



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 721

S.P. 210

In Senate, February 18, 2011

### An Act To Extend the Use of Underground Storage Tanks

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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.

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

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

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

7 This subsection does not apply until January 1, 2008 to a tank installed before December  
8 31, 1985 that has been retrofitted to meet the requirements of subsections 1-A and 1-B.

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

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

11 **1-B. Abandonment not required if tested.** Underground oil storage tanks and  
12 facilities are not required to be abandoned if, while not in service, they are tested in  
13 accordance with section 564, subsection 1-A.

14 **SUMMARY**

15 This bill provides that an underground oil storage tank for which the manufacturer's  
16 warranty has expired does not need to be removed from service and properly abandoned  
17 if the tank is tested in accordance with the provisions of the Maine Revised Statutes, Title  
18 38, section 564, subsection 1-A. It also provides that underground oil storage tanks and  
19 facilities do not need to be abandoned while they are not in service if they are tested in  
20 accordance with the provisions of Title 38, section 564, subsection 1-A.