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MEMORANDUM

To: Chairman Hedke and members of the House Energy and Environment Committee
From: Matt Sterling, Assistant Revisor of Statutes
Date: February 19, 2013
RE: House Bill 2305

HB 2305 would require secondary containment when installing or replacing underground storage tank systems. The bill would amend the Kansas Underground Storage Tank Act to require each underground storage tank, or piping connected to a tank, that was installed or replaced after July 1, 2013, to be secondarily contained and monitored for leaks. All secondary containment systems would be required to: Contain substances released from the tank system, prevent the release of substances to the environment, and be checked for evidence of a release using interstitial monitoring.

The bill would require that any installation or replacement of secondarily contained piping include installation of containment of the submersible pump. However, secondary containment would not be required for any safe suction piping or repairs to an underground storage tank, piping, or dispenser that are meant to restore the system to operating condition.

Section 2 of the bill amends the definitions section of the act to add some definitions used in the new section. Section 3 of the bill updates a reference to the federal pipeline safety act.

The fiscal note states that the Kansas Department of Health and Environment does not believe the bill will have any fiscal impact because the review of underground storage tank installation permits is comparable to other reviews that are currently performed by the department.