

§1316-B. Abatement; cleanup; mitigation

If a responsible party does not comply immediately with all conditions of an administrative order issued pursuant to section 1316-A or an administrative consent agreement issued pursuant to section 347-A, subsection 4 or any court order, the commissioner may act to abate, clean up or mitigate the threat or hazard posed by an uncontrolled tire stockpile. The commissioner may: [PL 1995, c. 579, §3 (AMD).]

1. Assistance. Employ private consultants and other persons to evaluate, design or conduct tire removal or site remediation activities;
[PL 1991, c. 517, Pt. A, §2 (NEW).]

2. Process and remove. Cause the processing or removal of all stockpiled tires;
[PL 1995, c. 579, §4 (AMD).]

3. Secure. Have barriers constructed and sufficient security measures implemented to prohibit the access of unauthorized persons to the site, including the responsible party;
[PL 1991, c. 517, Pt. A, §2 (NEW).]

4. Equipment. Have fire-fighting or pollution abatement equipment purchased and stored either at or away from the tire stockpile;
[PL 1991, c. 517, Pt. A, §2 (NEW).]

5. Alter. Have the physical characteristics of the stockpile site altered, including the construction of fire lanes, fire or pollution barriers or other necessary site remediation activity;
[PL 1995, c. 314, §3 (AMD).]

6. Close. Permanently close the stockpile and prohibit the use of the site for the storage or disposal of used motor vehicle tires; or
[PL 1995, c. 314, §3 (AMD).]

7. Consultation. Consult with the Office of the State Fire Marshal regarding on-site fire abatement and control measures.
[PL 1995, c. 314, §4 (NEW).]

SECTION HISTORY

PL 1991, c. 517, §A2 (NEW). PL 1995, c. 314, §§3,4 (AMD). PL 1995, c. 579, §§3,4 (AMD).

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