

HOUSE No. 624

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer E. Benson

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act Relative to Prevention of Hazardous Material Release.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---------------------------|--------------------------------|
| <i>Jennifer E. Benson</i> | <i>37th Middlesex</i> |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> |
| <i>Brian M. Ashe</i> | <i>2nd Hampden</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> |

HOUSE No. 624

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 624) of Jennifer E. Benson and others relative to the prevention of hazardous material release through underground tanks. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 661 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act Relative to Prevention of Hazardous Material Release.

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 1. Chapter 21E of the General Laws is hereby amended by inserting, after
2 section 7, the following section:-

3 Section 7A. Notwithstanding any general or special law or rule or regulation to the
4 contrary, the department of environmental protection shall, upon receipt of permission to enter
5 upon or access commercial or non-residential property by the owner of said property or by the
6 municipality if the owner refuses, perform containment actions as defined by section 2 of this
7 chapter, and recover costs of same from the owner or operator of said property or the Federal
8 Leaking Underground Storage Tank Program, as determined to be reasonable and proper by the
9 department.