

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1887

S.P. 685

In Senate, December 17, 2001

An Act to Permit Underground Storage Tanks in Low-risk Areas.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 17, 2001. Referred to the Committee on Natural Resources and ordered printed pursuant to Joint Rule 308.2

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL
Secretary of the Senate

Presented by Senator SMALL of Sagadahoc.

Cosponsored by President BENNETT of Oxford, Senators: DAVIS of Piscataquis, MARTIN of Aroostook, SAWYER of Penobscot, Representatives: BOWLES of Sanford, DAIGLE of Arundel, DUPLESSIE of Westbrook, KOFFMAN of Bar Harbor.

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

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Sec. 1. 38 MRSA §563-C, sub-§2, ¶¶D and E, as enacted by PL
4 2001, c. 302, §1, are amended to read:

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D. Underground piping associated with an aboveground oil
storage facility; ~~or~~

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E. A well located on the same property as a facility and
10 serving only users on that property; ~~and~~

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Sec. 2. 38 MRSA §563-C, sub-§2, ¶¶F and G are enacted to read:

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F. A private well located more than 75 feet from a proposed
16 facility when public water is available to replace the well
and the applicant installs monitoring wells around the
18 facility and installs and monitors them in accordance with
good engineering practices; or

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G. A private well located more than 75 feet from a proposed
22 facility when the facility owner agrees to pay for the
replacement or remediation of the well in the event the well
24 is contaminated by a release from the facility.

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SUMMARY

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This bill permits underground oil storage facilities within
75 feet of a private well when public water is available to
30 replace the well and the facility installs monitoring devices
around the facility, or when the facility owner agrees to pay for
32 replacement or remediation of the well in the event of
contamination by a release from the facility.