



**MAINE OIL DEALERS ASSOCIATION  
TECHNICAL BULLETIN #20.8  
MAINE'S OIL TANK INSURANCE FUND**

(This Technical Bulletin is available on-line for MODA members at [www.meoil.com/members](http://www.meoil.com/members))

August 2002  
[Replaces TB #20.7 issued July 1999]

On April 19, 1990 Governor John McKernan, Jr. signed into law, L.D. 1725, "AN ACT to Amend Maine's Underground Storage Law." This legislation, drafted by the Gasoline and Underground Storage Committees of the Maine Oil Dealers Association in the Fall of 1988, brought a state-held pollution liability insurance fund to Maine. This historic law enables the vast majority of marketers to meet the requirements of both Maine and Federal law for evidence of financial responsibility. The U.S. Environmental Protection Agency accepted this law as evidence of financial responsibility on April 15, 1991. In June of 1993, the Fund was expanded to include aboveground storage tanks.

Over the past 12 years the law has been amended to improve its applicability to Maine businesses and to clarify ambiguous sections. The following outlines the basic elements of the law. For detailed and specific questions call the MODA office.

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<sup>1/</sup> Throughout the text of this document you will find these numbered footnotes. These make reference to the citation list found at the end of each page.

### **1. What Does This Law Do?**

This law allows the State of Maine to build, within the existing Groundwater Protection Fund, enough money each year to pay for the clean-up of what the DEP estimates to be the cost of underground and aboveground tank leaks up to \$1,000,000 (one million) per occurrence; and up to \$2,000,000 per year aggregate per owner; and third party damage claims arising from those leaks up to \$200,000 (two-hundred thousand). The law satisfies the EPA requirement for insurance.

### **2. Is Everyone Who Owns an Underground Or Aboveground Tank Covered By The Law?**

Yes. Except if you have a spill from a facility that has not been upgraded according to the 1998 state and federal requirements. <sup>2</sup>

Also, any tanks owned by the Federal Government are also excluded from the Fund. <sup>3/</sup>

*In 2000, refiners and those with a relationship to a refiner were allowed into the fund.*

For aboveground tanks, oil terminal facilities and transient facilities are excluded. All other tank owners, including homeowners, are included in the fund.

### **3. How Is the Law Funded?**

First, there is a cap of \$12.5 million on how much money may be raised by the fund.<sup>4/</sup> The actual way the fund is built is as follows:

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<sup>1</sup> THESE REPRESENT THE FOOTNOTES FOUND IN THE END OF EACH PAGE

<sup>2</sup> 38 MRS A Section 568-A(1)(B-2)

<sup>3</sup> 38 MRS A §568-A (1) (C)

<sup>4</sup> 38 MRS A §569, first §

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**a. Transfer License Fees.** <sup>5</sup> / Each entity which first imports petroleum products into Maine pays a license fee of the following amounts, to be credited to the Groundwater Protection Fund: [NOTE: THESE FEES ARE PAID ONCE ON EACH BARREL] When the fund balance drops below \$5,000,000, the FIRB can raise the fees on; gasoline - 20¢; all other refined products other than asphalt, gasoline and #6 oil - 10¢; #6 oil remains the same. If the fund reaches \$7,000,000 the emergency increase ceases.

-Gasoline:	38 cents per barrel
-All Other Refined Products other than: liquid asphalt, gasoline, and #6 oil	19 cents per barrel
-#6 oil	4 cents per barrel

**CURRENT RATES EFFECTIVE 1/1/02 INCLUDE THE SURCHARGE THUS:**

**Gasoline: 58 cents per barrel**  
**All other: 29 cents per barrel**  
**#6: 4 cents per barrel**

These fees are not assessed on petroleum products that are exported from Maine. <sup>6</sup>/

Anyone who has paid these fees on petroleum product transfers through Maine to another state may apply to the DEP for a refund of the total amount paid. Such application for reimbursement of paid transfer fees must include documentation of the payment and transfer. <sup>7</sup> / Anyone desiring a refund of payments made to the Groundwater Fund for products transshipped through Maine to another state should contact:

Mr. John Anastasio  
Maine DEP, State House Station 17  
Augusta, Maine 04333  
(207) 287-2651

The successful applicant for return of funds paid on transshipped products will be able to document:

- i. That the fees were actually paid to the state; and
- ii. That the product was in fact transshipped to another jurisdiction.

Documentation such as invoices proving that the fees were paid to Maine, and invoices showing delivery points outside of Maine will make applications for refunds easier to process and will speed recovery of funds paid.

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<sup>5</sup>. 38 MRSa §569 (4-A) (A-B)

<sup>6</sup>. 38 MRSa §569-A (5)(A)

<sup>7</sup>. 38 MRSa §569-A (7)

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**b. Tank Registration fees.** There are two levels of underground tank registration fees, depending upon which type of tank you own, payable to the Department of Environmental Protection on or before January 1st each year, just as is the case today, in the following amounts;

1. Non-Conforming Tank      \$130.00 per tank, per year  
This is a tank that is not fiberglass, cathodically protected steel, or other tank approved by the DEP. <sup>8/</sup>
2. Conforming Tank      \$35.00 per tank, per year  
This tank is either fiberglass, cathodically protected steel, or other tank approved by the DEP. (Ch. 691)

**IMPORTANT:** Registration fees are paid only on marketing tanks. Tanks storing heating fuels must be registered but there is no fee that accompanies the registration.

**c. AST Tank fees.** As of 7/02, there are no annual registration fees for aboveground tanks. Home heating oil tanks are not registered or subject to fees from the Oil & Solid Fuel Board. The Maine State Fire Marshal does charge a one-time permit fee for an aboveground facility under his jurisdiction. Contact the Fire Marshal for more information on permit requirements and fees.

### **4. What and Who will the Fund Cover?**

For those covered by the fund, the fund will cover the following:

- a. Clean-up costs of \$1,000,000 per leak with an annual aggregate per tank owner of \$2,000,000. Third party damage claims other than clean-up costs of \$200,000 per claimant.
- b. Leaks that have not had any expenditure of State funds for clean-up costs or third-party damage claims as of April 1, 1990, or discharges that have had no clean-up orders issued as of April 1, 1990.
- c. An applicant is not eligible for coverage for any discharge discovered on or before April 1, 1990.
- d. will not cover those tanks and facilities not upgraded as by the facilities upgrade schedule or the 1998 deadline whichever is earlier.

The fund covers those who own tanks. It does not cover those who sell tanks, install tanks, or in anyway have anything to do with tanks other than physically own them. It does not cover legal defense costs. Amounts above \$1,000,000 per occurrence/\$2,000,000 aggregate per year and amounts for third party claims in excess of \$200,000 per claimant are the responsibility of the tank owner.

**IMPORTANT:** Even though residential heating fuel tanks do not pay any registration fees, they are, nonetheless, fully covered by the Insurance Fund.

- c. The limitations of \$1,000,000 per leak with an aggregate per tank owner of \$2,000,000 pertains to both underground tanks as well as aboveground tanks.

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<sup>8</sup>. 38 MRSA §569-A (5)(C)

**5. Does The Fund Meet Federal EPA Guidelines?**

Yes. On April 15, 1991 the Region 1 office of the U.S. Environmental Protection Agency informed the Maine DEP in writing that the law did meet US EPA guidelines for evidence of financial responsibility for underground tanks. Financial limits are most critical, as EPA requires the following:

- a. Owners of between 1-100 UST's require \$500,000 per occurrence/\$1,000,000 aggregate coverage; and
- b. Owners of more than 100 UST's require \$1,000,000 per occurrence/\$2,000,000 aggregate coverage.

Both requirements are fulfilled by this new state law. <sup>9/</sup>

The other basic elements of paying for clean-up costs, assuring that the fund pays "first dollar" for those costs, and so on are all in line with the EPA regulations.

**NOTE: As of 8/02 there are neither Federal laws nor any State of Maine laws requiring evidence of financial responsibility for aboveground tanks. Maine's Insurance Fund was amended by MODA to include aboveground tanks in anticipation of the passage of Federal legislation eventually requiring evidence of financial responsibility for ASTs.**

**6. Are There Deductibles, As With Private Insurance?**

Yes. There are two types of deductibles. 1) deductibles based on the number of FACILITIES you have registered, these are called Standard Deductibles. [NOT TANKS - FACILITIES] <sup>10/</sup>. 2) In addition to the applicable standard deductible amount, the applicant shall pay on a per occurrence basis one or more of the Conditional Deductible amounts. These two deductible schedules are as follows: [see MRSA §568-A(5)(2)]

**STANDARD DEDUCTIBLES**

1) For expenses related to a leaking underground oil storage facility, the deductible amount is determined in accordance with the following schedule

<u>FACILITIES OWNED</u>	<u>DEDUCTIBLE PAID</u>
1	\$2,500 per occurrence
2 to 5	\$5,000 per occurrence
6 to 10	\$10,000 per occurrence
11 to 20	\$25,000 per occurrence
21 to 30	\$40,000 per occurrence
over 30	\$62,500 per occurrence

<sup>9</sup>. Federal EPA Regulation, 40 CFR §280.93

<sup>10</sup>. This is a critical point. Your deductible is based on the total number of facilities you own and have registered either with the DEP or permitted by the Fire Marshal.

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The standard deductible is based on the number of facilities owned by the facility owner. Thus, when an individual makes application for the coverage of the fund the standard deductible to be paid by the applicant will be based upon the number of facilities the applicant has registered with the Department.

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2) For expenses related to a leaking aboveground oil storage facility, the deductible amount is determined in accordance with the following schedule:

Total aboveground oil storage capacity in gallons owned by the facility owner.	Deductible
Less than 1,320	\$500
1,321 to 50,000	2,500
50,001 to 250,000	5,000
250,001 to 500,000	10,000
500,001 to 1,000,000	25,000
1,000,001 to 1,500,000	40,000
greater than 1,500,000	62,500

3) For facilities with both aboveground and underground tanks when the source of the discharge can not be determined or when the discharge is from both types of tanks, the standard deductible is the applicable amount under subparagraph (1) or (2), whichever is greater.

**NOTE: Both agencies have the authority to waive the deductible on one (1) facility, or \$2,500, based on financial need. For aboveground tanks located outside a building or facility and that serves only the dwelling unit occupied by the owner of that unit, the deductible is \$1 per gallon capacity of the tank.** 12/

**CONDITIONAL DEDUCTIBLES**

B. Conditional deductibles for underground facilities and tanks are as follows.

- (1) For nonconforming facilities and tanks, the deductible is \$10,000 for failure to meet the compliance schedule in section 563-A, except that those facilities or tanks required to be removed by October 1, 1989 have until October 1, 1990 to be removed before they are considered out of compliance.
- (2) For failure to pay registration fees under section 563. subsection 4, the deductible is the total of all past due fees.
- (3) For motor fuel storage and marketing and retail facilities, the deductibles are:

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11. 38 MRSA §568-A, sub-§2

12. 38 MRSA §568-A (3) and ch. 691

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- (a) Five thousand dollars for failure to comply with applicable design and installation requirements in effect at the time of the installation or retrofitting requirements for leak detection pursuant to section 564, subsections 1 and 1-A
  - (b) Five thousand dollars for failure to comply with section 564, subsection 1-B and any rules adopted pursuant to that subsection (use a licensed installer);
  - (c) Five thousand dollars for failure to comply with section 564, subsection 2-A, paragraphs B to F and I, and any rules adopted pursuant to that subsection (SIA's, financial responsibility); and
  - (d) Ten thousand dollars for failure to comply with section 564, subsection 2-A, paragraph H, and any rules adopted pursuant to that subsection (failure to report a leak).
- (4) For consumptive use heating oil facilities with an aggregate storage capacity of less than 2,000 gallons, the deductibles are:
- (a) Two thousand dollars for failure to comply with section 565, subsection 1, if applicable (install regulations);
  - (b) Two thousand dollars for failure to comply with section 565, subsection 2, regarding monitoring; and
  - (c) Two thousand dollars for failure to comply with section 565, subsection 2, regarding any requirement to report evidence of a possible leak or discharge.
- (5) For consumptive use heating oil facilities with an aggregate storage capacity of 2,000 gallons or greater, the deductibles are:
- (a) Five thousand dollars for failure to comply with section 565, subsection 1, if applicable (install regulations);
  - (b) Five thousand dollars for failure to comply with section 565, subsection 2, regarding monitoring; and
  - (c) Ten thousand dollars for failure to comply with section 565, subsection 2, regarding any requirement to report evidence of a possible leak or discharge.
- (6) For waste oil and heavy oil and airport hydrant facilities with discharges that are not contaminated with hazardous constituents, the deductibles for failure to comply with rules adopted by the board are:
- (a) Five thousand dollars for rules regarding design and installation requirements in effect at the time of the installation;
  - (b) Five thousand dollars for rules regarding retrofitting of leak detection and corrosion protection, if applicable;
  - (c) Five thousand dollars for rules regarding overfill and spill prevention;

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- (d) Five thousand dollars for rules requiring the monitoring of cathodic protection systems;
- (e) Five thousand dollars for rules regarding testing requirements for tanks and piping on evidence of a leak;
- (f) Five thousand dollars for rules regarding maintenance of a leak detection system; and
- (g) Ten thousand dollars for rules regarding the reporting of leaks.

C. Conditional deductibles for aboveground facilities and tanks are as follows.

- (1) For aboveground tanks subject to the jurisdiction of the State Fire Marshal pursuant to 16-219 CMR. chapter 317, the deductibles are:
  - (a) Five thousand dollars for failure to obtain a construction permit from the Office of the State Fire Marshal, when required under Title 25, section 2441 and 16-219 / . chapter 317;
  - (b) Five thousand dollars for failure to design and install piping in accordance with section 570-K and rules adopted by the department;
  - (c) Five thousand dollars for failure to comply with an existing consent decree, court order or outstanding deficiency statement regarding violations at the aboveground facility;
  - (d) Five thousand dollars for failure to implement a certified spill prevention control and countermeasure plan, if required;
  - (e) Five thousand dollars for failure to install any required spill control measures, such as dikes;
  - (f) Five thousand dollars for failure to install any required overfill equipment;
  - (q) Five thousand dollars if the tank is not approved for aboveground use; and
  - (h) Ten thousand dollars for failure to report any leaks at the facility as required by law.
- (2) For aboveground tanks subject to the jurisdiction of the Oil and Solid Fuel Board, the deductibles are:
  - (a) One hundred and fifty dollars for failure to install the facility in accordance with rules adopted by the Oil and Solid Fuel Board and in effect at the time of installation;
  - (b) Two hundred and fifty dollars for failure to conform an upgraded facility to the requirements provided in rules of the Oil and Solid Fuel Board;

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- (c) Two hundred and fifty dollars for failure to make a good faith effort to properly maintain the facility; and
- (d) Five hundred dollars for failure to notify the department of a spill.

The commissioner shall make written findings of fact when making a determination of deductible amounts under this subsection. The commissioner's findings may be appealed to the Fund Insurance Review Board. (See appeals below). On appeal, the burden of proof is on the commissioner as to which deductibles apply.

After determining the deductible amount to be paid by the applicant, the commissioner shall pay from the fund any additional eligible clean-up costs and 3rd-party damage claims up to \$1,000,000 associated with activities under section 569-A, subsection 8, paragraphs B, D and J. The commissioner shall pay the expenses directly, unless the applicant chooses to pay the expenses and seek reimbursement from the fund. The commissioner may pay from the fund any eligible costs above \$1,000,000, but the commissioner shall recover these expenditures from the responsible party pursuant to section 569-A.

### **7. Can I Be Denied Coverage By The Fund**

As long as the discharge was discovered after April 1, 1990, and the facility has been upgraded according to the upgrade schedule by 1998, you cannot be denied coverage. Previous to September 1995, there was a "Substantial Compliance" requirement in order to be covered by the fund. The substantial compliance requirement was eliminated and in its place the series of conditional deductibles based on compliance as described above.

**NOTE:** We strongly admonish you to carefully review Maine Oil & Solid Fuel Board Rules with regard to the requirements on AST for heating fuels storage connected to heating appliances and to carefully review the Maine State Fire Marshal Rules with regard to the requirements on AST siting, installation, materials, maintenance and operation. See MODA Technical Bulletin #2 for AST information of this type.

### **8. What if I don't agree with the determination of my deductible amount, or with the determination of my coverage?**

You have the following recourse:

1. **Appeal** the decision to the Fund Insurance Review Board.

**Appeals to review board.** An applicant aggrieved by an insurance claims-related decision of the commissioner, including but not limited to decisions on eligibility for coverage, eligibility of costs and waiver and amount of deductible, may appeal that decision to the Fund Insurance Review Board. The public members of the review board shall hear and render a decision on the appeal. Except as provided in review board rules, the appeal must be filed within 30 days after the applicant receives the commissioner's decision on the matter. The appeals panel must hear an appeal at its next meeting following receipt of the appeal, unless the appeals panel and the aggrieved applicant agree to hear the appeal at a different time. If the appeals panel overturns the commissioner's decision, reasonable costs, including reasonable attorney fees, incurred by the aggrieved applicant in pursuing the appeal to the review board must be paid from the

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fund. Reasonable attorney fees include only those fees incurred from the time of a claims-related decision forward. Decisions of the appeals panel are subject to judicial review pursuant to Title 5, chapter 375, subchapter VII. The review board may adopt rules determining the timing of filing appeals on questions of eligibility of costs for payment to the fund.

See FIRB rules for filing an appeal at APPENDIX C.;

If the FIRB agrees with either the Fire Marshal [for ASTs] or DEP [for USTs], then you have the right to appeal that decision to:

2. Superior Court.

Should you run into any difficulty with the legal procedures involved in this law, we recommend the following law firm to assist you:

Preti, Flaherty, Beliveau & Pachios  
1 Memorial Circle  
Augusta, Maine 04330  
(207) 623-5167

Contact: Severin Beliveau or Ann Robinson

Both Severin Beliveau and Ann Robinson were heavily involved in the legislative work done on this law and both are intimately familiar with the law's construction and the ideas the Legislature incorporated into the law. This law firm has direct experience with representing petroleum marketers before the Department of Environmental Protection and before the Maine courts.

### **9. How Do You Make a "Claim" Against The Fund?**

Within 180 days of reporting a discharge to the DEP, the tank owner must submit a written request to the Commissioner of the Department of Environmental Protection (for underground tanks) or the State Fire Marshal (for aboveground tanks) for coverage under the fund. The request must include:

1. A description of the discharge and the locations threatened or affected by the discharge, to the extent known;
2. An agreement to pay for the standard deductible amount and the conditional deductible amount as provided under the law;
3. Documentation that the tank owner is in substantial compliance with the technical standards of the law, as outlined in Section 6 of this bulletin.

NOTE: Please See APPENDIX A for an application for fund coverage of UST discharges from the Maine DEP. Please see APPENDIX B for an application for fund coverage of AST discharges from the Maine State Fire Marshal.

**10. What Is The Fund Insurance Review Board?**

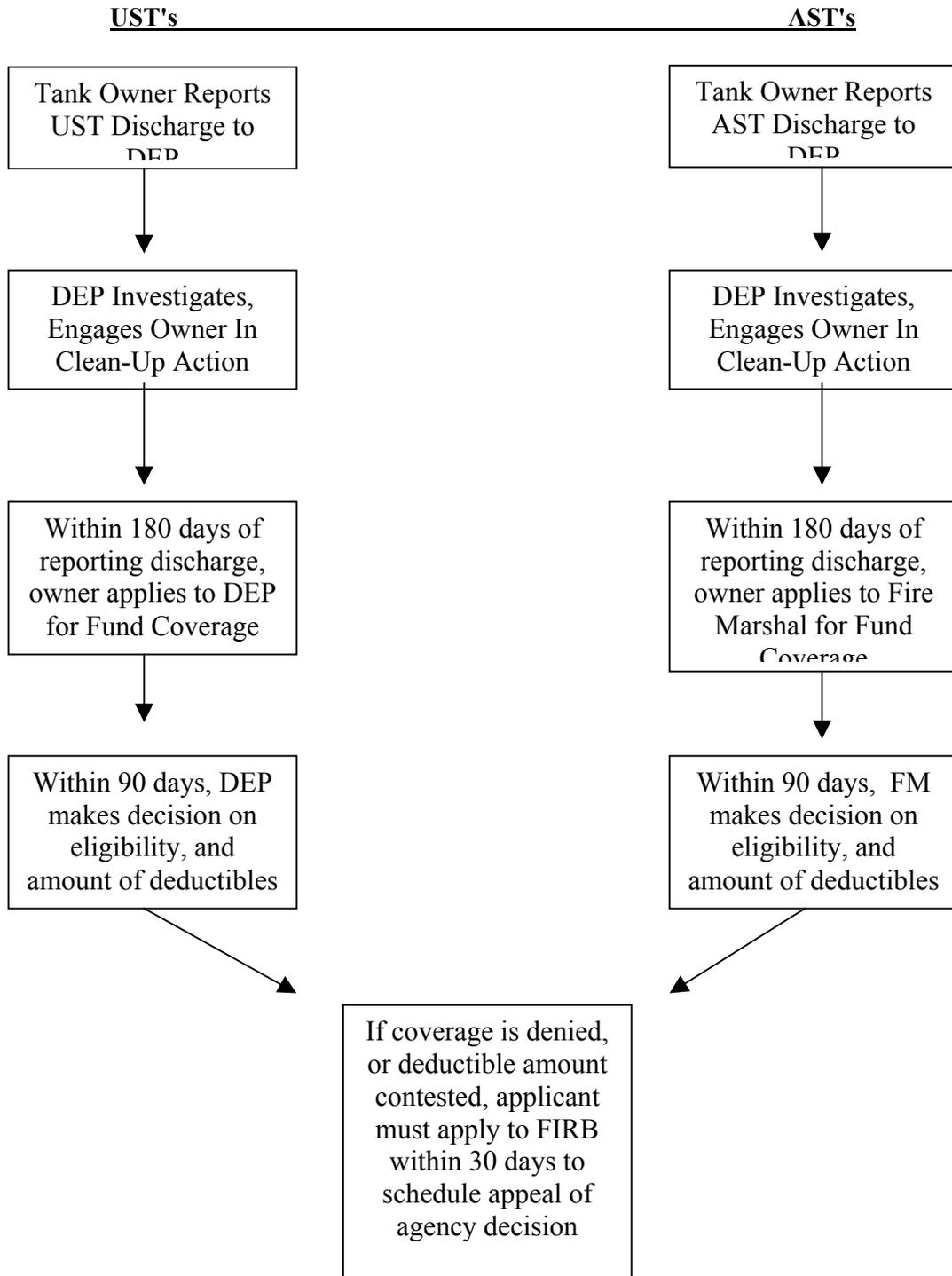
The Fund Insurance Review Board was created in 1993 to hear appeals from insurance related decisions and to adopt rules establishing criteria for determining substantial compliance for aboveground tanks. The Board consists of 10 members. They are:

- a. Three persons representing the petroleum industry, appointed by the Governor, one of whom is nominated by the Maine Oil Dealers Association, one of whom is nominated by the Maine Petroleum Association, and one of whom is a retailer who owns fewer than 5 retail outlets. As of July 2002, those three people were: MODA counsel, Jamie Py, MPA Executive Director Pattie Aho, and the retailer position is vacant.
- b. Five members of the public who are not employed in the petroleum industry and who do not have a direct and substantial financial interest in the petroleum industry to be appointed by the Governor.
- c. The Commissioner of DEP or the Commissioner's designee,
- d. The State Fire Marshal or the Fire Marshal's designee. As of July 2002, this was Steve Dodge of the State Fire Marshal's Office.

Appeals to the Board will be heard and decided upon by the three public members. The appeal must be filed within 30 days of the denial by either the DEP [for USTs] or the Fire Marshal [for ASTs] and heard at the next meeting of the FIRB unless another time is mutually agreed to.

If the appeal is successful, costs of the appeal, including reasonable attorneys fees, are included in the coverage paid to the applicant/appellant. Reasonable attorney's fees include only those fees incurred from the time of a claims-related decision forward. See APPENDIX C for the Rules of Procedure of the Fund Insurance Review Board.

**11. THE PROCESS**



**12. Will I Still Need Private Insurance If This New Fund Is In Place?**

This is, perhaps, the most difficult question of all. The answer to this question rests upon your own individual business judgment, how well your tank population is managed and how closely you adhere to the technical regulations. Even with the new law eliminating the gamble of whether one is in the fund or out, the deductible can still be high and, note that there is a cap on the total amount that can be expended per site. Insurance is a business decision that can only be made by you.

In the event you consider that additional coverage is necessary, we suggest a "wrap-around" policy for your additional protection.

If you wish to engage in purchasing additional coverage, we urge you to either consult with your property & casualty insurance agent or MODA for assistance.

**TECHNICAL STANDARDS**

**In order to follow the technical standards associated with the Fund, one must be familiar with Title 38 sections 561-570 and the UST rules of Chapter 691 plus the Fire Marshals Orange book for AST regulation.. We highly recommend a thorough review of these documents in order to understand the technical requirements of the UST laws.**

*For further research and assistance, Maine laws and regulations referenced in this Technical Bulletin can be found on the MODA homepage - [www.meoil.com](http://www.meoil.com).*

**APPENDIX A.**

**APPLICATION FOR FUND COVERAGE OF  
DISCHARGES FROM UNDERGROUND OIL STORAGE TANKS**

**MAINE DEP  
State House Station 17  
Augusta, Maine 04333  
(207) 287-2651**

**APPENDIX B.**

**APPLICATION FOR FUND COVERAGE OF DISCHARGES  
FROM ABOVEGROUND OIL STORAGE TANKS**

**MAINE STATE FIRE MARSHAL  
164 State House Station  
Augusta, Maine 04333-0164  
(207) 624-8744**

**APPENDIX C.**

**RULES OF PROCEDURE FOR THE  
FUND INSURANCE REVIEW BOARD**

**Fund Insurance Review Board  
Finance Authority of Maine  
P.O. Box 949  
Augusta, Maine 04332-0949  
(207) 623-3263**

**Originally Enacted March 15, 1994  
Amended Since [copy provided is current to 7/02]**

**APPENDIX D.**

**SELLERS OF UNDERGROUND TANKS NOTIFICATION  
REQUIREMENTS UNDER MAINE LAW**

The following represents an example of what may be used by entities that sell tanks for underground use in the State of Maine in order to meet the requirement of 38 M.R.S.A. §563, sub-§7.

"NOTICE

UNDER MAINE LAW, 38 M.R.S.A. §563, sub-§7, I AM REQUIRED TO NOTIFY YOU OF YOUR OBLIGATION TO, 5 DAYS IN ADVANCE OF THE INSTALLATION OF THIS TANK FOR UNDERGROUND PETROLEUM STORAGE USE, TO REGISTER THIS TANK WITH THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.

THE REGISTRATION OF THIS TANK WITH THE MAINE DEP MUST BE UPON A FORM SUPPLIED BY THE MAINE DEP. YOU MAY OBTAIN THIS FORM BY CONTACTING THE MAINE DEP AT (207) 287-2651."

This written notice should be included on such things as bills of sale, contracts, or other written instruments generated between the seller of an underground tank and the purchaser of an underground tank.

## **APPENDIX E.**

### **OWNERS OF NEW AND REPLACEMENT FACILITIES SHALL ENSURE THE INSTALLER PROVIDES NOTICE TO THE DEP**

Maine law now requires that the owner of any new and replacement underground oil storage facility ensure that the installer of that facility provide certification to the Commissioner of the DEP, within 30 days of the completion of that the installation, that the materials and methods used in the installation comply with the standards of the law.

The following represents a possible clause, to be inserted in a contract between the owner of a new or replacement underground oil storage facility and the installer performing the work;

#### **ADDENDUM TO WORK AGREEMENT**

**The [name of the installer] Agrees to Inform  
the Commissioner of the  
Maine Department of Environmental Protection  
of the following, as a condition for successful completion of the  
installation at [address of the installation site].**

Part 1. "I certify, that in accordance with 38 M.R.S.A. §563, sub-§8, all work performed and all materials used at [location of installation], and registered with the Maine Department of Environmental Protection on [date of registration], either met or exceeded the design and installation standards of [38 M.R.S.A. §564 for Marketing and Distribution Tanks, or 38 M.R.S.A. §565 for Consumptive Use on the Premises Tanks]."

Part 2. Within 30 days of the completion of the installation at [address of installation] the [name of installer] shall provide a copy of the written notification of the successful completion of the installation, as provided by Part 1 of this Addendum, at [address of the installation] to the Commissioner of the Maine Department of Environmental Protection, and that notification shall be mailed by registered letter citing [name of owner] as the party to receive the return confirmation by mail.

Part 3. Failure to provide the notice required by Part 1 of this section constitutes not only a violation and abrogation of this contract in its entirety, releasing [name of the owner] from any and all responsibility for the payment of services rendered under the contract, but also constitutes a violation of Maine law, resulting in possible action by the Maine Board of Underground Hazardous Materials Installers against [name of installer].

## APPENDIX F

### DEP Fund Coverage Cost Guide

## APPENDIX G

### Fund Insurance Review Board

### Documentation Requirements for Applications to The State Fire Marshal for Coverage By the Fund for Aboveground Storage Tanks