

Legislative Analysis



ABOVEGROUND STORAGE TANKS NOT USED FOR THREE YEARS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4031

Sponsor: Rep. Douglas Geiss

Committee: Great Lakes and Environment

Complete to 1-27-10

A REVISED SUMMARY OF HOUSE BILL 4031 AS INTRODUCED 1-22-09

The bill would amend the Fire Prevention Code to require the owner or operator of an aboveground storage tank for a flammable or combustible liquid to remove the tank if it has not been used for three years.

In the Fire Prevention Code (MCL 29.1) a "**flammable liquid**" means a liquid with a flash point below 100 degrees Fahrenheit and a vapor pressure not exceeding 40 pounds per square inch absolute at 100 degrees Fahrenheit. A "**combustible liquid**" means "a liquid with a flash point at or above 100 degrees Fahrenheit and below 200 degrees Fahrenheit." An "**owner**" means "a person with an ownership interest in property, and includes a trustee, a board of trustees of property, and a person with a freehold interest in property. Owner does not include a lessee or mortgagee of property."

Liquids that may be flammable or combustible include gasoline, diesel fuel, and some solvents, thinners, and cleaners.

MCL 29.5c

FISCAL IMPACT:

House Bill 4031 would increase expenses to the Department of Natural Resources and Environment (DNRE) because of the additional increased inspection burden the bill's provisions would place on the Department. The amount of increased cost to the Department is indeterminate because, according to the DNRE, the number of aboveground storage tanks that are out of service is unknown (The Department is not notified when an aboveground storage tank is disposed of).

The bill may increase costs to local units of government if the local unit owns any out-of-service aboveground storage tanks that are no longer in use or are required to remove tanks that are located on property the local unit has acquires.

Legislative Analyst: Shannan Kane
Fiscal Analyst: Viola Bay Wild

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.