

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 179

H.P. 168

House of Representatives, January 18, 2001

An Act to Protect Sensitive Geologic Areas from Oil Contamination.

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.
Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative COWGER of Hallowell.
Cosponsored by Senator DOUGLASS of Androscoggin and
Representative COLLINS of Wells.

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

4 **Sec. 1. 38 MRSA §561, first ¶**, as enacted by PL 1985, c. 496,
Pt. A, §14, is amended to read:

6 The Legislature finds that significant quantities of oil are
8 being stored in underground storage facilities; that leaks and
unlicensed discharges from these facilities pose a significant
10 threat to the quality of the waters of the State, including the
~~ground--water~~ groundwater resources; that protection of the
12 quality of these waters is of the highest importance; and that
their protection requires proper siting, design and installation
14 of new and replacement underground oil storage facilities, as
well as monitoring, maintenance and operating procedures for
existing, new and replacement facilities.

16 **Sec. 2. 38 MRSA §563-B, sub-§§3 and 4**, as enacted by PL 1987,
18 c. 491, §10, are amended to read:

20 **3. Hearings.** Hearings related to clean-up orders issued
pursuant to section 568; and

22 **4. Third-party damage claims.** Procedures to be used in
24 filing and processing of 3rd-party damage claims; and

26 **Sec. 3. 38 MRSA §563-B, sub-§5**, is enacted to read:

28 **5. Facility siting.** The geographic location of new
30 underground oil storage facilities used to store motor fuels or
used in the marketing and distribution of oil, when the board
32 considers such rules necessary to reduce hazards and threats to
drinking water sources and sensitive geologic areas. Rules
34 adopted pursuant to this subsection are major substantive rules
pursuant to Title 5, chapter 375, subchapter II-A.

36
38 **SUMMARY**

40 This bill minimizes contamination of sensitive geologic
areas by authorizing the Board of Environmental Protection to
adopt rules governing the siting of underground oil storage tanks.
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