

Effective 5/13/2014

19-6-408 Underground storage tank registration fee -- Processing fee for tanks not in the program.

- (1) The department may assess an annual underground storage tank registration fee against an owner or operator of an underground storage tank that has not been closed. These fees shall be:
 - (a) billed per facility;
 - (b) due on July 1 annually;
 - (c) deposited with the department as dedicated credits;
 - (d) used by the department for the administration of the underground storage tank program outlined in this part; and
 - (e) established under Section 63J-1-504.
- (2)
 - (a) As used in this Subsection (2), "financial assurance mechanism document" may be a single document that covers more than one facility through a single financial assurance mechanism.
 - (b) In addition to the fee under Subsection (1), an owner or operator who elects to demonstrate financial assurance through a mechanism other than the Environmental Assurance Program shall pay a processing fee established under Section 63J-1-504.
 - (c) If a combination of financial assurance mechanisms is used to demonstrate financial assurance, the fee under Subsection (2)(b) shall be paid for each document submitted.
- (3) Any funds provided for administration of the underground storage tank program under this section that are not expended at the end of the fiscal year lapse into the Petroleum Storage Tank Restricted Account created in Section 19-6-405.5.
- (4) The director shall provide all owners or operators who pay the annual underground storage tank registration fee a certificate of registration.
- (5)
 - (a) The director may issue a notice of agency action assessing a civil penalty of \$1,000 per facility if an owner or operator of an underground storage tank facility fails to pay the required fee within 60 days after the July 1 due date.
 - (b) The registration fee and late payment penalty accrue interest at 12% per annum.
 - (c) If the registration fee, late payment penalty, and interest accrued under this Subsection (5) are not paid in full within 60 days after the July 1 due date any certificate of compliance issued prior to the July 1 due date lapses. The director may not reissue the certificate of compliance until full payment under this Subsection (5) is made to the department.
 - (d) The director may waive any penalty assessed under this Subsection (5) if no fuel has been dispensed from the tank on or after July 1, 1991.

Amended by Chapter 227, 2014 General Session