

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

L.D. 2324

(Filing No. S- 363)

STATE OF MAINE
SENATE
111TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 857,
L.D. 2324, Bill, "AN ACT to Require an Inventory,
Permitting and Monitoring of Underground Tanks Con-
taining Gasoline, Oil and Toxic Materials."

Amend the Bill in section 1 by striking out all
of the first paragraph (page 1, lines 3 to 13 in
L.D.) and inserting in its place the following:

'Sec. 1. Findings and purpose. The Legislature
finds that numerous incidents involving leaks or un-
licensed discharges from such underground storage are
occurring at a rate so as to pose a significant
threat to Maine's ground water resources.'

Further amend the Bill in section 2 in the first
paragraph in the 3rd and 4th lines (page 2, lines 28
and 29 in L.D.) by striking out the following: "Ser-
vices, the Department of Public Safety and the State
Planning Office" and inserting in its place the fol-
lowing: 'Services and the Department of Public Safe-
ty'

Further amend the Bill in section 2, subsection 4
in the last line (page 3, line 6 in L.D.) by insert-
ing after the word "oil" the following 'and petroleum
products'

Further amend the Bill in section 3 in the last
line (page 3, line 19 in L.D.) by striking out the
figure "1985" and inserting in its place the figure
'1984'

Further amend the Bill in section 6 in the 2nd
sentence in the 3rd to 5th lines (page 4, lines 5 to
7 in L.D.) by striking out the following: "and in

COMMITTEE AMENDMENT " A " to S.P. 857, L.D. 2324

1 the case of a surface supply, within 1,000 feet of
2 the public water source"

3 Further amend the Bill in section 6 in the 9th
4 line from the end (page 4, line 20 in L.D.) by strik-
5 ing out the following "of drainage or sewage" and in-
6 sserting in their place the following 'of drainage or
7 sewage'

8 Further amend the bill in section 6 in the 8th
9 line from the end (page 4, line 21 in L.D.) by strik-
10 ing out the underlined words: "or suspected of
11 contaminating"

12 Further amend the Bill in section 7 in the first
13 and 2nd line after the amending clause (page 4, lines
14 32 and 33 in L.D.) by striking out the following: ",
15 handling or dispensing"

16 Further amend the Bill in section 12 in that part
17 designated "§545-A." in the 3rd and 4th lines (page
18 5, lines 37 and 38 in L.D.) by striking out the words
19 "license" and inserting in their place the following:
20 'permit'

21 Further amend the Bill in section 12 in that part
22 designated "§545-A" by striking out all of subsection
23 2 and inserting in its place the following:

24 '2. Fee. Any person who applies for a permit
25 for an underground oil storage facility shall pay a
26 fee of \$10 per tank or container to the department,
27 except that no fee may be charged for a permit for a
28 residential oil storage facility. No fee may be
29 charged for an underground oil storage facility that
30 is subject to review under the provisions of the site
31 location of development law, Title 38, Article 6. No
32 permit may be issued until the fee has been paid.
33 Upon receipt by the department, the fee shall be
34 credited to the Maine Coastal Protection Fund.'

35 Further amend the Bill by striking out all of

COMMITTEE AMENDMENT " A" to S.P. 857, L.D. 2324

1 section 14 and inserting in its place the following:

2 'Sec. 14. Allocation. The following funds are
3 allocated from the Maine Coastal Protection Fund for
4 the purposes of this Act.

5 1984-85

6 ENVIRONMENTAL PROTECTION, DEPARTMENT OF

7	Positions	(4)
8	Personal Services	\$ 90,000
9	All Other	10,000
10	Capital Expenditures	<u>25,000</u>
11	Total	\$125,000'

12 Further amend the Bill by striking out all of the
13 emergency clause and inserting in its place the fol-
14 lowing:

15 'Emergency clause. In view of the emergency
16 cited in the preamble, sections 1 to 6 and 14 of this
17 Act shall take effect when approved and sections 7 to
18 13 shall take effect on March 1, 1985.'

19 STATEMENT OF FACT

20 The purpose of this amendment is:

- 21 1. To simplify the findings and purpose;
- 22 2. To remove the State Planning Office from the
23 development of standards and procedures for dealing
24 with underground tanks;
- 25 3. To provide for a survey and summary of exist-
26 ing facilities by October 1, 1984;
- 27 4. To clarify the authority of health inspectors

D. OF R.

COMMITTEE AMENDMENT " A " to S.P. 857, L.D. 2324

1 to order remedies to problems;

2 5. To maintain the authority of the State Fire
3 Marshal over appropriate aspects of petroleum product
4 handling;

5 6. To clarify the relationship of this bill to
6 the existing site location review of very large oil
7 storage tanks, larger than 21,000 gallons;

8 7. To maintain the permit fee of the existing
9 level and to provide a fee exemption for residential
10 tanks;

11 8. To establish 4 positions in the Department of
12 Environmental Protection funded from the Maine Coast-
13 al Protection Fund for the purpose of carrying out
14 this program; and

15 9. To change the effective date.

16

6584032984

Reported by the Committee on ENERGY AND NATURAL RESOURCES
Reproduced and distributed pursuant to Senate Rule 11-A.
April 3, 1984 (S-363)