

Town of Little Compton – ordinance pertaining to underground storage tanks

8-4 Underground Storage Tanks.

8-4.1 Definitions.

a. *Underground* shall mean that ten (10) percent or more of the volume of the components of storage tanks and piping is buried in the ground.

b. Except for the purpose of registration under subsection 8-4.5 "underground storage tanks" shall mean either:

1. On-site underground storage tanks used for storing heating oil and serving a dwelling including underground pipes connected thereto;

2. Farm or residential underground storage tanks holding less than one thousand one hundred (1,100) gallons and storing motor fuel or heating oil for non-commercial purposes including underground pipes connected thereto.

c. *Enforcing officer* shall mean the Fire Chief or his designee.

(Ord. 8/22/91, § I; Ord. 2/6/92, § I; Ord. 9/10/92, § I)

8-4.2 Inspection of Underground Storage Tanks.

The enforcing officer shall have the authority to:

a. Inspect facilities at which underground storage tanks are located.

b. Require closure of abandoned storage tanks consistent with the permanent closure procedures set forth in the regulations for underground storage facilities used for petroleum products and hazardous materials issued by the Department of Environmental Management.

c. Require the removal, at the owner's expense, of all tanks and underground pipes deemed to pose a threat to the public health or the environment.

(Ord. 8/22/91, § I; Ord. 2/6/92, § I; Ord. 9/10/92, § I)

8-4.3 Installation of Underground Storage Tanks Prohibited.

The installation of underground storage tanks in the Town where its purpose is to serve a residential or farm dwelling is hereby prohibited. (Ord. 8/22/91, § I; Ord. 2/6/92, § I; Ord. 9/10/92, § I)

8-4.4 Appeals.

Any property owner may appeal any decision of the enforcing officer to the Town Council, within thirty (30) days of said decision, and, the Town Council shall have the discretion to reverse or modify said decision for good cause. (Ord. 2/6/92, § I; Ord. 9/10/92, § I)

8-4.5 Registration of Underground Storage Tanks.

a. All new, existing, and abandoned underground tanks used to store motor fuel or heating oil for commercial and non-commercial purposes, regardless of their size, shall be registered with the Town.

b. Registration applications may be obtained at the Fire Department.

c. All tanks must be registered no later than September 30, 1992. A registration fee of fifty (\$50.00) dollars per property shall be paid for any tank registered after said date. (Ord. 2/6/92, § I; Ord. 9/10/92, § I)

8-4.6 Duty to Remove or Neutralize Underground Storage Tanks.

Prior to the sale of any farm or residential property in the Town, the owner thereof shall either (a) remove or (b) pump out and fill with sand any underground storage tank located on such property. (Ord. 9/10/92, § I)

8-4.7 Penalties.

Violation of this section shall be subject to fines of fifty (\$50.00) dollars per day for each day that such violation exists after notification, in writing, by the enforcing officer of such violation. (Ord. 8/22/91, § I; Ord. 2/6/92, § I; Ord. 9/10/92, § I)