

**HOUSE . . . . . No. 2171**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Harold P. Naughton, Jr.*

*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 certain tanks used for the storage of fluids..

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>	

**HOUSE . . . . . No. 2171**

By Mr. Naughton of Clinton, a petition (accompanied by bill, House, No. 2171) of Harold P. Naughton, Jr., relative to certain tanks used for the storage of fluids. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1190 OF 2011-2012.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to certain tanks used for the storage of 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: --any flammable or combustible fluids  
4 or anhydrous ammonia.

5 SECTION 2. Said section 37 of said Chapter 148, as so appearing is hereby further  
6 amended by striking out the second paragraph and inserting in place thereof the following  
7 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.