

ASSEMBLY, No. 2990

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:
Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Limits liability for persons who deliver heating oil to unregulated tanks for discharges from that tank under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning liability for discharges from unregulated
2 heating oil tanks, and supplementing P.L.1976, c.141 (C.58:10-
3 23.11 et seq.).
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
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8 1. Notwithstanding the provisions of section 8 of P.L.1976,
9 c.141 (C.58:10-23.11g), any other law, or common law, a person
10 who delivers heating oil to an unregulated heating oil tank shall not
11 be liable for cleanup and removal costs or for direct or indirect
12 damages due to the discharge of heating oil from that heating oil
13 tank unless the person knew or should have known that the delivery
14 of heating oil would result in the discharge of a hazardous
15 substance from that tank.
16

17 2. This act shall take effect immediately.
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19

20 STATEMENT
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22 This bill would supplement the "Spill Compensation and Control
23 Act" to provide that notwithstanding the liability provisions of that
24 act, any other law, or common law, a person who delivers heating
25 oil to an unregulated heating oil tank would not be liable for
26 cleanup and removal costs or for direct or indirect damages due to
27 the discharge of heating oil from that heating oil tank unless the
28 person knew or should have known that the delivery of heating oil
29 would result in the discharge of a hazardous substance from that
30 tank.