

JAN 21 2022

A BILL FOR AN ACT

RELATING TO UNDERGROUND STORAGE TANKS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 342L, Hawaii Revised Statutes, is
2 amended by adding a new section to part II to read as follows:
3 "§342L- Inspections of tanks and tank systems; required.
4 (a) Beginning on January 1, 2022, the owner or operator of an
5 underground storage tank or tank system shall have each
6 underground storage tank and tank system inspected at least
7 every years to determine compliance with release detection
8 standards established pursuant to section 342L-33, and other
9 standards that are consistent with the protection of human
10 health and the environment, including spill and overfill
11 prevention and corrosion protection. Each inspection must be
12 performed by an inspector qualified to perform the inspection in
13 accordance with rules adopted by the department, and must
14 include, as applicable, examination, assessment, testing, and
15 documentation of the following for the underground storage tanks
16 and tank systems inspected:
17 (1) Equipment;



- 1 (2) Procedures;
- 2 (3) Operations;
- 3 (4) Maintenance; and
- 4 (5) Recordkeeping.

5 (b) An inspection is not required for an underground
6 storage tank that is permanently out of service.

7 (c) No later than thirty days after a satisfactory
8 operations inspection is completed or no later than September 30
9 of the year the inspection is due, whichever is earlier, the
10 inspector who performed the inspection of the underground
11 storage tank or tank system shall provide to the department the
12 results of the inspection on a form provided by the department.
13 The form must be signed by the inspector who conducted the
14 inspection and the owner or operator of the underground storage
15 tank or tank system.

16 (d) If, after inspection, the inspector finds that the
17 underground storage tank or tank system is not in compliance
18 with this chapter:

- 19 (1) The inspector shall notify the owner or operator of
20 the non-compliance;



1 (2) No later than ten days after the inspection was
2 performed, the inspector shall submit the inspection
3 report to the department;

4 (3) The department shall deem the underground storage tank
5 or tank system to be substandard and not in compliance
6 with this chapter until the required repairs are
7 completed;

8 (4) The department shall issue an order pursuant to
9 section 342L-8(a)(2) and prohibit the underground
10 storage tank or tank system from accepting any new
11 delivery or deposit of regulated substances; provided
12 that the department shall revoke the permit required
13 under this chapter not later than sixty days after the
14 inspection was performed, unless:

15 (A) The required repairs have been completed in
16 accordance with the inspector's report and
17 recommendations, and the department receives
18 documentation of those repairs; or

19 (B) The department:
20 (i) Receives from the owner or operator a
21 written request accompanied by detailed



1 repair information and a schedule of
 2 repairs; and
 3 (ii) Grants a temporary deferral under of any
 4 prohibition on the acceptance of any new
 5 delivery or deposit of regulated substances;
 6 and

7 (5) The underground storage tank or tank system shall be
 8 taken out of service not later than ninety days after
 9 the date of inspection, unless the department has
 10 granted a temporary deferral under paragraph (4) of
 11 this subsection.

12 (e) The owner or operator shall maintain the results of
 13 inspections performed under this section for as long as the
 14 underground storage tank or tank system is used to store a
 15 regulated substance."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3 This Act shall take effect upon its approval.

18

INTRODUCED BY:  _____



S.B. NO. 2598

Report Title:

Underground Storage Tank; Inspection

Description:

Implements a schedule and standards for the inspection and repair of underground storage tanks.

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