

19-6-424 Claims not covered by fund.

- (1) The director may not authorize payments from the fund unless:
 - (a) the claim was based on a release occurring during a period for which that tank was covered by the fund;
 - (b) the claim was made:
 - (i) during a period for which that tank was covered by the fund; or
 - (ii)
 - (A) within one year after that fund-covered tank is closed; or
 - (B) within six months after the end of the period during which the tank was covered by the fund; and
 - (c) there are sufficient revenues in the fund.
- (2) The director may not authorize payments from the fund for an underground storage tank installation company unless:
 - (a) the claim was based on a release occurring during the period prior to the issuance of a certificate of compliance;
 - (b) the claim was made within 12 months after the date the tank is issued a certificate of compliance for that tank; and
 - (c) there are sufficient revenues in the fund.
- (3) The director may require the claimant to provide additional information as necessary to demonstrate coverage by the fund at the time of submittal of the claim.
- (4) If the Legislature repeals or refuses to reauthorize the program for petroleum storage tanks established in this part, the director may authorize payments from the fund as provided in this part for claims made until the end of the time period established in Subsection (1) or (2) provided there are sufficient revenues in the fund.

Amended by Chapter 360, 2012 General Session