

(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.

(2) THE DEPARTMENT SHALL ADOPT REGULATIONS REQUIRING THE OWNER OF AN UNDERGROUND OIL STORAGE TANK, 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.

~~(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 emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted~~ shall take effect July 1, 1990.

Approved April 24, 1990.

CHAPTER 68

(House Bill 500)

AN ACT concerning

Recycling - Preference for Purchase of Items Made From Recycled Materials = Procurement of Recycled Paper

FOR the purpose of authorizing the purchase of certain recycled paper products under