**§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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.