

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 792

S.P. 282

In Senate, March 17, 1987

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator BALDACCI of Penobscot.
Cosponsored by Senator WEBSTER of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 **AN ACT to Permit Inventory and Testing of**
2 **Underground Storage Tanks by Owner**
3 **when checked by the Department of**
4 **Environmental Protection.**
5

6 Be it enacted by the People of the State of Maine as
7 follows:

8 38 MRSA §564, sub-§2, as enacted by PL 1985, c.
9 496, Pt. A, §14, is amended to read:

10 2. Monitoring, maintenance and operating proce-
11 dures for existing, new and replacement facilities
12 and tanks. The board's rules may require:

13 A. Collection of inventory data for each day
14 that oil is being added to or withdrawn from the
15 facility or tank, reconciliation of the data,

1 with monthly summaries, and retention of records
2 containing all such data for a period of at least
3 3 years either at the facility or at the facility
4 owner's place of business;

5 B. Annual statistical inventory analysis, the
6 results of which shall be reported to the depart-
7 ment;

8 C. Annual voltage readings for cathodically pro-
9 tected systems;

10 D. Monthly inspections of the rectifier meter on
11 impressed current systems;

12 E. Precision testing of any tanks and
13 hydrostatic testing of all piping showing evi-
14 dence of a possible leak. Results of all tests
15 conducted shall be submitted to the department by
16 the facility owner and the person who conducted
17 the test;

18 F. Evidence of financial responsibility for tak-
19 ing corrective action and for compensating 3rd
20 parties for bodily injury and property damage
21 caused by sudden and nonsudden accidental dis-
22 charges from an underground oil storage facility
23 or tank; and

24 G. Reporting to the department any of the fol-
25 lowing indications of a possible leak or dis-
26 charge of oil:

27 (1) Unexplained differences in daily inven-
28 tory reconciliation values which, over a
29 30-day period, exceed .5% of the product de-
30 livered;

31 (2) Unexplained losses detected through
32 statistical analysis of inventory records;

33 (3) Detection of product in a monitoring
34 well; and

35 (4) Failure of a tank precision test or
36 hydrostatic pipe test.

1 The rules of the board shall not require an owner to
2 hire a consultant to perform any monitoring, mainte-
3 nance or operating procedures set forth in this sec-
4 tion.

5 STATEMENT OF FACT

6 This bill will explicitly permit owners of under-
7 ground storage tanks to perform monitoring, mainte-
8 nance and operating checks themselves, instead of
9 having to hire an independent consultant.

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