UST redevelopment fund. The UST redevelopment fund and the UST redevelopment fund compensation advisory board are statutorily scheduled to be abolished on July 1, 2024.

S.B. 285 amends K.S.A. 65-34,134 to extend the sunset date on the UST redevelopment fund and the UST redevelopment fund compensation advisory board from July 1, 2024 to July 1, 2032.

**Senate Bill 286 — Aboveground Fund and Underground Fund**

Under current law, moneys in the aboveground fund and the underground fund can be used to reimburse storage tank owners up to \$1,000,000 for environmental releases, less certain costs. The aboveground fund and the underground fund are statutorily scheduled to be abolished on July 1, 2024.

S.B. 286 amends K.S.A. 65-34,118 and 65-34,120 and would increase the maximum liability of the aboveground fund and the underground fund for a release from \$1,000,000 to \$2,000,000.

Additionally, S.B. 286 amends K.S.A. 65-34,123 and would extend the sunset date of the aboveground fund and the underground fund from July 1, 2024 to July 1, 2034.

### **Senate Bill 287 — Replacement Reimbursement**

Under current law, if an owner replaces a single-wall storage tank system with a secondary containment system and discovers petroleum contamination, such owner can have the first costs of corrective action waived if the secondary containment system is installed by June 30, 2020. Similarly, if an owner replaces a single-wall storage tank system with a secondary containment system by June 30, 2020, the owner can be reimbursed for replacement costs up to \$50,000.

S.B. 287 amends K.S.A. 65-34,119 and 65-34,139 and would increase the maximum of such reimbursement from \$50,000 to \$100,000, starting July 1, 2020.

Additionally, the bill would extend the sunset date on any such waived costs or such reimbursement from June 30, 2020 to June 30, 2030.