

VETOES

AREA, SUCH AS A BASEMENT, CELLAR, MINeworkING, DRIFT, SHAFT, OR TUNNEL IF THE STORAGE TANK IS SITUATED UPON OR ABOVE THE SURFACE OF THE FLOOR; ~~OR~~

(IX) PIPE CONNECTED TO ANY TANK DESCRIBED IN SUBPARAGRAPHS (I) THROUGH (VIII) OF THIS PARAGRAPH; OR

(X) TANK USED FOR STORING HEATING OIL FOR CONSUMPTIVE USE ON THE PREMISES WHERE STORED.

4-409.

(A) The person responsible for the oil spillage shall be liable to any other person for any damage to his real or personal property directly caused by the spillage.

(B) (1) IN THIS SUBSECTION, "OWNER OF AN UNDERGROUND OIL STORAGE TANK" MEANS ANY PERSON WHO:

(I) CAUSES AN UNDERGROUND OIL STORAGE TANK TO BE INSTALLED; OR

(II) ACQUIRES, OTHER THAN THROUGH A LEASE OR RENTAL, AND USES AN UNDERGROUND OIL STORAGE TANK.

~~(B) (1)~~ (2) THE DEPARTMENT SHALL ADOPT REGULATIONS REQUIRING THE OWNER OF AN UNDERGROUND OIL STORAGE TANK, TO PROVIDE EVIDENCE OF FINANCIAL RESPONSIBILITY FOR COSTS OF CLEANUP, CORRECTIVE ACTION, AND THIRD PARTY LIABILITY IN THE EVENT OF A DISCHARGE.

(2) (3) TANKS SUBJECT TO THESE REQUIREMENTS SHALL BE THE SAME AS THOSE REQUIRED TO PROVIDE FINANCIAL ASSURANCE UNDER SUBTITLE I OF THE RESOURCE CONSERVATION AND RECOVERY ACT, AND LIMITS OF COVERAGE SHALL BE THE SAME AS THOSE IMPOSED UNDER THAT ACT.

~~(3) FOR THE PURPOSES OF THIS SUBSECTION, THE OWNER OF AN UNDERGROUND STORAGE TANK MEANS ANY PERSON WHO:~~

~~(I) CAUSES AN UNDERGROUND OIL STORAGE TANK TO BE INSTALLED; OR~~

~~(II) EXCEPT FOR ACQUISITIONS THROUGH LEASES OR RENTALS, ACQUIRES AND USES AN UNDERGROUND OIL STORAGE TANK.~~

~~(C) THE DEPARTMENT MAY SUSPEND ENFORCEMENT OF FINANCIAL RESPONSIBILITY REQUIREMENTS FOR THE OWNER OR OPERATOR OF A PARTICULAR CLASS OR CATEGORY OF UNDERGROUND OIL STORAGE FACILITIES BASED ON THE SAME SHOWINGS AND FOR THE SAME PERIODS AS PROVIDED IN THE FEDERAL ACT.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is ~~an~~