



HOUSE BILL No. 4710

April 25, 1995, Introduced by Rep. Bryant and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend section 21102 of Act No. 451 of the Public Acts of 1994, entitled "Natural resources and environmental protection act," being section 324.21102 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 21102 of Act No. 451 of the Public Acts
2 of 1994, being section 324.21102 of the Michigan Compiled Laws,
3 is amended to read as follows:

4 Sec. 21102. (1) A person who is the owner of an underground
5 storage tank system shall register and annually renew the regis-
6 tration on the underground storage tank system with the
7 department. However, the owner or operator of an underground
8 storage tank closed prior to January 1, 1974 in compliance with
9 the fire prevention code, Act No. 207 of the Public Acts of 1941,
10 being sections 29.1 to 29.33 of the Michigan Compiled Laws, and

1 the rules promulgated under that act, is exempt from the
2 registration requirements of this section.

3 (2) A person who is the owner of an underground storage tank
4 system shall register the underground storage tank system with
5 the department prior to bringing the underground storage tank
6 system into use. Additionally, an installation registration form
7 containing the information required by the department shall be
8 submitted to the department at least 45 days prior to the instal-
9 lation of the underground storage tank system.

10 (3) The department shall accept the registration or renewal
11 of registration of an underground storage tank system under this
12 section only if the owner of the underground storage tank system
13 pays the registration fee specified in subsection (8) AND, AS TO
14 INSTALLATION REGISTRATION AND REGISTRATION FOR USE, THE OWNER OF
15 THE LAND WHERE THE UNDERGROUND STORAGE TANK SYSTEM IS TO BE
16 LOCATED OR IS LOCATED HAS INDICATED THE FOLLOWING INFORMATION ON
17 A PART OF THE REGISTRATION FORM TO BE COMPLETED ONLY AFTER THE
18 UNDERGROUND STORAGE TANK SYSTEM OWNER HAS COMPLETED ALL OTHER
19 PARTS OF THE FORM:

20 (A) THE LANDOWNER'S NAME AND ADDRESS, AND THE LANDOWNER'S
21 SIGNATURE TO INDICATE THE LANDOWNER'S APPROVAL OF THE UNDERGROUND
22 STORAGE TANK SYSTEM INSTALLATION, OR USE, AS MAY BE APPLICABLE.

23 (B) APPROVAL OF THE SUBSTANCES IDENTIFIED BY THE UNDERGROUND
24 STORAGE TANK SYSTEM OWNER AS SUBSTANCES TO BE STORED IN THE
25 UNDERGROUND STORAGE TANK SYSTEM FOR WHICH REGISTRATION IS MADE.

26 (C) AS TO RENEWAL REGISTRATION, THE OWNER OF THE LAND WHERE
27 THE UNDERGROUND STORAGE TANK SYSTEM IS LOCATED HAS INDICATED THE

1 FOLLOWING INFORMATION ON A PART OF THE REGISTRATION FORM TO BE
2 COMPLETED ONLY AFTER THE UNDERGROUND STORAGE TANK SYSTEM OWNER
3 HAS COMPLETED ALL OTHER PARTS OF THE FORM: THE LANDOWNER'S NAME
4 AND ADDRESS, AND THE LANDOWNER'S SIGNATURE TO INDICATE THE
5 LANDOWNER'S APPROVAL OF ANY CHANGE, FROM THE LAST PRIOR REGISTRA-
6 TION FOR USE, IN THE SUBSTANCES TO BE STORED IN THE UNDERGROUND
7 STORAGE TANK SYSTEM FOR WHICH RENEWAL REGISTRATION IS BEING
8 MADE.

9 (4) Except as otherwise provided in subsections (5) and (6),
10 a person who is the owner of an underground storage tank system
11 registered under subsection (1) or (2) shall notify the depart-
12 ment of any change in the information required under section 3 or
13 of the removal of an underground storage tank system from
14 service.

15 (5) A person who is the owner of an underground storage tank
16 system, the contents of which are changed routinely, may indicate
17 all the materials that are stored in the underground storage tank
18 system on the registration form described in section 21103. A
19 person providing the information described in this subsection is
20 not required to notify the department of changes in the contents
21 of the underground storage tank system unless the material to be
22 stored in the system differs from the information provided on the
23 registration form.

24 (6) Except as otherwise provided in section 21103(2), a
25 person who is the owner of an underground storage tank system
26 registered under subsection (1) or (2) is not required to notify

1 the department of a test conducted on the tank system but shall
2 furnish this information upon the request of the department.

3 (7) Upon the request of a local unit of government in which
4 an underground storage tank system is located, the department
5 shall forward a copy of registration or notification of change to
6 the local unit of government where the underground storage tank
7 system is located.

8 (8) Except as provided in section 21104(3), the owner of an
9 underground storage tank system shall, upon registration or
10 renewal of registration, pay a registration fee of \$100.00 for
11 each underground storage tank included in that underground stor-
12 age tank system. The department shall deposit all registration
13 fees it collects into the fund.

14 (9) The department may promulgate rules that require proof
15 of registration under this part to be attached to the underground
16 storage tank system or to the property where the underground
17 storage tank system is located.

18 (10) Except as otherwise provided in this subsection, an
19 underground storage tank system or an underground storage tank
20 that is part of the system that has been closed or removed pursu-
21 ant to rules promulgated under this part is exempt from the
22 requirements of this section. However, the owner of an under-
23 ground storage tank system or an underground storage tank that is
24 part of the system that has been closed or removed shall notify
25 the department of the closure or removal pursuant to rules
26 promulgated by the department. The owner of an underground
27 storage tank system shall continue to pay registration fees on

1 underground storage tanks that have been closed or removed until
2 notification of the closure or removal is provided on the
3 required form pursuant to these rules.