

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 140 - L.D. 319

An Act to Amend Maine's Underground Oil Storage Tank Laws

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

Sec. 1. 38 MRSA §564, sub-§5, as repealed and replaced by PL 2011, c. 276, §1, is amended to read: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, except that a double-walled tank may continue in service ~~up to 10 years~~ beyond the expiration of the warranty if:

A. During the year the warranty expires but on a date before the warranty expires, a precision test is conducted to determine the integrity of the tank. Results of the test conducted must be submitted to the commissioner by the facility owner; and

B. ~~During the 5th to 10th years~~ Beginning in the 5th year after the expiration of the warranty, a precision test is conducted annually to determine the integrity of the tank. Results of each test must be submitted to the commissioner by the facility owner.

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.