

## **Kansas Storage Tank Act; HB 2305**

**HB 2305** amends the Kansas Storage Tank Act to require new or replacement installations of underground storage tank (UST) systems be built with secondary containment, which must be monitored for leaks. The requirement applies to systems installed after July 1, 2013; existing systems are not required to be upgraded unless the storage tank or more than 50 percent of the piping connected to the tank is replaced.

Secondary containment systems are required to do the following:

- Be designed, constructed, and installed to contain regulated substances released from the tank system until the substances are detected and removed;
- Prevent the release of regulated substances to the environment at any time during the operational life of the UST system; and
- Be checked for evidence of a released substance using interstitial monitoring.

In addition, installation or replacement of secondarily contained piping must include installation of containment of a submersible pump. However, the requirement for secondary containment does not apply to safe suction piping or to repairs meant to restore an UST, piping, or dispenser to operating condition.

The bill also requires any new motor fuel dispenser system installed after June 30, 2013, to include under-dispenser spill containment. The containment is required to meet the following requirements:

- Liquid tight on its sides and bottom and at any penetrations;
- Compatible with the substance conveyed by the piping; and
- Designed to allow for visual inspection and access to the components in the containment or to be monitored for a release of regulated substances from the dispenser and piping.

In addition, the bill defines “installation of a new motor fuel dispense system,” “replaced,” “secondary containment or secondarily contained,” “safe suction piping,” and “under-dispenser containment” as new terms in the Act, and adds new language to the existing definition of “repair.” The bill also updates the statutory reference to the federal Pipeline Safety Act.