

MAINE STATE LEGISLATURE

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NATURAL RESOURCES

Reported by: Butland

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STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 395, L.D. 1292, Bill, "An Act to Extend the Removal Deadline for Certain Repaired Concrete Underground Oil Storage Tanks"

Amend the bill in section 1 by striking out all of subsection 8 (page 1, line 6 to 22 in L.D.) and inserting in its place the following:

'8. Repaired concrete underground oil storage tanks. The requirements of subsection 1 do not apply to underground oil storage tanks that are constructed primarily of concrete and that:

- A. Exceed 100,000 gallons in capacity;
B. Have been repaired after December 31, 1988;
C. Have environmental monitoring and other leak detection procedures approved by the commissioner, including monthly visual monitoring for oil; and
D. Have stored Store only #6 fuel oil since January 1, 1991.

After October 1, 1997 2000 or after a documented leak or subsurface discharge of oil, a person may not operate, maintain or store oil in a concrete underground oil storage facility or tank exempt under this subsection. An owner or operator of a concrete underground oil storage tank exempt under this subsection is not eligible for coverage from the fund of clean-up

COMMITTEE AMENDMENT

1148

COMMITTEE AMENDMENT "A" to S.P. 395, L.D. 1292

2 costs and 3rd-party damage claim costs under section 568-A for
3 any discharge discovered at that tank after October 1, 1997.'

4 Further amend the bill by inserting at the end before the
5 summary the following:

8 **FISCAL NOTE**

10 This bill may reduce prosecutions for Class E crimes. If
11 jail sentences are reduced, the savings to the counties are
12 estimated to be \$83.78 per day per prisoner. These savings do
13 not affect reimbursement by the State. The reduction in the
14 number of prosecutions that would have resulted in a jail
15 sentence and the resulting savings to the county jail system are
16 expected to be insignificant.

18 The Judicial Department may realize some minor savings from
19 reductions of workload and administrative costs associated with
20 the minimal number of cases that will no longer be filed in the
21 court system. Reductions in the collection of fines may decrease
22 General Fund revenue by minor amounts.'

24 **SUMMARY**

26 The bill would have extended by 3 years the existing
27 deadline for removal of certain repaired concrete underground oil
28 storage tanks. The amendment also extends the deadline by 3
29 years and adds 2 additional requirements: leak detection
30 procedures at such tanks must include monthly visual monitoring
31 for oil and discharges from such tanks that are discovered after
32 October 1, 1997 are not eligible for coverage from the Ground
33 Water Oil Clean-up Fund of clean-up costs and 3rd party damage
34 claim costs. The amendment also adds a fiscal note to the bill.