

HOUSE BILL No. 4241

February 8, 2005, Introduced by Rep. Ward and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1994 PA 451, entitled
 "Natural resources and environmental protection act,"
 by amending sections 21102 and 21103 (MCL 324.21102 and 324.21103).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 21102. (1) A person who is the owner of an underground
 2 storage tank system shall register and annually renew the
 3 registration on the underground storage tank system with the
 4 department. However, the owner or operator of an underground
 5 storage tank closed prior to January 1, 1974 in compliance with the
 6 fire prevention code, ~~Act No. 207 of the Public Acts of 1941, being~~
 7 ~~sections 29.1 to 29.33 of the Michigan Compiled Laws 1941 PA 207,~~
 8 **MCL 29.1 TO 29.34**, and the rules promulgated under that act, is
 9 exempt from the registration requirements of this section.

1 (2) A person who is the owner of an underground storage tank
2 system shall register the underground storage tank system with the
3 department prior to bringing the underground storage tank system
4 into use. Additionally, an installation registration form
5 containing the information required by the department shall be
6 submitted to the department at least 45 days prior to the
7 installation of the underground storage tank system.

8 (3) The department shall accept the registration or renewal of
9 registration of an underground storage tank system under this
10 section only if the owner of the underground storage tank system
11 pays the registration fee specified in subsection (8).

12 (4) Except as otherwise provided in subsections (5) and (6), a
13 person who is the owner of an underground storage tank system
14 registered under subsection (1) or (2) shall notify the department
15 of any change in the information required under section ~~3~~ **21103** or
16 of the removal of an underground storage tank system from service.

17 (5) A person who is the owner of an underground storage tank
18 system, the contents of which are changed routinely, may indicate
19 all the materials that are stored in the underground storage tank
20 system on the registration form described in section 21103. A
21 person providing the information described in this subsection is
22 not required to notify the department of changes in the contents of
23 the underground storage tank system unless the material to be
24 stored in the system differs from the information provided on the
25 registration form.

26 (6) Except as otherwise provided in section 21103(2), a person
27 who is the owner of an underground storage tank system registered

1 under subsection (1) or (2) is not required to notify the
2 department of a test conducted on the tank system but shall furnish
3 this information upon the request of the department.

4 (7) Upon the request of a local unit of government in which an
5 underground storage tank system is located, the department shall
6 forward a copy of registration or notification of change to the
7 local unit of government where the underground storage tank system
8 is located.

9 (8) Except as provided in section 21104(3), the owner of an
10 underground storage tank system shall, upon registration or renewal
11 of registration, pay a registration fee of \$100.00 for each
12 underground storage tank included in that underground storage tank
13 system. The department shall deposit all registration fees it
14 collects into the fund.

15 (9) The department may promulgate rules that require proof of
16 registration under this part to be attached to the underground
17 storage tank system or to the property where the underground
18 storage tank system is located.

19 (10) Except as otherwise provided in this subsection, an
20 underground storage tank system or an underground storage tank that
21 is part of the system that has been closed or removed pursuant to
22 rules promulgated under this part is exempt from the requirements
23 of this section. However, the owner of an underground storage tank
24 system or an underground storage tank that is part of the system
25 that has been closed or removed shall notify the department of the
26 closure or removal pursuant to rules promulgated by the department.
27 The owner of an underground storage tank system shall continue to

1 pay registration fees on underground storage tanks that have been
2 closed or removed until notification of the closure or removal is
3 provided on the required form pursuant to these rules.

4 Sec. 21103. (1) The registration required by section 21102(1)
5 and (2) shall be provided either:

6 (a) On a form provided by the department and in compliance
7 with section 9002 of the solid waste disposal act, 42 U.S.C.— **USC**
8 6991a.

9 (b) On a form approved by the department and in compliance
10 with section 9002 of the solid waste disposal act, **42 USC 6991A.**

11 (2) If there is a suspected or confirmed release from an
12 underground storage tank system, the owner or operator of the
13 underground storage tank system shall notify the department within
14 24 hours and if requested by the department shall file the
15 following supplementary information if known:

16 (a) The owner of the property where the underground storage
17 tank system is located.

18 (b) A history of the current and previous contents of the
19 underground storage tank system, including the generic chemical
20 name, chemical abstract service number, or trade name, whichever is
21 most descriptive of the contents, and including the date or dates
22 on which the contents were changed or removed.

23 (c) A history of the monitoring procedures and leak detection
24 tests and methods employed with respect to the underground storage
25 tank system and the resulting findings.

26 **(3) THE OWNER OR OPERATOR OF AN UNDERGROUND STORAGE TANK**
27 **SYSTEM SHALL MAINTAIN, ON THE PROPERTY IN WHICH THE UNDERGROUND**

1 STORAGE TANK SYSTEM IS LOCATED, BLUEPRINTS SHOWING THE LOCATION OF
2 THE UNDERGROUND STORAGE TANK SYSTEM, INCLUDING ALL ASSOCIATED
3 UNDERGROUND STORAGE TANKS. IF THERE IS A SUSPECTED OR CONFIRMED
4 RELEASE FROM AN UNDERGROUND STORAGE TANK SYSTEM, THE OWNER OR
5 OPERATOR OF THE UNDERGROUND STORAGE TANK SYSTEM SHALL MAKE THESE
6 BLUEPRINTS AVAILABLE TO THE DEPARTMENT AND LOCAL POLICE AND FIRE
7 DEPARTMENTS, UPON REQUEST.