

# AGENDA ITEM # \_\_\_\_\_

Copy Mailed  
to Aldermen \_\_\_\_\_

City of Madison, Wisconsin

A RESOLUTION \_\_\_\_\_

Presented \_\_\_\_\_ 9/1/92  
Referred \_\_\_\_\_

conditionally authorizing reimbursement to property owners removing underground storage tanks from the public right-of-way.

Rereferred \_\_\_\_\_

Reported Back \_\_\_\_\_

Drafted by: Larry D. Nelson, City Engineer

Accepted  POF  
Rules Susp.  Tabled  
Public Hearing \_\_\_\_\_

Date: August 13, 1992

Fiscal Note: Funding shall be from Street Project Related Accounts with available funds. It is not anticipated that the cost will exceed \$5,000 in any one year.

APPROVAL OF FISCAL NOTE IS REQUIRED BY THE COMPTROLLER'S OFFICE  
Approved by: *[Signature]*  
COMPTROLLER OF FINANCES

SPONSORS: Common Council (By Request of the Board of Public Works)

ID NUMBER 11,777  
RESOLUTION NO. 49,215

### PREAMBLE

With the advent of the automobile and probably until post World War II, underground storage tanks (UST) for the storage of fuel and oil were located in the public right-of-way by adjoining property owners. These tanks are no longer in service and were abandoned or removed. Occasionally, a tank is discovered and often the corroded tank is a potential contamination of the groundwater. The tanks are an encroachment in the right-of-way and it would be very unusual if the encroachment is documented.

Property owners who own the parcel or building adjacent to the site have a responsibility to remove the tank and, if necessary, remediate the site in accordance with the State of Wisconsin regulations. They may be eligible for funding with a deductible amount (currently \$7,500) under the PECFA Program administered by the Departments of Natural Resources and Industry, Labor, and Human Relations.

The City of Madison encourages property owners to remove UST in accordance with State regulations and in an environmentally sensitive manner.

NOW, THEREFORE, BE IT RESOLVED, that a City of Madison policy be established. When a responsible party removes an underground storage tank from the public right-of-way as certified and accepted by the appropriate agency, it is the policy of the City to reimburse the property owner one-half of the cost of the owners out of pocket expenses which are not otherwise reimbursed, provided that the maximum reimbursement shall not exceed \$5,000.