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An Act To Extend the Use of Underground Storage Tanks

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.