

ASSEMBLY BILL

No. 1420

Introduced by Assembly Member Salas

February 27, 2015

An act to amend Section 25290.1 of the Health and Safety Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1420, as introduced, Salas. Environment: underground storage tanks.

Existing law requires every underground storage tank installed on or after July 1, 2004, to meet certain requirements.

This bill would make nonsubstantive changes to that provision.

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 25290.1 of the Health and Safety Code
2 is amended to read:
3 25290.1. (a) Notwithstanding subdivision (o) of Section 25281,
4 for purposes of this section, “product tight” means impervious to
5 the liquid and vapor of the substance that is contained, or is to be
6 contained, so as to prevent the seepage of the substance from the
7 containment.
8 (b) Notwithstanding Sections 25290.2 and 25291, every
9 underground storage tank installed on or after July 1, 2004, shall
10 meet the requirements of this section.

1 (c) The underground storage tank shall be designed and
2 constructed to provide primary and secondary levels of containment
3 of the hazardous substances stored in it in accordance with the
4 following performance standards:

5 (1) Primary containment shall be constructed, operated, and
6 maintained product tight and compatible with the stored product.

7 (2) Secondary containment shall be constructed, operated, and
8 maintained product tight. The secondary containment shall also
9 be constructed, operated, and maintained in a manner to prevent
10 structural weakening as a result of contact with any hazardous
11 substances released from the primary containment, and ~~also~~ shall
12 be capable of storing the hazardous substances for the maximum
13 anticipated period of time necessary for the recovery of any
14 released hazardous substance.

15 (3) Secondary containment shall be constructed, operated, and
16 maintained to prevent any water intrusion into the system by
17 precipitation, infiltration, or surface runoff.

18 (4) In the case of an installation with one primary tank, the
19 secondary containment shall be large enough to contain at least
20 100 percent of the volume of the primary tank.

21 (5) In the case of multiple primary tanks, the secondary
22 containment shall be large enough to contain 150 percent of the
23 volume of the largest primary tank placed in it, or 10 percent of
24 the aggregate internal volume of all primary tanks, whichever is
25 greater.

26 (d) The underground tank system shall be designed and
27 constructed with a continuous monitoring system capable of
28 detecting the entry of the liquid- or vapor-phase of the hazardous
29 substance stored in the primary containment into the secondary
30 containment and capable of detecting water intrusion into the
31 secondary containment.

32 (e) The interstitial space of the underground storage tank shall
33 be maintained under constant vacuum or pressure such that a breach
34 in the primary or secondary containment is detected before the
35 liquid or vapor phase of the hazardous substance stored in the
36 underground storage tank is released into the environment. The
37 use of interstitial liquid level measurement methods satisfies the
38 requirements of this subdivision.

39 (f) The underground storage tank shall be provided with
40 equipment to prevent spills and overfills from the primary tank.

1 (g) If different substances are stored in the same tank and in
2 combination may cause a fire or explosion, or the production of
3 flammable, toxic, or poisonous gas, or the deterioration of a
4 primary or secondary container, those substances shall be separated
5 in both the primary and secondary containment so as to avoid
6 potential intermixing.

7 (h) Underground pressurized piping that conveys a hazardous
8 substance shall be equipped with an automatic line leak detector.

9 (i) Before the underground storage tank is covered, enclosed,
10 or placed in use, the standard installation testing requirements for
11 underground storage systems specified in Section 2.4 of the
12 Flammable and Combustible Liquids Code, adopted by the
13 National Fire Protection Association (NFPA 30), as amended and
14 published in the respective edition of the Uniform Fire Code, shall
15 be followed.

16 (j) Before the underground storage tank is placed in use, the
17 underground storage tank shall be tested after installation using
18 one of the following methods to demonstrate that the tank is
19 product tight:

20 (1) Enhanced leak detection.

21 (2) An inert gas pressure test that has been certified by a third
22 party and approved by the board.

23 (3) A test method deemed equivalent to enhanced leak detection
24 or an inert gas pressure test by the board in regulations adopted
25 pursuant to this chapter. An underground storage tank installed
26 and tested in accordance with this subdivision ~~is~~ *shall be* exempt
27 from the requirements of Section 25292.5.

28 (k) Notwithstanding Section 25281.5, for any system installed
29 to meet the requirements of this section, those portions of vent
30 lines, vapor recovery lines, and fill pipes that are beneath the
31 surface of the ground ~~are~~ *shall be considered* “pipe” as ~~the~~ *that*
32 term is defined in subdivision (m) of Section 25281, and therefore
33 part of the underground storage tank system.