

Amendment to HB 1620

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT requiring the removal of residential heating oil underground after 12 consecutive  
4 months of non-use except in certain circumstances.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 New Subdivision; Residential Heating Oil Underground Storage Tanks. Amend RSA 146-A by  
9 inserting after section 19 the following new subdivision:

10 Residential Heating Oil Underground Storage Tanks

11 146-A:20 Underground Storage Tank; Definition. In this subdivision, “residential heating oil  
12 underground storage tank” means an underground storage tank used solely for heating a residential  
13 building.

14 146-A:21 Removal Required.

15 I. Except as provided in RSA 146-A:21, II, a residential heating oil underground storage  
16 tank shall be removed, in accordance with state fire code as defined by RSA 153:1,VI-a, if a change in  
17 the heating system removes it from use or if the owner does not intend to use it in the future.

18 II. A residential heating oil underground storage tank, required to be removed under this  
19 section, may be permanently abandoned by closure in-place, in accordance with state fire code as  
20 defined by RSA 153:1, VI-a, if removing the system would undermine the integrity of any overlying  
21 structure.

22 III. A discharge of oil discovered during the removal or closure in-place of a residential  
23 heating oil underground storage tank is subject to RSA 146-A:4 and RSA 146-A:5.

24 2 New Subparagraph; Notification Required; Conveyances of Realty. Amend RSA 477:4-d, I by  
25 inserting after subparagraph (d) the following new subparagraph:

26 (e) Information relative to the presence of a residential heating oil underground storage  
27 tank.

28 3 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill requires the removal of residential heating oil underground if a change in the heating system removes it from use or if the owner does not intend to use it in the future except in certain circumstances.