MAINE STATE LEGISLATURE

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1   L.D. 2072

2   Date: 3-12-08   (Filing No. H-749)

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4   **STATE OF MAINE**

5   **HOUSE OF REPRESENTATIVES**

6   **123RD LEGISLATURE**

7   **SECOND REGULAR SESSION**

8   HOUSE AMENDMENT " *A* " to COMMITTEE AMENDMENT "A" to H.P. 1456,
9   L.D. 2072, Bill, "An Act To Conform the Laws Governing Underground Oil Storage
10   Tanks to the Requirements of the Federal Energy Policy Act"

11   Amend the amendment by striking out all of the first paragraph after the title (page 1,
12   lines 12 to 14 in amendment) and inserting the following:

13   'Amend the bill in section 3 in §565-A in subsection 1 in the last paragraph in the last line
14   (page 3, line 2 in L.D.) by inserting after the following: "days." the following:
15   'Notwithstanding the issuance of an administrative order under this subsection, the
16   commissioner may authorize the owner or operator of the underground oil storage tank to
17   dispense any remaining oil in the tank if, in the commissioner's judgment, doing so will
18   not pose a threat of release of product or will reduce that threat.' '

19   **SUMMARY**

20   This amendment removes language that would require the Commissioner of
21   Environmental Protection to find that the threat of an oil release is imminent before the
22   commissioner can issue an administrative order prohibiting the operation of an oil storage
23   tank that is out of compliance with the operation and maintenance requirements of Maine
24   law.

25   The amendment authorizes the owner or operator of an oil storage tank that is subject
26   to an administrative order prohibiting operation of the tank to dispense any remaining oil
27   in the tank if the commissioner finds that doing so will not pose a threat of release of
28   product or will reduce that threat.

29   **SPONSORED BY:** _____

30   **(Representative EBERLE)**

31   **TOWN: South Portland**

HOUSE AMENDMENT