



Colorado-Wyoming Petroleum Marketers Association
Convenience Store Association

Policy Brief

SB 17-14 – Limits On Underground Storage Tank Regulation – Recommended by the
Transportation Legislative Review Committee

Senators Baumgardner and Coram and Representative J. Becker.

Background – Current statute indicates that municipalities and cities cannot impose more stringent regulations on operators than what the division of Oil and Public Safety (The state regulatory authority for our industry) does through statute and rules. However that does not apply to fire protection districts. Petroleum marketers do not object to inspection fees and registration requirements when the infrastructure is visible and accessible. Once installed our tanks are not visible.

The city of Denver is the only jurisdiction we are aware of that has imposed fees on our Underground storage tanks.

Our station owners in Denver have taken the position that as the state has adopted substantially similar requirements per the National Fire Protection Association (NFPA codes), that additional local fee imposition by one fire protection district is redundant.

Facility owners in Denver, Should the legislature accept this legislation will still pay:

- An Annual Facility Fire Inspection Fee
- An annual Motor Fuel Dispensing Permit (General Gas station permit)
- Compressed Inert Gas Permit Fee - For soda machines
- Compressed Flammable Permit Fee – for the sale of propane canisters or fueling stations

This legislation **only applies** to underground storage tanks that are regulated by the Division of Oil and Public Safety – (essentially gasoline and diesel tanks) which already requires state annual fees and reporting through and annual compliance report.

This legislation does not prohibit the adoption of any other code or ordinance by local fire protection districts on our stations.

Why now? – During a review of the permits and fees our members pay, our Board identified this as redundant based on comprehensive state regulations. Colorado enjoys one the top rated EPA programs in the country for regulation, remediation, and release prevention of motor fuel underground storage tanks. Tanks are certified for 20 years upon installation and are buried under concrete. Colorado business owners and consumers should not be paying for this redundant regulation.



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