Historical Tax Law Changes
Underground Storage Tank Tax

Laws 1990, Chapter 328 established the Underground Storage Tank (UST) Tax on certain petroleum products and hazardous substances regulated under the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980. The tax rate is 1¢ per gallon of regulated substance placed in a tank in a calendar year and the Director of ADOT acts as the collecting agent for the Director of DEQ.

Laws 1991, Chapter 214 amended the definition of an owner of an underground storage tank (UST) to include a person who owns or owned the property at the time on which an UST was located if:

(1) The Department of Environmental Quality is unable to determine the person who owned the tank immediately before discontinuation of its use, <u>and</u>
(2) The property owner uses the tank for storing or dispensing the regulated substances.

This bill excluded (1) a person who holds a certain indicia of ownership and (2) the state or a political subdivision that comes into the possession of property upon which an UST is located pursuant to eminent domain or environmental nuisances. (E - September 21, 1991)

Laws 1993, 6th Special Session, Chapter 1 segregated monies that were collected and generated in Maricopa County from monies collected and generated in other counties. Monies from Maricopa County were to be placed in an Area A Account. Beginning in FY 1997, 50% of the monies received from the Area A portion of the Underground Storage Tank Tax and 50% of the interest income earned will be deposited in the Emission Inspection Fund. (E - February 10, 1993)

Laws 1995, Chapter 229 clarified that the Assurance Account may be used to provide for reimbursable costs of corrective actions pertaining to soil and groundwater remediation and raised the coverage ceiling from $225,000 to $1,000,000 for persons with a $25,000 deductible policy. (E - July 1, 1996)

Laws 1995, Chapter 235 changed in A.R.S. Title 49, Chapter 6 (Underground Storage Tank Regulation), the heading of Article 4 from "Loan Account" to "Grant Account" and corrected loan account references in statute. (E - July 13, 1995)