
By: **Delegate Glassman**

Introduced and read first time: February 7, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Gasoline Underground Storage Tanks - Groundwater**
3 **Contamination**

4 FOR the purpose of requiring the owner of a gasoline underground storage tank to
5 notify certain persons, develop a certain corrective action plan, and, under
6 certain circumstances, perform certain testing and equipment upgrades;
7 defining a certain term; and generally relating to gasoline underground storage
8 tanks.

9 BY adding to
10 Article - Environment
11 Section 4-412.1
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 2004 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Environment**

17 4-412.1.

18 (A) IN THIS SECTION, "LEVELS OF CONCERN" MEANS:

- 19 (1) BENZENE AT OR ABOVE 5 PARTS PER BILLION;
- 20 (2) TOTAL BENZENE, TOLUENE, ETHYL BENZENE, AND XYLENE AT OR
21 ABOVE 100 PARTS PER BILLION; AND
- 22 (3) METHYL TERTIARY BUTYL ETHER AT OR ABOVE 20 PARTS PER
23 BILLION.

24 (B) IF SITE GROUNDWATER SAMPLES COLLECTED BY AN OWNER OF A
25 GASOLINE UNDERGROUND STORAGE TANK SYSTEM IN ACCORDANCE WITH THIS
26 SUBTITLE OR REGULATIONS ADOPTED BY THE DEPARTMENT CONTAIN

1 CONCENTRATIONS OF GASOLINE CONSTITUENTS THAT ARE EQUAL TO OR GREATER
2 THAN THE LEVELS OF CONCERN, THE OWNER SHALL:

3 (1) REPORT THE CONCENTRATIONS TO THE DEPARTMENT WITHIN 24
4 HOURS;

5 (2) DEVELOP A CORRECTIVE ACTION PLAN IN ACCORDANCE WITH
6 REGULATIONS ADOPTED BY THE DEPARTMENT;

7 (3) PROVIDE NOTICE TO THOSE MEMBERS OF THE PUBLIC DIRECTLY
8 AFFECTED BY THE GROUNDWATER CONTAMINATION AND THE PLANNED
9 CORRECTIVE ACTION, AS DETERMINED BY THE DEPARTMENT; AND

10 (4) IF REQUIRED BY THE DEPARTMENT:

11 (I) PERFORM GROUNDWATER TESTING OF ADJACENT
12 PROPERTIES; AND

13 (II) UPGRADE DEFECTIVE PIPING, SPILL AND OVERFILL
14 PREVENTION EQUIPMENT, CONTAINMENT STUMPS, AND TANKS AS REQUIRED BY
15 REGULATION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2005.