

HOUSE BILL No. 5329

December 6, 1989, Introduced by Reps. Profit, Kosteva, DeBeaussaert, Pitoniak, Hertel and Palamara and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend the title of Act No. 423 of the Public Acts of 1984, entitled as amended

"Underground storage tank regulatory act,"

as amended, being sections 299.701 to 299.712 of the Michigan Compiled Laws; and to add section 9a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 423 of the Public Acts of
2 1984, as amended, being sections 299.701 to 299.712 of the
3 Michigan Compiled Laws, is amended and section 9a is added to
4 read as follows:

5 TITLE

6 An act to regulate certain underground storage tank systems;
7 to require the registration of certain underground storage tank
8 systems; TO REQUIRE AN ENVIRONMENTAL ASSESSMENT PRIOR TO THE SALE
9 OF PROPERTY CONTAINING UNDERGROUND STORAGE TANK SYSTEMS; to

1 prescribe the powers and duties of certain state and local
2 agencies and officials; to impose certain fees; to prescribe pen-
3 alties and remedies; and to provide for the repeal of this act on
4 a specific date.

5 SEC. 9A. PRIOR TO SELLING A PARCEL OF PROPERTY IN WHICH AN
6 UNDERGROUND STORAGE TANK SYSTEM IS LOCATED, THE OWNER OF THE
7 PROPERTY SHALL CONDUCT AN ENVIRONMENTAL ASSESSMENT IN A COMMER-
8 CIALY REASONABLE MANNER TO DETERMINE WHETHER THE PROPERTY CON-
9 TAINS ANY CONTAMINATION AS A RESULT OF THE UNDERGROUND STORAGE
10 TANK SYSTEM. THE OWNER OF SUCH A PARCEL OF PROPERTY SHALL
11 DELIVER A REPORT OF THE ENVIRONMENTAL ASSESSMENT TO A PROSPECTIVE
12 PURCHASER PRIOR TO THE SALE OF THE PROPERTY. IF AN ENVIRONMENTAL
13 ASSESSMENT WAS PERFORMED ON THE PROPERTY DURING THE 12 MONTHS
14 PRECEDING THE SALE OF THE PROPERTY AND THE OWNER OF THE PROPERTY
15 HAS NO KNOWLEDGE OF CONTAMINATION OCCURRING DURING THIS PERIOD,
16 THEN THAT ENVIRONMENTAL ASSESSMENT SHALL BE SUFFICIENT TO MEET
17 THE REQUIREMENTS OF THIS SECTION IF THE REPORT OF THE ENVIRONMEN-
18 TAL ASSESSMENT IS DELIVERED TO THE PROSPECTIVE PURCHASER PRIOR TO
19 THE SALE OF THE PROPERTY.