

By Mr. Hogan of Everett, petition of William F. Hogan and Belden G. Bly, Jr., relative to making a corrective change in the law relative to tanks for storage of fluids. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO
TANKS 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 37 of chapter 148 of the General Laws, as appearing
2 in the Tercentenary Edition, is hereby amended by adding the
3 following section:

4 *Section 37-A. Tanks for Storage of Fluid.*

5 No person shall construct, maintain or use any tank or
6 container of more than five hundred gallons capacity, for the
7 storage of propane without first securing a permit therefor from
8 the commissioner. The commissioner may, after notice and
9 hearing, revoke any such permit for cause.

10 The plans and specifications of the tank, foundation
11 specification, plot plan, topographical map and abutters'
12 properties on maps of suitable scale shall be submitted in
13 duplicate for approval before any work for the erection of the
14 tank is permitted. Such tanks shall be inspected during the
15 erection process by a district engineering inspector in the
16 engineering section of the division of inspection, and annually
17 thereafter in company with the designee of the local fire chief or
18 fire prevention officer.

19 In the event of a fire or other accident involving such tanks or
20 the premises on which they stand, the scene shall not be
21 disturbed or altered in any way until permission is granted by an
22 inspector of officer of the department. In the event that it

23 becomes necessary to alter the scene for the protection of life or
 24 property, such alteration shall be held at an absolute minimum.
 25 Propane shall comply with the requirements of Section 13 of
 26 Chapter 148.

27 *Section 37-A. Fees.*

28 The annual reinspection fee shall be a minimum of five dollars
 29 and a maximum of twenty-five dollars at the rate of one dollar
 30 for each one hundred gallons capacity. The owner or user of the
 31 tank and the local fire department shall be notified of the date of
 32 the intended reinspection not less than fourteen days prior to the
 33 inspection date. Inspections may be made of the premises, tanks,
 34 dikes and related equipment at any time during regular business
 35 hours by an officer or inspector of the department.

36 *Section 37-B. Repairs and Alterations.*

37 No repairs or alterations shall be made to any tank or
 38 container covered by this section without prior approval of the
 39 department. Detailed plans covering the full extent of the repairs
 40 or alterations shall be submitted, in duplicate, for approval by
 41 the department engineering section before the repairs are
 42 started. The plans must be stamped by a registered professional
 43 engineer holding a Massachusetts registration, or with a state
 44 having reciprocity with Massachusetts.

45 *Section 37-C. Notification to the Department of an Accident*
 46 *or Fire.*

47 Immediate notification shall be made to the department of
 48 public safety of any fire, explosion or incident which may have
 49 damaged the tank or which may endanger life or property. Such
 50 notification shall be followed by a detailed report in writing
 51 within forty-eight hours of the incident by the persons in charge
 52 of the premises. The provisions of this section shall not in any
 53 way abrogate the responsibility of the fire chief to notify the
 54 state fire marshal.

55 *Section 37-D. Penalty.*

56 Whoever violates this section or a rule or regulation made
 57 under the provisions of chapter 148 that are concerned with
 58 tanks or containers in this section, shall be punished by a fine of
 59 not less than five hundred nor more than one thousand dollars.