

**HOUSE . . . . . No. 218**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Jennifer E. Benson*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to prevention of hazardous material release.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>2/4/2011</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>2/4/2011</i>
<i>William N. Brownsberger</i>		<i>1/24/2011</i>
<i>James B. Eldridge</i>		<i>2/3/2011</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>	<i>1/28/2011</i>

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By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 218) of Jennifer E. Benson and others relative to the prevention of hazardous material release through underground tanks. Environment, Natural Resources and Agriculture.

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to prevention of hazardous material release.

*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. Chapter 21E of the General Laws is hereby amended by inserting, after  
2 section 7, the following section:-

3           Section 7A. Notwithstanding any general or special law or rule or regulation to the  
4 contrary, the department of environmental protection shall, upon receipt of permission to enter  
5 upon or access commercial or non-residential property by the owner of said property or by the  
6 municipality if the owner refuses, perform containment actions as defined by section 2 of this  
7 chapter, and recover costs of same from the owner or operator of said property or the Federal  
8 Leaking Underground Storage Tank Program, as determined to be reasonable and proper by the  
9 department.