

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 782

H.P. 578

House of Representatives, March 15, 1989

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

*Ed Pert*

EDWIN H. PERT, Clerk

Presented by Representative STEVENS of Bangor.

Cosponsored by Representative PARADIS of Frenchville, Senator BALDACCI of Penobscot and Representative HOGLUND of Portland.

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STATE OF MAINE

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

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**An Act to Modify the Law Pertaining to the Removal of Underground Residential Fuel Tanks.**

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1 **Be it enacted by the People of the State of Maine as follows:**

3 **Sec. 1. 38 MRSA §566-A, sub-§1, ¶¶C and D, as enacted by PL**  
5 1987, c. 491, §14, are amended to read:

7 C. Otherwise inaccessible to heavy equipment necessary for  
9 removal; ~~or~~

11 D. Positioned in such a manner that removal will endanger  
13 the structural integrity of nearby tanks; or

15 **Sec. 2. 38 MRSA §566-A, sub-§1, ¶E is enacted to read:**

17 E. A #2 fuel oil tank which is less than 500 gallons, is  
19 located in a municipality with a population of more than  
21 10,000 and where the abutting properties are served by both  
23 public water and public sewer.

25 **STATEMENT OF FACT**

27 This bill provides that an abandoned #2 fuel oil tank need  
not be removed when removal is not physically possible or  
practicable because the tank holds less than 500 gallons, is  
located in a municipality of 10,000 or more persons and the  
abutting properties are served by both public water and public  
sewer.