SENATE DOCKET, NO. FILED ON: 1/12/2009

**SENATE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Mr. Brewer**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to certain tanks used for the storage of fluids.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Mr. Brewer | Worcester, Hampden, Hampshire and Franklin |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01370 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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An Act relative to certain tanks used for the storage of fluids.

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 37 of Chapter 148 of the General Laws,

as appearing in the 2002 Official Edition, is hereby amended by

striking out, in line 3, the words “any fluid other than water” and

inserting in place thereof the following words:--any flammable

or combustible fluids.

SECTION 2. Said section 37 of said Chapter 148, as so appear-

ing is hereby further amended by striking out the second para-

graph and inserting in place thereof the following paragraph:--

 The marshal shall establish rules and regulations providing for

an inspection of tanks or containers on an annual basis or at such

other frequency as may be determined by the marshal. The inspec-

tion fee shall be determined annually by the commissioner of

administration under the provisions of section three B of chapter

seven. Said rules and regulations shall require owners or operators

to maintain said tanks or containers on a regular basis and to keep

records of inspections, repairs and maintenance for each tank or

container in such form as prescribed by the marshal. The marshal

may establish standards and qualifications for those persons

authorized to conduct inspections under this section. In addition to

the inspections required by regulation, the marshal may inspect

the premise tanks or containers, dikes, facilities or equipment any

time during reasonable business hours to determine compliance

with this section or related regulation. For purposes of this sec-

tion, the marshal shall define by regulation what constitutes a

flammable or combustible fluid.