

HB 658-FN - VERSION ADOPTED BY BOTH BODIES

05/01/2025 1642s
26Jun2025... 2921EBA

2025 SESSION

25-0350
08/06

HOUSE BILL

658-FN

AN ACT raising the cap on certain reimbursements from the oil discharge and disposal cleanup fund.

SPONSORS: Rep. Edgar, Rock. 29; Rep. N. Murphy, Hills. 12; Sen. Watters, Dist 4; Sen. Pearl, Dist 17

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill raises the cap on reimbursement from the oil discharge an disposal cleanup fund for owners of on-premise-use facilities who have demonstrated financial need.

This bill is a request of the department of environmental services.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT raising the cap on certain reimbursements from the oil discharge and disposal cleanup fund.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Oil Discharge and Disposal Cleanup Fund; Board Duties; Report Date. Amend RSA 146-D:5,
2 II to read as follows:

3 II. The board shall submit an annual report of the status of the oil discharge and disposal
4 cleanup fund no later than [~~October 1~~], **March 1** to the governor and council, speaker of the house,
5 president of the senate, house environment and agriculture committee and senate environment
6 committee.

7 2 Oil Discharge and Disposal Cleanup Fund; Eligible Expenses and Availability of Funds.
8 Amend RSA 146-D:6, III to read as follows:

9 III. Owners of on-premises-use facilities who have demonstrated financial need may apply
10 for reimbursement of costs to meet local and department operating standards in amounts not to
11 exceed a total of [~~\$3,300~~] **\$4,000**, and may apply for reimbursement of underground storage tank
12 abandonment or removal costs in amounts not to exceed a total of [~~\$2,500~~] **\$4,500**.

13 3 Oil Pollution Control Fund; License Required; Effective January 1, 2026. Amend RSA 146-
14 A:11-b, II to read as follows:

15 II. Any person who imports or causes to be imported oil into the state, except those using oil
16 pipelines, railroads, and highways to transport oil products between states other than New
17 Hampshire or for international transport of oil products, shall be licensed by the department of
18 safety under this chapter. The annual fee for the license shall be [~~\$0.01625~~] **\$0.01546** per gallon of
19 on-road and off-road gasoline and diesel fuel, [~~\$0.01375~~] **\$0.02715** per gallon of fuel oil, diesel
20 products, and used oil for on-premise heating, [~~\$0.04125~~] **\$0.01478** per gallon of motor oil and
21 [~~\$0.00125~~] **\$0.00215** per gallon of all other oil imported into this state. The fee shall be paid monthly
22 by such person to the department of safety. The department of safety shall deposit the first
23 \$125,000 of fees paid in each fiscal year into the general fund. The remainder shall be deposited into
24 the oil pollution control fund established under RSA 146-A:11-a, and the oil discharge and disposal
25 cleanup established under RSA 146-D:3, I, based on an allocation determined for each fiscal year by
26 the department of environmental services and the oil fund disbursement board. Imposition of the fee
27 shall be based on the record of the person and certified as accurate to the department of safety.

28 4 Oil Pollution Control Fund; License Required; Effective July 1, 2035. Amend RSA 146-A:11-b,
29 II to read as follows:

II. Any person who imports or causes to be imported oil into the state, except those using oil pipelines, railroads, and highways to transport oil products between states other than New Hampshire or for international transport of oil products, shall be licensed by the department of safety under this chapter. The annual fee for the license shall be [~~\$0.01546 per gallon of on-road and off-road gasoline and diesel fuel, \$0.02715 per gallon of fuel oil, diesel products, and used oil for on-premise heating, \$0.01478 per gallon of motor oil and \$0.00215~~] **\$0.00215** per gallon of [all other] oil imported into this state. The fee shall be paid monthly by such person to the department of safety. The department of safety shall deposit the first \$125,000 of fees paid in each fiscal year into the general fund. The remainder shall be deposited into the oil pollution control fund [~~established under RSA 146-A:11-a, and the oil discharge and disposal cleanup established under RSA 146-D:3, I, based on an allocation determined for each fiscal year~~] **administered** by the department of environmental services [~~and the oil fund disbursement board~~]. Imposition of the fee shall be based on the record of the person and certified as accurate to the department of safety.

5 Effective Date; July 1, 2035. Amend 2015, 142:17, I to read as follows:

I. Sections 3, [~~5,~~] 8 and 16 of this act shall take effect at 12:01 a.m. on [~~July 1, 2025~~] **July 1, 2035**.

6 Effective Date.

I. Section 3 of this act shall take effect on January 1, 2026.

II. Section 4 of this act shall take effect at 12:01 a.m. on July 1, 2035.

III. The remainder of this act shall take effect June 30, 2025.

HB 658-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2025-1642s)

AN ACT raising the cap on certain reimbursements from the oil discharge and disposal cleanup fund.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	(\$148,322)	\$339,155	\$53,559
<i>Revenue Fund(s)</i>	Oil Import Fees			
Expenditures*	\$0	\$154,000	\$154,000	\$154,000
<i>Funding Source(s)</i>	Oil Fund Reimbursements			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

METHODOLOGY:

This bill raises the caps on reimbursement from the oil discharge and disposal cleanup fund for owners of on-premise-use fuel oil tanks who demonstrate financial needs. This bill also reauthorizes the collection of oil import fees that are deposited into the oil discharge and disposal cleanup fund.

The Department of Environmental Services indicates this bill raises reimbursement caps for the installation of a new, compliant home heating oil tank (from \$3,300 to \$4,000) and the removal of an old underground home heating oil tank (from \$2,500 to \$4,500). Each year, the oil discharge and disposal cleanup fund reimburses the replacement of approximately 200 home heating oil tanks. The reimbursement for these replacements would increase by \$700 per tank, resulting in an annual cost increase of \$140,000. Additionally, the fund covers, on average, the removal of 7 underground home heating oil tanks annually. The bill increases the reimbursement cap for this removal by \$2,000 per tank, leading to an annual cost increase of \$14,000. In total, the bill is expected to increase expenditures by \$154,000 per year (\$140,000 for replacements + \$14,000 for removals).

Additionally, this bill reauthorizes the collection of oil import fees. The reauthorization change is as follows:

Oil Type	Current Fee	Proposed Fee
On-road and off-road gasoline and diesel fuel	0.01625	0.01546
Fuel oil, diesel products and used oil for on-premise heating	0.01375	0.02715
Motor oil	0.04125	0.01478
All other oil	0.00125	0.00215

The Oil Pollution Control Fund and the Oil Discharge and Disposal Cleanup Fund currently generate approximately \$17,000,000 annually from collected fees. Based on forecasted oil import volumes provided in an actuarial analysis to the Oil Fund Disbursement Board, revenue is projected to be impacted as follows:

- FY 2026: \$16,851,678 – \$17,000,000 = (\$148,322) decrease.
- FY27: \$17,339,155 – \$17,000,000 = \$339,155 increase.
- FY28: \$17,053,559 – \$17,000,000 = \$53,559 increase.

These projections are based on expected oil import volumes and the proposed fee structure.

Year	On-road and off-road gasoline and diesel fuel			Fuel oil, diesel products and used oil for on-premise heating		
	Gallons	Fee	Revenue	Gallons	Fee	Revenue
FY 2026 (7/1-12/31)	426,061,804	0.01625	6,923,504	73,067,125	0.01375	1,004,673
FY 2026 (1/1-6/30)	426,061,804	0.01546	6,586,915	73,067,125	0.02715	1,983,772
FY 2027	842,409,722	0.01546	13,023,654	146,134,250	0.02715	3,967,545
FY 2028	831,076,856	0.01546	12,848,448	142,074,966	0.02715	3,857,335
Year	Motor Oil			All other oil		
	Gallons	Fee	Revenue	Gallons	Fee	Revenue
FY 2026 (7/1-12/31)	2,193,961	0.04125	90,501	67,613,349	0.00125	84,517
FY 2026 (1/1-6/30)	2,193,961	0.01478	32,427	67,613,349	0.00215	145,369
FY 2027	4,337,901	0.01478	64,114	132,019,291	0.00215	283,841
FY 2028	4,279,543	0.01478	63,252	132,336,600	0.00215	284,524
Year	Total Revenue					
FY 2026	16,851,678					
FY 2027	17,339,155					
FY 2028	17,053,559					

AGENCIES CONTACTED:

Department of Environmental Services