

**ASSEMBLY BILL**

**No. 518**

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**Introduced by Assembly Member Mendoza**

February 21, 2007

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An act to amend Section 25270.5 of the Health and Safety Code, relating to hazardous material.

LEGISLATIVE COUNSEL'S DIGEST

AB 518, as introduced, Mendoza. Hazardous material: aboveground storage tanks.

The Aboveground Petroleum Storage Act requires the State Water Resources Control Board to adopt a schedule for the inspection of aboveground storage tank facilities.

This bill would require the schedule to provide, on and after January 1, 2008, that an inspection be conducted at least once every two years. The bill would also state an intent of the Legislature to enact legislation to prohibit the siting of aboveground storage tanks on lands that are subject to liquefaction.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 25270.5 of the Health and Safety Code  
2 is amended to read:  
3 25270.5. (a) ~~By January 1, 1991, the~~ *The* board shall adopt a  
4 schedule for the inspection of tank facilities subject to this chapter.  
5 *On and after January 1, 2008, the schedule shall provide for at*  
6 *least one inspection at a tank facility for every two years. In*

1 adopting this schedule, the board shall give special attention to  
2 those tank facilities which are near navigable waters, potable water  
3 supplies, or sensitive ecosystems, such as wetlands and marshes.

4 (b) Each regional board shall conduct periodic inspections of  
5 either each storage tank or a representative sampling of the storage  
6 tanks at each tank facility in accordance with the schedule  
7 determined by the board pursuant to subdivision (a) for compliance  
8 with the spill prevention and countermeasure plan.

9 (c) Except as provided in subparagraph (B) of paragraph (2)  
10 of subdivision (a) of Section 25270.3, each owner or operator of  
11 a storage tank at a tank facility subject to this chapter shall prepare  
12 a spill prevention control and countermeasure plan prepared in  
13 accordance with the guidelines contained in Part 112 of Title 40  
14 of the Code of Federal Regulations. In meeting the requirement  
15 to prepare a spill prevention control and countermeasure plan, the  
16 owner or operator may, if he or she elects to do so, use the format  
17 adopted pursuant to Section 25503.4. Each owner or operator  
18 specified in this subdivision shall conduct periodic inspections of  
19 the storage tanks to assure compliance with Section 112.7 of Title  
20 40 of the Code of Federal Regulations. In implementing the spill  
21 prevention control and countermeasure plan, each owner or  
22 operator specified in this subdivision shall fully comply with the  
23 latest version of the regulations contained in Part 112 of Title 40  
24 of the Code of Federal Regulations.

25 (d) The owner or operator of a tank facility specified in  
26 subparagraph (B) of paragraph (2) of subdivision (a) of Section  
27 25270.3 shall take all of the following actions:

28 (1) Conduct daily visual inspections of any tank storing  
29 petroleum.

30 (2) Allow the regional board to conduct periodic inspections  
31 of the tank facility.

32 (3) Install a secondary means of containment for the entire  
33 contents of the largest tank at the tank facility, plus sufficient space  
34 for precipitation, if the regional board determines this installation  
35 is necessary for the protection of the waters of the state.

36 SEC. 2. It is further the intent of the Legislature to enact  
37 legislation to prohibit the siting of aboveground storage tanks on  
38 lands that are subject to liquefaction.

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