

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mr. Brewer

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:

Mr. Brewer

DISTRICT/ADDRESS:

Worcester, Hampden, Hampshire and Franklin

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

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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:

1 SECTION 1. Section 37 of Chapter 148 of the General Laws,
2 as appearing in the 2002 Official Edition, is hereby amended by
3 striking out, in line 3, the words “any fluid other than water” and
4 inserting in place thereof the following words:--any flammable
5 or combustible fluids.

6 SECTION 2. Said section 37 of said Chapter 148, as so appear-
7 ing is hereby further amended by striking out the second para-
8 graph and inserting in place thereof the following paragraph:--

9 The marshal shall establish rules and regulations providing for
10 an inspection of tanks or containers on an annual basis or at such
11 other frequency as may be determined by the marshal. The inspec-
12 tion fee shall be determined annually by the commissioner of
13 administration under the provisions of section three B of chapter

14 seven. Said rules and regulations shall require owners or operators
15 to maintain said tanks or containers on a regular basis and to keep
16 records of inspections, repairs and maintenance for each tank or
17 container in such form as prescribed by the marshal. The marshal
18 may establish standards and qualifications for those persons
19 authorized to conduct inspections under this section. In addition to
20 the inspections required by regulation, the marshal may inspect
21 the premise tanks or containers, dikes, facilities or equipment any
22 time during reasonable business hours to determine compliance
23 with this section or related regulation. For purposes of this sec-
24 tion, the marshal shall define by regulation what constitutes a
25 flammable or combustible fluid.