

**SENATE . . . . . No. 2166**

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Twelve**  
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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 2010  
2 Official Edition, is hereby amended by striking out the second paragraph and inserting in place  
3 thereof the following paragraph:-

4           The marshal shall establish rules and regulations providing for an inspection of tanks or  
5 containers on an annual basis or at such other frequency as determined by the marshal. In  
6 determining such frequency the marshal may consider such factors, including but not limited to,  
7 tank size, type of construction, tank contents, potential safety hazards, and tank safety and  
8 containment systems. The inspection fee shall be determined annually by the commissioner of  
9 administration under section 3B of chapter 7. The rules and regulations shall require owners or  
10 operators to maintain the tanks or containers and to keep records of inspections, repairs and  
11 maintenance for each tank or container in a form as prescribed by the marshal. The marshal may  
12 establish or adopt inspection standards or parts thereof for tanks and containers and  
13 qualifications for those persons authorized to conduct inspections under this section. In addition  
14 to the inspections required by regulation, the marshal may, at any time during reasonable

- 15 business hours, inspect the premises' tanks or containers, dikes, facilities, equipment and records
- 16 to determine compliance with this section or related regulation.