



AN ACT REVISING REGISTRATION FEES FOR UNDERGROUND PETROLEUM OR HAZARDOUS SUBSTANCE STORAGE TANKS; AMENDING SECTION 75-11-505, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 75-11-505, MCA, is amended to read:

"75-11-505. Administrative rules -- underground storage tanks -- petroleum mixing zones. (1)

The department may adopt, amend, or repeal rules for the prevention and correction of leakage from underground storage tanks, including:

- (a) reporting by owners and operators;
- (b) financial responsibility;
- (c) release detection, prevention, and corrective action;
- (d) procedures and standards for the issuance, nonissuance, renewal, nonrenewal, modification, revocation, suspension, and enforcement of permits authorizing the operation of underground storage tanks;
- (e) standards for design, construction, installation, and closure;
- (f) in collaboration with stakeholders, development of a schedule of annual fees, not to exceed \$108 \$300 for a tank over 1,100 gallons and not to exceed \$36 \$100 for a tank 1,100 gallons or less, for each tank, for tank registration to defray state and local costs of implementing an underground storage tank program.

The department may prorate fees to cover periods not equal to 12 months in order to provide staggered scheduling of renewal dates.

- (g) a system for assessment of administrative penalties, notice, and appeals under 75-11-525; and
- (h) delegation of authority and funds to local agents for inspections and implementation. The delegation of authority to local agents must complement and may not duplicate existing authority for

implementation of rules adopted by the department of justice that relate to underground storage tanks.

(2) In accordance with 75-11-508, the department:

(a) shall adopt rules governing the inclusion of a petroleum mixing zone, as defined in 75-11-503,

in a corrective action plan; and

(b) may incorporate by reference rules adopted pursuant to 75-5-301 and 75-5-303 related to

mixing zones for ground water."

Section 2. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
SB 46, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2025.

Speaker of the House

Signed this _____ day
of _____, 2025.

SENATE BILL NO. 46

INTRODUCED BY J. ESP

BY REQUEST OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY

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SUBSTANCE STORAGE TANKS; AMENDING SECTION 75-11-505, MCA; AND PROVIDING AN IMMEDIATE
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