
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 168 (S.260). Conservation and land development; water quality; stormwater permitting; Petroleum Cleanup Fund

An act relating to funding the cleanup of State waters

This act enacts or amends multiple provisions related to several environmental programs. The act renames the Clean Water Fund Board as the Clean Water Board and provides that the Board shall be responsible and accountable for planning, coordinating, and financing of the State's water quality efforts. Four public members appointed by the Governor are added to the Board, and the Board's recommendations to the Governor shall be public and provided to the General Assembly.

The act directs the Agency of Natural Resources (ANR), the Agency of Agriculture, Food and Markets (AAFM), and the Agency of Transportation to coordinate water quality grant awards to maximize water quality benefit. The act clarifies how ANR will contract with regional planning commissions and natural resources conservation districts for watershed basin planning.

The act authorizes ANR to designate a lake as in crisis. A lake shall be designated in crisis if: the lake is impaired; the lake's condition causes potential harm to public health and risk of environmental damage; and a town reduced valuation of real property due to the lake's condition. ANR shall issue a crisis response plan for a designated lake. ANR or AAFM may enforce requirements in the response plan. Lake Carmi is designated a lake in crisis and the response plan shall require runoff controls.

The act extends from July 1, 2019 to July 1, 2029 the time period in which ANR can authorize payment from the Petroleum Cleanup Fund. It extends the repeal of the licensing fee on motor fuel and on heating fuel, kerosene, or dyed diesel from April 1, 2021 to April 1, 2031. It extends the repeal date of underground storage tank assessments from July 1, 2019 to July 1, 2029. The act also authorizes use of a combination tank system after January 1, 2018 under specified conditions.

The act amends the permit fee for the municipal road general permit to be based on population and road miles in a town, instead of a flat fee. The act changes the date by which a property owner must record in a town land records a notice required to qualify for relief from an encumbrance on their property due to failure to obtain a State stormwater permit prior to 2004.

Extends from January 15 to February 15 the date the annual ANR environmental enforcement report is due to the General Assembly. The act requires the Clean Water Investment Report to summarize investment over the fiscal year, not the calendar year. The act also requires AAFM to report to the General Assembly about the future of farming practices.

The act readopts the repealed mercury added motor vehicle component collection program in the same form as it has been operating since 2005. The program would be repealed on December 31, 2021 when the motor vehicles manufacturers' national program is scheduled to be repealed. The act also authorizes ANR for one year to approve landfill disposal of mixed paper by a solid waste facility if insufficient markets exist for recycling of paper and alternatives to disposal are not available.

Multiple effective dates, beginning on May 22, 2018