

ASSEMBLY BILL

No. 1715

Introduced by Assembly Member Smyth

February 16, 2012

An act to amend Section 25280 of the Health and Safety Code, relating to underground storage tanks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1715, as introduced, Smyth. Underground storage tanks.

Existing law generally regulates the storage of hazardous substances in underground storage tanks, including requiring underground storage tanks that are used to store hazardous substances to meet certain requirements.

This bill would make a technical, nonsubstantive change to a statement of Legislative intent regarding this program.

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

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

- 1 SECTION 1. Section 25280 of the Health and Safety Code is
2 amended to read:
3 25280. (a) The Legislature finds and declares ~~as follows~~ *all*
4 *of the following*:
5 (1) Substances hazardous to the public health and safety and
6 to the environment are stored prior to use or disposal in thousands
7 of underground locations in the state.
8 (2) Underground tanks used for the storage of hazardous
9 substances and wastes are potential sources of contamination of

1 the ground and underlying aquifers, and may pose other dangers
2 to public health and the environment.

3 (3) In several known cases, underground storage of hazardous
4 substances, including, but not limited to, industrial solvents,
5 petroleum products, and other materials, has resulted in undetected
6 and uncontrolled releases of hazardous substances into the ground.
7 These releases have contaminated public drinking water supplies
8 and created a potential threat to the public health and to the waters
9 of the state.

10 (4) The Legislature has previously enacted laws regulating the
11 management of hazardous wastes, including statutes providing the
12 means to clean up releases of hazardous substances into the
13 environment when the public health, domestic livestock, wildlife,
14 and the environment are endangered. Current laws do not
15 specifically govern the construction, maintenance, testing, and use
16 of underground tanks used for the storage of hazardous substances,
17 or the short-term storage of hazardous wastes prior to disposal, for
18 the purposes of protecting the public health and the environment.

19 (5) The protection of the public from releases of hazardous
20 substances is an issue of statewide concern.

21 (b) The Legislature therefore declares that it is in the public
22 interest to establish a continuing program for the purpose of
23 preventing contamination from, and improper storage of, hazardous
24 substances stored underground. It is the intent of the Legislature,
25 in enacting this chapter, to establish orderly procedures that will
26 ensure that newly constructed underground storage tanks meet
27 appropriate standards and that existing tanks be properly
28 maintained, inspected, tested, and upgraded so that the health,
29 property, and resources of the people of the state will be protected.