

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 721

S.P. 210

In Senate, February 18, 2011

An Act To Extend the Use of Underground Storage Tanks

Received by the Secretary of the Senate on February 18, 2011. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator COURTNEY of York.

Cosponsored by Representative TUTTLE of Sanford and

Senator: JACKSON of Aroostook, Representative: BOLAND of Sanford.

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

Sec. 1. 38 MRSA §564, sub-§5, as amended by PL 1997, c. 624, §3, is further amended to read:

5. Mandatory facility replacement. Upon the expiration date of a manufacturer's warranty for a tank, the tank and its associated piping must be removed from service and properly abandoned in accordance with section 566-A.

This subsection does not apply until January 1, 2008 to a tank installed before December 31, 1985 that has been retrofitted to meet the requirements of subsections 1-A and 1-B.

This subsection does not apply if the tank is tested in accordance with subsection 1-A.

Sec. 2. 38 MRSA §566-A, sub-§1-B is enacted to read:

1-B. Abandonment not required if tested. Underground oil storage tanks and facilities are not required to be abandoned if, while not in service, they are tested in accordance with section 564, subsection 1-A.

SUMMARY

This bill provides that an underground oil storage tank for which the manufacturer's warranty has expired does not need to be removed from service and properly abandoned if the tank is tested in accordance with the provisions of the Maine Revised Statutes, Title 38, section 564, subsection 1-A. It also provides that underground oil storage tanks and facilities do not need to be abandoned while they are not in service if they are tested in accordance with the provisions of Title 38, section 564, subsection 1-A.