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2 INTRODUCED BY Lyn Nelson SENATE BILL NO. 406
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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND
5 ENVIRONMENTAL SCIENCES TO GRANT CLOSURE TO NONCOMMERCIAL FARM AND RESIDENTIAL
6 UNDERGROUND STORAGE TANKS THAT ARE 1,100 GALLONS OR LESS IN CAPACITY."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **NEW SECTION.** **Section 1. Closure of tanks under section 1, Chapter 641, Laws of 1993.** (1) The
11 department shall indicate in all relevant files that an underground storage tank removed from the ground
12 or closed in-place in accordance with section 1, Chapter 641, Laws of 1993, is determined fully and finally
13 closed by the department.

14 (2) Underground storage tank systems determined closed under this section are exempt from
15 environmental review by the department unless the department receives substantial evidence of a release
16 that poses a current or potential threat to human health or the environment.

17 (3) The department's response to inquiries for information concerning underground storage tank
18 systems closed under this section must be limited to the date on which the underground storage tank
19 system was removed or closed in-place and to whether or not evidence of a release was reported. This
20 information must be provided to the requesting person on a form prepared by the department.

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22 **NEW SECTION.** **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
23 integral part of Title 75, chapter 11, part 2, and the provisions of Title 75, chapter 11, part 2, apply to
24 [section 1].

25 -END-

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NATURAL RESOURCES

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HOUSE STANDING COMMITTEE REPORT

March 21, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report that **Senate Bill 406** (third reading copy -- blue) be concurred in as amended.

Signed: Dick Knox
Dick Knox, Chair

Carried by: Rep. Orr

And, that such amendments read:

1. Page 1, lines 17 through 20.
Strike: subsection (3) in its entirety

-END-

SB 406

Committee Vote:
Yes 13, No 3.

HOUSE

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