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**Rules of**  
**Department of Natural Resources**  
**Division 20—Clean Water Commission**  
**Chapter 12—State Underground Storage Tank**  
**Insurance Fund**

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## Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 20—Clean Water Commission  
Chapter 12—State Underground  
Storage Tank Insurance Fund

### 10 CSR 20-12.010 Definitions

*PURPOSE: This rule defines certain terms used in this chapter.*

- (1) Unless defined otherwise, the definitions provided in 10 CSR 20-10.010—10 CSR 20-10.074 and 10 CSR 20-11.090—10 CSR 20-11.111 shall apply.
- (2) “Bodily injury” is actual physical injury, sickness, disease or damage to the body. It does not include any loss or damage of an intangible nature, including, but not limited to, pain and suffering, mental distress or loss of use of any benefit.
- (3) “Cleanup” consists of all actions necessary to contain, collect, control, identify, analyze, treat, disperse, remove or dispose of a release to standards established by the department.
- (4) “Eligible request for reimbursement” is a written request for reimbursement from the underground storage tank (UST) insurance fund which the department has determined meets the criteria described in 10 CSR 20-12.060(1)(F).
- (5) “Eligible UST remediator” is a person making a request for reimbursement from the underground storage tank insurance fund who the department has determined meets the criteria described in 10 CSR 20-12.060(1)(D).
- (6) “Major environmental violation” means—
- Any one (1) or more notices of violation issued by the department for violation of any of the requirements of 10 CSR 20-10 through 10 CSR 20-12; which has the potential to harm the environment or human health or cause pollution, or was knowingly committed, and is not defined by the United States Environmental Protection Agency (U.S. EPA) as other than major; and/or
  - Any of the actions listed in paragraph (6)(B)2. of this rule, or an equivalent action by this or another regulatory agency or competent authority in response to any violation of the laws or regulations described in paragraph (6)(B)1. of this rule.
- The environmental laws and regulations which shall be considered in defining an environmental violation include:
    - Any of the laws administered by the Missouri Department of Natural Resources, including common law issues;
    - Any applicable federal laws to the extent that they are not enforced by the Missouri Department of Natural Resources;
    - Any other state’s law governing the management of underground storage tanks, hazardous or solid waste, PCB material or units, public water supply, sewerage systems, groundwater and surface water resources, soil and land resources and/or air quality; and
    - Any rule promulgated pursuant to the laws listed and/or described in subparagraphs (6)(B)1.A. through (6)(B)1.C. of this rule.
  - The actions which constitute an environmental violation include any of the following actions brought for a violation which has the potential to harm the environment or human health or cause pollution, or was knowingly committed, and is not defined by the United States Environmental Protection Agency as other than major:
    - Final administrative order; or
    - Final permit revocation; or
    - Final permit suspension; or
    - Civil judgement against the violator; or
    - Criminal conviction; or
    - Settlement agreement in connection with a civil action which has been filed in court; or
    - An abatement order.
  - “Occurrence” means a release, as defined in section 319.100, RSMo. The entirety of any release shall be deemed to be one (1) release unless it can be determined when the incident which caused the release originated.
  - Release Under Control.
    - A release is “under control” if—
      - The flow of free product is stopped;
      - Fire and safety hazards are mitigated;
      - Saturated soils are being managed in accordance with all applicable state and federal laws;
      - In cases where free product is present, removal has begun; and
      - In cases where water supplies are contaminated, an alternative supply has been provided.
    - The department shall determine whether a release is under control.
    - The owner/operator shall presume the release is not under control during the time period between the initial discovery of the release and the time that the release is reported to the department in accordance with the requirements of sections 260.500—260.550, RSMo.
  - “Request for reimbursement” is a written request for reimbursement, from the underground storage tank insurance fund, of the costs of cleanup of contamination from a release from an underground storage tank. A “request for reimbursement” may be a claim against an underground storage tank insurance fund policy or a request for reimbursement of costs incurred under sections 319.131.8. and 319.131.9., RSMo.
  - “Site” means real property held under one (1) deed, regardless of the number of underground storage tanks present at the property. Under exceptional circumstances, unique to the tank location, the department may define a specific site in a manner different from this definition. To request such special definition, the tank owner or operator, landowner or department must make a written request to the director of the Department of Natural Resources. To be granted a special definition, the request must describe—
    - The exceptional characteristics of the land upon which one (1) or more underground storage tanks are located; and
    - How the exceptional characteristics of the land upon which the tank or tanks are located make it difficult to interpret or apply the underground storage tank laws and regulations to the tanks; or
    - How the exceptional characteristics of the land upon which the tank or tanks are located cause the underground storage tank laws and regulations to be applied to the tank or tanks in a manner in which they are not applied to tanks at other locations.
  - The “time costs are incurred” and equivalent phrases, mean the time the service or work for which payment was agreed under contract is accepted as complete, according to the terms of the contract.
  - “UST remediator” means any person conducting cleanup of contamination from a release from an underground storage tank who is seeking or plans to seek reimbursement of some portion of the costs of cleanup from the underground storage tank insurance fund. “UST remediators” include insured UST owners or operators and uninsured persons who may qualify for reimbursement

under sections 319.131.8. and 319.131.9., RSMo.

*AUTHORITY: sections 319.100 and 319.129, RSMo (1994) and 319.131 and 319.137, RSMo (Supp. 1995). \* Original rule filed Dec. 3, 1991, effective May 14, 1992. Emergency rule filed April 14, 1992, effective April 24, 1992, expired Aug. 21, 1992. Amended: Filed April 14, 1992, effective Jan. 15, 1993. Emergency amendment filed Nov. 9, 1995, effective Nov. 20, 1995, expired May 17, 1996. Amended: Filed Jan. 2, 1996, effective Aug. 30, 1996.*

*\*Original authority: 319.100, RSMo (1989), amended 1991, 1993; 319.129, RSMo (1989), amended 1991; 319.131, RSMo (1989), amended 1991, 1994, 1995; and 319.137, RSMo (1989), amended 1993, 1995.*

#### 10 CSR 20-12.020 Petroleum Transport Load Fee

*PURPOSE: This rule establishes the rate for assessing a transport load fee on petroleum products as they are received into the state.*

##### (1) Applicability.

(A) This fee, effective January 13, 1992, applies to petroleum products enumerated under section 414.032, RSMo when the product is first received into the state, less deductions pursuant to section 414.102, RSMo.

(B) Except as provided in subsection (1)(C) of this rule, this fee shall be assessed on every distributor, as that term is defined in section 142.010(3), RSMo.

(C) This fee shall not be assessed on railroad corporations or airline companies.

(2) A transport load or transport load equivalent is the receipt of eight thousand (8000) gallons in a month.

(3) Transport Load Fee. The fee is twenty-five dollars (\$25) per transport load or transport load equivalent.

(4) The number of transport loads, or transport load equivalents, and the fee amount shall be computed and remitted to the state on forms provided by the Department of Revenue in accordance with the instructions provided with these forms.

(5) If the fee changes or the fee is to be suspended pursuant to section 319.132, RSMo, the Department of Natural Resources shall notify the Department of Revenue of the change ninety (90) days prior to the effective date. The Department of Revenue or Department of Natural Resources shall notify each taxpayer of any change thirty (30) days prior to the effective date.

*AUTHORITY: sections 319.129, RSMo (1994) and 319.132 and 319.137, RSMo (Supp. 1995). \* Emergency rule filed July 15, 1991, effective July 25, 1991, expired Nov. 21, 1991. Original rule filed July 15, 1991, effective Jan. 13, 1992. Emergency amendment filed Nov. 9, 1995, effective Nov. 20, 1995, expired May 17, 1996. Amended: Filed Jan. 2, 1996, effective Aug. 30, 1996.*

*\*Original authority: 319.129, RSMo (1989), amended 1991; 319.132, RSMo (1991), amended 1995; and 319.137, RSMo (1989), amended 1993, 1995.*



MISSOURI DEPARTMENT OF REVENUE  
 TAX ADMINISTRATION BUREAU  
 P.O. BOX 300, JEFFERSON CITY, MO 65105-0300  
 (314) 751-2611  
**SPECIAL FUEL (DIESEL) DISTRIBUTOR'S  
 MONTHLY TAX REPORT**

FORM	DLN
<b>591</b>	
(REV. 8-92)	

<b>• SEE INSTRUCTIONS ON REVERSE SIDE</b>		REPORTING METHOD DECLARED	
COMPANY NAME	<input type="checkbox"/> MEASURED GALLONS	<input type="checkbox"/> TEMPERATURE ADJUSTED	
STREET ADDRESS	P.O. BOX	LICENSE NUMBER	
CITY, STATE, ZIP CODE	SALES TAX I.D. NUMBER	FEDERAL I.D. NUMBER	
TELEPHONE NUMBER ( )	MONTH	, 19	

<b>TRANSACTIONS</b>	1. Beginning Inventory (Must agree with last month's ending inventory) .....	1	
	2. Gallons received from terminals and refineries (Total from attached Schedule 4) .....	2	
	3. Gallons received from others tax paid (Total from attached Schedule 1) .....	3	
	4. Gallons received from licensed distributors tax unpaid (Total from attached Schedule 2) .....	4	
	5. Gallons imported from another State into Missouri (Total from attached Schedule 3) .....	5	
	6. Total gallons to be accounted for (Add lines 1 thru 5) .....	6	
	7. Less distribution during the month <input type="text"/> Stock (Loss or Gain) <input type="text"/> .....	7	=
	8. Ending Inventory (Line 6 minus Line 7) .....	8	
<b>DEDUCTIONS</b>	9. Gallons received from licensed distributors tax paid (Line 3 above) .....	9	
	10. Tax unpaid deliveries to other licensed special fuel distributors (Total from attached Schedule 6) .....	10	
	11. Gallons exported from Missouri (Total from attached Schedule 7) 2 copies required .....	11	
	12. Gallons lost (fire, theft, etc.) (Total from attached Schedule 8A) .....	12	
	13. Special fuel used for non-highway purposes (Distributor's own use) (Total from attached Schedule 9A) .....	13	
	14. Sales to U.S. Government (Total from attached Schedule 10A) .....	14	
	15. Special fuel sold for non-highway purposes (Total from attached Schedule 11A) .....	15	
	16. TOTAL DEDUCTIONS — Add lines 9, 10, 11, 12, 13, 14 and 15 .....	16	
<b>TAX LIABILITY</b>	17. Total gallons of special fuel received (Total lines 2, 3, 4 and 5) .....	17	
	18. Less total deductions (Line 16 above) .....	18	
	19. Taxable gallons (Line 17 minus line 18) or credit gallons (Line 18 minus line 17) .....	19	
	20. Allowance (Deduct 2% of line 19 taxable or credit gallons) .....	20	
	21. Net taxable gallons or gallons subject to a credit (Line 19 minus line 20) .....	21	
	22. Total amount of tax at \$.13 per gallon (Line 21 times \$.13) .....	22	\$
	23. Penalty (5% per month up to 25% of the total amount of tax due) .....	23	\$
	24. Credit/Debit from previous report (Attach a copy of letter) .....	24	\$
	25. TOTAL SPECIAL FUEL TAX — Total of lines 22, 23 and 24 .....	25	\$
	<b>STORAGE FEE</b>	26. Gallons of special fuel subject to underground storage fee (Line 17 minus lines 9, 10 and 11) .....	26
27. Underground storage fee (Line 26 divided by 8,000 gallons times \$25.00) .....		27	\$
28. Credit/Debit from previous report (Attach a copy of letter) .....		28	\$
29. TOTAL UNDERGROUND STORAGE FEE — Total of lines 27 and 28 .....		29	\$
<b>30. TOTAL AMOUNT DUE — Total of lines 25 and 29 (See instructions on back - Item 6 - for proper use of credits) .....</b>		<b>30</b>	<b>\$</b>

I, do hereby certify under the penalty of perjury that the foregoing and attached reports are a true and correct statement to the best of my knowledge and is a complete and full presentation of all transactions from the best information available.

SIGNATURE	DATE
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**MAIL REPORT AND PAYMENT TO: MISSOURI DEPARTMENT OF REVENUE, P.O. BOX 300, JEFFERSON CITY, MO 65105-0300.**

MO 860-1175 (8-92)

DISTRIBUTION: WHITE-DEPARTMENT OF REVENUE PINK-TAXPAYER



INSTRUCTIONS

FOR SPECIAL FUEL DISTRIBUTOR TAX REPORT

1. This report and its supporting schedules must be made out monthly as indicated in the schedule below.

2. GALLONS RECEIVED	DATE TAX IS DUE
January	February 28
February	March 31
March	April 30
April	May 31
May	June 30
June	July 31
July	August 31
August	September 30
September	October 31
October	November 30
November	December 31
December	January 31

3. Please mail reports and remittances before due dates to avoid assessments of penalty and interest charges. A report is due regardless of whether or not any product is received.

4. Supporting schedules must be completed and attached to this report.

5. Gallons lost by leakage, theft, fire, etc. must be supported by an affidavit (which can be obtained by contacting the Tax Administration Bureau, Jefferson City, Missouri).

6. Special fuel tax and underground storage fee are two separate accounts. Distributors cannot use special fuel tax credits to pay underground storage fee or use underground storage fee credits to pay special fuel tax. Do not subtract credits to determine your total tax liability. The department will issue a credit letter to be used on your next month's report, or a refund check may be requested after you receive your credit letter.

7. Make remittance payable to Missouri Department of Revenue. Address all correspondence to Missouri Department of Revenue, Tax Administration Bureau, P.O. Box 300, Jefferson City, Missouri 65105-0300.



MISSOURI DEPARTMENT OF REVENUE  
 TAX ADMINISTRATION BUREAU  
 P.O. BOX 300  
 JEFFERSON CITY, MISSOURI 65105-0300  
 (314) 751-2611

**MOTOR FUEL (GASOLINE)  
 DISTRIBUTOR'S MONTHLY TAX REPORT**

FORM <b>572</b> (REV. 8-92)	DLN
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COMPANY NAME		REPORTING METHOD DECLARED <input type="checkbox"/> MEASURED GALLONS <input type="checkbox"/> TEMPERATURE ADJUSTED																																																																								
MAILING ADDRESS		LICENSE NUMBER																																																																								
CITY, STATE, ZIP CODE		MONTH																																																																								
TELEPHONE NUMBER		SALES TAX ID NO.	FEDERAL ID NUMBER																																																																							
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	12. Gallons lost (fire, theft, etc.) (Total from attached schedule 8A)	12																																																																								
	13. Motor fuel used for non-highway purposes (Total from attached schedule 9A) - Do not include aviation fuel	13																																																																								
	14. Sales to U.S. Government (Total from attached schedule 10A)	14																																																																								
	15. TOTAL DEDUCTIONS (Add lines 9, 10, 11, 12, 13 and 14)	15																																																																								
TAX LIABILITY	<table border="1"> <thead> <tr> <th></th> <th>gasoline</th> <th>gasohol</th> <th>aviation fuel</th> <th>alcohol</th> </tr> </thead> <tbody> <tr> <td>16. Total gallons received (Lines 2, 3, 4 &amp; 5)</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>17. Deductions (Line 15 above)</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>18. Subtract line 17 from line 16</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>19. Allowance (Deduct 3% of line 18)</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>20. Net taxable gallons (Line 18 minus line 19)</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>21. (a) Total taxable gallons of gasoline, gasohol, and alcohol _____ X \$.13 =</td> <td>21a</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>(b) Penalty (5% per month up to 25% of the total amount of tax due)</td> <td>21b</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>(c) Credit/Debit from previous report (Attach copy of letter)</td> <td>21c</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td><b>TOTAL OF LINES 21a, 21b, and 21c</b></td> <td><b>21T</b></td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>22. (a) Total taxable gallons of aviation fuel _____ times \$.09 per gallon =</td> <td>22a</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>(b) Penalty (5% per month up to 25% of the total amount of tax due)</td> <td>22b</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>(c) Credit/Debit from previous report (Attach copy of letter)</td> <td>22c</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td><b>TOTAL OF LINES 22a, 22b, and 22c</b></td> <td><b>22T</b></td> <td>\$</td> <td></td> <td></td> </tr> </tbody> </table>					gasoline	gasohol	aviation fuel	alcohol	16. Total gallons received (Lines 2, 3, 4 & 5)					17. Deductions (Line 15 above)					18. Subtract line 17 from line 16					19. Allowance (Deduct 3% of line 18)					20. Net taxable gallons (Line 18 minus line 19)					21. (a) Total taxable gallons of gasoline, gasohol, and alcohol _____ X \$.13 =	21a	\$			(b) Penalty (5% per month up to 25% of the total amount of tax due)	21b	\$			(c) Credit/Debit from previous report (Attach copy of letter)	21c	\$			<b>TOTAL OF LINES 21a, 21b, and 21c</b>	<b>21T</b>	\$			22. (a) Total taxable gallons of aviation fuel _____ times \$.09 per gallon =	22a	\$			(b) Penalty (5% per month up to 25% of the total amount of tax due)	22b	\$			(c) Credit/Debit from previous report (Attach copy of letter)	22c	\$			<b>TOTAL OF LINES 22a, 22b, and 22c</b>	<b>22T</b>	\$		
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AG INSPECTION FEE	23. Gallons of gasoline, gasohol, aviation fuel and alcohol received: (Lines 2, 4 and 5 above)	23																																																																								
	24. Gallons of kerosene received	24																																																																								
	25. Gallons of jet fuel and any other motor fuels in which an inspection fee is due	25																																																																								
	26. Less deductions of delivery to other licensed distributors & exports from MO: (Lines 10 & 11 above)	26																																																																								
	27. Total gallons of gasoline and other motor fuels: (Lines 23 + 24 + 25 - 26)	27																																																																								
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	29. Credit/Debit from previous report (Attach copy of letter)	29	\$																																																																							
	<b>30. TOTAL AGRICULTURE INSPECTION FEE AMOUNT DUE - Total of lines 28 and 29</b>	<b>30</b>	\$																																																																							
	STORAGE	31. Gallons of motor fuel subject to underground storage fee (Lines 23 plus 25 minus line 26)	31																																																																							
		32. Gallons of K-1 white kerosene that are not included on Form 591	32																																																																							
33. Underground storage fee [(Line 31 plus line 32) divided by 8,000 gallons] times \$25.00		33	\$																																																																							
34. Credit/Debit from previous report (Attach copy of letter)		34	\$																																																																							
<b>35. TOTAL UNDERGROUND STORAGE FEE - Total of lines 33 and 34</b>		<b>35</b>	\$																																																																							
36. TOTAL AMOUNT DUE - Add lines 21T, 22T, 30 and 35 (See instructions on back - Item 6 - for proper use of credits)	36	\$																																																																								

I, do hereby certify under the penalty of perjury that the foregoing and attached reports are a true and correct statement to the best of my knowledge and is a complete and full presentation of all transactions from the best information available.

SIGNATURE	DATE
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MAIL REPORT AND PAYMENT TO: MISSOURI DEPARTMENT OF REVENUE, P.O. BOX 300, JEFFERSON CITY, MO 65105-0300.  
 MO 860-1416 (8-92) DISTRIBUTION: WHITE-DEPARTMENT OF REVENUE PINK-TAXPAYER



**INSTRUCTIONS**

**FOR MOTOR FUEL DISTRIBUTOR TAX REPORT**

1. This report and its supporting schedules must be made out monthly as indicated in the schedule below.

2. GALLONS RECEIVED

REPORT AND TAX DUE

January	February 28
February	March 31
March	April 30
April	May 31
May	June 30
June	July 31
July	August 31
August	September 30
September	October 31
October	November 30
November	December 31
December	January 31

3. Please mail reports and remittances before due dates to avoid assessments of penalty and interest charges. A report is due regardless of whether or not any product is received.

4. Supporting schedules must be completed and attached to this report.

5. Gallons lost by leakage, theft, fire, etc. must be supported by an affidavit (which can be obtained by contacting the Tax Administration Bureau, Jefferson City, Missouri).

6. Motor fuel tax, aviation fuel tax, agriculture inspection fee and underground storage fee are four separate accounts. Distributors cannot use a credit on one account to pay for another account. (Example: Motor fuel tax credit cannot be used to pay aviation fuel tax.) Do not subtract credits to determine your total tax liability. The department will issue a credit letter to be used on your next month's report, or a refund check may be requested after you receive your credit letter.

7. Make remittance payable to Missouri Department of Revenue. Address all correspondence to Missouri Department of Revenue, Tax Administration Bureau, P.O. Box 300, Jefferson City, Missouri 65105-0300.

**10 CSR 20-12.025 Eligibility**

*PURPOSE: This rule describes the eligibility requirements for participation in the State Underground Storage Tank Insurance Fund.*

(1) Any owner or operator of an underground storage tank (UST) system may apply to participate in the fund.

(2) The following sites are not eligible for participation in the fund:

- (A) Current or former refinery sites; and
- (B) Petroleum pipeline terminal sites.

(3) Hazardous substance UST systems as defined in 10 CSR 20-10.012 (2)(H)1. are not eligible for participation in the fund.

(4) Multiple persons or entities may be named as insureds in the coverage document issued for a site, but in no case shall the fund's liability for a single site exceed that outlined in section 319.131, RSMo.

(5) UST sites where aboveground storage tanks (ASTs) are located are eligible for participation in the fund provided that—

(A) The applicant signs a statement certifying that the ASTs are protected by a secondary containment structure which is designed to contain any spilled or leaking product as specified by rules of the Missouri Department of Agriculture, Division of Weights and Measures;

(B) The applicant provides information on the size of the secondary containment structure and indicates what it is made of;

(C) The integrity of any underground piping connected to the AST has been tested by one (1) of the methods specified in 10 CSR 20-12.050(2)(B) and the results of those tests are provided; and

(D) Aboveground hoses and/or piping have been visually inspected and are not leaking.

(6) Facilities where both USTs and ASTs are located that were participating in the fund on August 28, 1994, but which do not meet the requirements outlined in section (5) of this rule, shall be given twelve (12) months in which to comply. If, on the first renewal date of the policy after August 28, 1995, the facility does not meet the requirements specified in section (5) of this rule, coverage shall be cancelled.

(7) The requirements of section (5) of this rule need not be met for a facility that has

both USTs and ASTs, provided that the AST is one (1) of the following:

(A) An AST which contains heating oil for consumptive use on the premises;

(B) An AST which is a farm or residential tank of eleven hundred (1100) gallons or less used for storing motor fuel for noncommercial purposes; or

(C) An AST of one hundred ten (110) gallons or less.

*AUTHORITY: sections 319.129, RSMo (1994) and 319.131 and 319.137, RSMo (Supp. 1995). \* Original rule filed June 1, 1995, effective Jan. 30, 1996. Amended: Filed Jan. 2, 1996, effective Aug. 30, 1996.*

*\*Original authority: 319.129, RSMo (1989), amended 1991; 319.131, RSMo (1989), amended 1991, 1994, 1995; and 319.137, RSMo (1989), amended 1993, 1995.*

**10 CSR 20-12.030 Participation Fee**

*PURPOSE: This rule establishes the annual fees that fund participants shall pay for coverage.*

(1) The participation fee for petroleum underground storage tanks (USTs) is as follows:

(A) Category One: Double-wall or secondary containment tank and piping systems that meet the requirements of 10 CSR 20-10.020 (includes UST systems that have secondary containment of the tank and piping);

(B) Category Two: Tank and piping systems that meet the requirements of 10 CSR 20-10.020 for new tanks;

(C) Category Three: Tank and piping systems that meet the requirements of 10 CSR 20-10.021 for the upgrading of the tank, piping and spill and overfill devices; and

(D) Category Four: All other tank and piping systems subject to notification requirements of the Department of Natural Resources in 10 CSR 20-10.022.

(2) Participation Fee Schedule. The annual, per tank participation fee shall be—

(A) Category one USTs	\$100;
(B) Category two USTs	\$175;
(C) Category three USTs	\$150;
and	
(D) Category four USTs	\$200.

(3) No additional fee shall be required for transfer of ownership during the coverage period, provided the department is notified

within thirty (30) days of the transfer in accordance with 10 CSR 20-12.070(4).

(4) In the event of policy termination, the department shall refund participation fees. The amount of the refund shall be computed on the basis of the percentage of days remaining in the coverage period.

(5) Fees are due within thirty (30) days of notice of acceptance or notice of renewal. Failure to pay the fees within this time period shall result in cancellation.

*AUTHORITY: sections 319.133, RSMo (Cum. Supp. 1991) and 644.026, RSMo (Cum. Supp. 1993). \* Emergency rule filed April 14, 1992, effective April 24, 1992, expired Aug. 21, 1992. Original rule filed Dec. 3, 1991, effective May 14, 1992.*

*\*Original authority: 319.133, RSMo (1989), amended 1991 and 644.026, RSMo (1972), amended 1973, 1987, 1993.*

**10 CSR 20-12.040 Applications**

*PURPOSE: This rule specifies the procedures for application for membership in the State Underground Storage Tank Insurance Fund. It also specifies the information necessary to submit a complete application, the review to be conducted on an application and the procedures for acceptance or rejection of applications.*

(1) Applications for participation in the State Underground Storage Tank (UST) Insurance Fund shall be made upon forms provided by the department.

(2) The applicant shall demonstrate that s/he can pay the first ten thousand dollars (\$10,000) of the cost of cleanup associated with a release from the UST system by using one (1) of the following mechanisms:

(A) A letter of credit in this amount from a federally-insured financial institution in the favor of the Missouri UST Insurance Fund;

(B) One (1) or more certificates of deposit which total this amount. The applicant shall submit documentation from the custodian of such certificates that assures the fund of their existence and preservation for the purposes described herein;

(C) Financial statements indicating that the net worth of the applicant is at least one hundred thousand dollars (\$100,000), or that the





applicant has at least fifty thousand dollars (\$50,000) working capital;

(D) A written guarantee from another person or entity who demonstrates his/her ability to pay this amount in a manner outlined in this rule. The provider of the guarantee shall disclose the relationship between that person or entity and the applicant;

(E) A letter signed by an officer of a federally-insured financial institution attesting to the ability of the applicant to pay this amount; or

(F) Any other method deemed by the department to be reasonable and sufficient to protect the assets of the fund.

(3) The applicant shall demonstrate that the UST facility for which coverage is being sought is in compliance with the technical requirements of 10 CSR 20-10.010—10 CSR 20-10.074, including payment of applicable registration fees.

(4) The applicant shall submit proof of a reasonable assurance of the integrity of each facility's UST system as specified in 10 CSR 20-12.050.

(5) One (1) application shall be submitted for each facility for which an owner desires to obtain coverage.

(A) Each application shall address all known USTs located at the facility.

(B) UST facilities that have failed to pay the fee of one hundred dollars (\$100) per UST required by section 319.129.2., RSMo shall not be eligible for coverage until such fees are paid.

*AUTHORITY: sections 319.131 and 644.026, RSMo (1994). \* Emergency rule filed April 14, 1992, effective April 24, 1992, expired Aug. 21, 1992. Original rule filed Dec. 3, 1991, effective May 14, 1992. Amended: Filed June 1, 1995, effective Jan. 30, 1996.*

*\*Original authority: 319.131, RSMo (1989), amended 1991 and 644.026, RSMo (1972), amended 1973, 1987, 1993.*



STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES  
**MISSOURI UNDERGROUND STORAGE TANK INSURANCE FUND**  
**APPLICATION**

Insurance coverage from Missouri's Underground Storage Tank Insurance Fund is subject to the completion of this written application for each location (site) to be insured.

**BEFORE THIS APPLICATION IS SUBMITTED TO THE FUND, YOU MUST HAVE:**

- **PAID THE INITIAL \$100 PER TANK FEE AS DEFINED IN RSMo 319.129.**
- **A CURRENT CERTIFICATE OF REGISTRATION AS DEFINED IN RSMo 319.120.**

**APPLICATION PROCESS**

1. Complete this application form which includes:
    - (a) General site information
    - (b) Specific information on tank and piping configuration
    - (c) Leak detection information to verify system(s) integrity
    - (d) Evidence of how the \$25,000 deductible is covered
- SUBMIT APPLICATION TO: MISSOURI UST INSURANCE FUND**  
**P.O. BOX 104116**  
**JEFFERSON CITY, MO 65110-4116**
2. Premium payments and required information must accompany the application. A premium computation worksheet is on the back of this application.
  3. The application will then be reviewed by the administrators.
  4. The Missouri UST Insurance Fund will issue your insurance policy provided the required premium is received, the application information is verified and eligibility is confirmed.
  5. Eligibility shall be determined in accordance with Section 319.100 through 319.139 RSMo and UST rules of the Department of Natural Resources.