

HOUSE BILL No. 4398

March 9, 2011, Introduced by Rep. Geiss and referred to the Committee on Energy and Technology.

A bill to amend 1941 PA 207, entitled
"Fire prevention code,"
by amending section 5c (MCL 29.5c), as amended by 2006 PA 189.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5c. (1) A person shall not establish or maintain 1 or
2 more of the following without obtaining a certificate from the
3 department of environmental quality:

4 (a) A flammable compressed gas or liquefied petroleum gas
5 container filling location.

6 (b) An aboveground flammable compressed gas or liquefied
7 petroleum gas storage location that has a tank with a water
8 capacity of more than 2,000 gallons or has 2 or more tanks with an
9 aggregate water capacity of more than 4,000 gallons.

1 (c) An aboveground storage location for a flammable liquid or
2 combustible liquid that has an individual tank storage capacity of
3 more than 1,100 gallons. Crude petroleum collection tanks that
4 receive crude petroleum directly from a wellhead and are certified
5 by the department of environmental quality may be maintained
6 without further inspection by the department of environmental
7 quality, except as the department of environmental quality
8 considers necessary to ~~assure~~**ENSURE** compliance with this act.

9 (2) The department of environmental quality may require that a
10 person obtain approval from the department of environmental quality
11 before the installation of an aboveground storage tank for
12 flammable or combustible liquids that has an individual tank
13 storage capacity of 1,100 gallons or less. However, this
14 requirement does not apply to farm location storage tanks of 1,100
15 gallons or less capacity used for storing motor fuel for
16 noncommercial purposes or heating oil for consumptive use on the
17 premises where stored.

18 (3) **THE OWNER OR OPERATOR OF AN ABOVEGROUND STORAGE TANK FOR A**
19 **FLAMMABLE OR COMBUSTIBLE LIQUID THAT HAS NOT BEEN IN USE FOR 3 OR**
20 **MORE YEARS SHALL REMOVE THE TANK.**