

**19-6-415 Participation of exempt and above ground tanks.**

- (1) An underground storage tank exempt from regulation under 40 C.F.R., Part 280, Subpart A, may become eligible for payments from the Petroleum Storage Tank Trust Fund if it:
  - (a)
    - (i) is a farm or residential tank with a capacity of 1,100 gallons or less and is used for storing motor fuel for noncommercial purposes;
    - (ii) is used for storing heating oil for consumptive use on the premises where stored; or
    - (iii) is used for any oxygenate blending component for motor fuels;
  - (b) complies with the requirements of Section 19-6-412;
  - (c) meets other requirements established by rules made under Section 19-6-403; and
  - (d) pays registration and tank fees and environmental assurance fees, equivalent to those fees outlined in Sections 19-6-408, 19-6-410.5, and 19-6-411.
- (2) An above ground petroleum storage tank may become eligible for payments from the Petroleum Storage Tank Trust Fund if the owner or operator:
  - (a) pays those fees that are equivalent to the registration and tank fees and environmental assurance fees under Sections 19-6-408, 19-6-410.5, and 19-6-411;
  - (b) complies with the requirements of Section 19-6-412; and
  - (c) meets other requirements established by rules made under Section 19-6-403.

Amended by Chapter 172, 1997 General Session