
Rules of
Department of Natural Resources
Division 100—Petroleum Storage Tank Insurance Fund
Board of Trustees
Chapter 3—Transport Load Fee

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**Title 10—DEPARTMENT OF
NATURAL RESOURCES****Division 100—Petroleum Storage Tank
Insurance Fund Board of Trustees
Chapter 3—Transport Load Fee****10 CSR 100-3.010 Assessment of Transport
Load Fee**

PURPOSE: This rule establishes the amount of the surcharge on petroleum products which is deposited into the Petroleum Storage Tank Insurance Fund, and sets forth provisions for suspending or reinstating payment of the surcharge.

(1) The board shall assess a surcharge on all petroleum products within the state which are enumerated by section 414.032, RSMo, except that railroad corporations as defined in section 388.010, RSMo, and airline companies as defined in section 155.010, RSMo, shall not be subject to this fee, nor shall such entities be eligible to participate in or make claims against the Petroleum Storage Tank Insurance Fund.

(2) Such surcharge shall be set by the board in a public meeting with an opportunity for public comment.

(A) The board may increase or decrease the surcharge only after giving sixty (60) days notice.

(B) The surcharge shall not exceed sixty dollars (\$60) per eight thousand (8,000) gallons.

(3) The Department of Revenue shall collect such surcharge on behalf of the board, and shall deposit such surcharges to the credit of the Petroleum Storage Tank Insurance Fund.

(4) Remittances shall be made according to procedures set forth by the Department of Revenue, and shall be accompanied by forms provided by the Department of Revenue.

(5) Any interest and penalties collected by the Department of Revenue shall also be deposited to the credit of the Petroleum Storage Tank Insurance Fund.

(6) The board shall assess the financial soundness of the Petroleum Storage Tank Insurance Fund at least once each year, and shall determine whether it is in the best interests of fund participants and beneficiaries to increase, decrease, or maintain the surcharge, except that the amount of the surcharge shall never exceed twenty-five dollars (\$25) per average transport load.

(7) The board shall ensure that the fund retains a balance of at least twelve (12) million dollars, but not more than one hundred (100) million dollars. If, at the end of any quarter, the fund balance, calculated as cash minus encumbrances minus accounts payable minus reserves for known claims, is above one hundred (100) million dollars, it shall notify the Department of Revenue to suspend collection of the surcharge. If, at the end of any quarter during which the surcharge is not being collected, the fund balance, calculated as described above, is below twenty (20) million dollars, the board shall notify the Department of Revenue to reinstate collection.

AUTHORITY: sections 319.129 and 319.132, RSMo Supp. 2001. Original rule filed April 1, 1999, effective Nov. 30, 1999. Amended: Filed Nov. 15, 2001, effective May 30, 2002.*

**Original authority: 319.129, RSMo 1989, amended 1991, 1996, 1998, 2001; and 319.132, RSMo 1991, amended 1995, 1996, 1998, 2001.*