

SENATE No. 914

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act further regulating above ground tanks used for the storage of certain 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, as appearing in the 2002
2 Official Edition, is hereby amended by striking out, in line 3, the words “any fluid other than
3 water” and inserting in place thereof the following words:--

4 any flammable or combustible fluids.

5 SECTION 2. Said section 37 of said Chapter 148, as so appearing is hereby further
6 amended by striking out the second para-

7 graph and inserting in place thereof the following paragraph:--

8 The marshal shall establish rules and regulations providing for an inspection of tanks or
9 containers on an annual basis or at such other frequency as may be determined by the marshal.

10 The inspection fee shall be determined annually by the commissioner of administration under the
11 provisions of section three B of chapter seven. Said rules and regulations shall require owners or
12 operators to maintain said tanks or containers on a regular basis and to keep records of
13 inspections, repairs and maintenance for each tank or container in such form as prescribed by the

14 marshal. The marshal may establish standards and qualifications for those persons authorized to
15 conduct inspections under this section. In addition to the inspections required by regulation, the
16 marshal may inspect the premise tanks or containers, dikes, facilities or equipment any time
17 during reasonable business hours to determine compliance with this section or related regulation.
18 For purposes of this section, the marshal shall define by regulation what constitutes a flammable
19 or combustible fluid.