

HOUSE BILL No. 5078

August 1, 1991, Introduced by Rep. Martin and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend section 2 of Act No. 423 of the Public Acts of 1984, entitled as amended
"Underground storage tank regulatory act,"
as added by Act No. 151 of the Public Acts of 1989, being section 299.702 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 423 of the Public Acts of
2 1984, as added by Act No. 151 of the Public Acts of 1989, being
3 section 299.702 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 2. (1) A person who is the owner of an underground
6 storage tank system shall register and annually renew the regis-
7 tration on the underground storage tank system with the
8 department.

1 (2) A person who is the owner of an underground storage tank
2 system shall register the underground storage tank system with
3 the department prior to bringing the underground storage tank
4 system into use.

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

9 (4) Except as otherwise provided in subsections (5) and (6),
10 a person who is the owner of an underground storage tank system
11 registered under subsection (1) or (2) shall notify the depart-
12 ment of any change in the information required under section 3
13 or of the removal of an underground storage tank system from
14 service.

15 (5) A person who is the owner of an underground storage tank
16 system, the contents of which are changed routinely, may indicate
17 all the materials ~~which~~ THAT are stored in the underground
18 storage tank system on the registration form described in
19 section 3. A person providing the information described in this
20 subsection is not required to notify the department of changes in
21 the contents of the underground storage tank system unless the
22 material to be stored in the system differs from the information
23 provided on the registration form.

24 (6) Except as otherwise provided in section 3(2), a person
25 who is the owner of an underground storage tank system registered
26 under subsection (1) or (2) is not required to notify the

1 department of a test conducted on the tank system but shall
2 furnish this information upon request of the department.

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

8 (8) Except as provided in section 3a(3) AND AS OTHERWISE
9 PROVIDED IN THIS SUBSECTION, the owner of an underground storage
10 tank system shall, upon registration or renewal of registration,
11 pay a registration fee of \$100.00 for each underground storage
12 tank included in that underground storage tank system. HOWEVER,
13 AN UNDERGROUND STORAGE TANK THAT REPLACES A REGISTERED UNDER-
14 GROUND STORAGE TANK IS EXEMPT FROM THE REGISTRATION FEE DURING
15 THE FISCAL YEAR IN WHICH THE UNDERGROUND STORAGE TANK IS PLACED
16 INTO OPERATION. The department shall deposit all registration
17 fees it collects into the fund.

18 (9) The board may promulgate rules that require proof of
19 registration under this act to be attached to the underground
20 storage tank system or to the property where the underground
21 storage tank system is located.

22 (10) Except as otherwise provided in this subsection, an
23 underground storage tank system or an underground storage tank
24 that is part of the system that has been closed or removed pursu-
25 ant to rules promulgated under this act is exempt from the
26 requirements of this section. However, the owner of an
27 underground storage tank system or an underground storage tank

1 that is part of the system that has been closed or removed shall
2 notify the department of the closure or removal pursuant to rules
3 promulgated by the board. The owner of an underground storage
4 tank system shall continue to pay registration fees on under-
5 ground storage tanks that have been closed or removed until noti-
6 fication of the closure or removal is provided pursuant to these
7 rules.