
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 July 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 annually to determine compliance with section 342L-32, which
8 requires tanks and tank systems be designed, constructed,
9 installed, upgraded, maintained, repaired, and operated to
10 prevent releases of the stored regulated substances for the
11 operational life of the tank or tank system, and other standards
12 that are consistent with the protection of human health and the
13 environment, including spill and overfill prevention and
14 corrosion protection. Each inspection must be performed by an
15 inspector qualified to perform the inspection in accordance with
16 rules adopted by the department, and must include, as
17 applicable, examination, assessment, testing, and documentation



1 of the following for the underground storage tanks and tank
2 systems inspected:

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

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

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

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



- 1 (1) The inspector shall notify the owner or operator of
2 the non-compliance;
- 3 (2) No later than ten days after the inspection was
4 performed, the inspector shall submit the inspection
5 report to the department;
- 6 (3) The department shall deem the underground storage tank
7 or tank system to be substandard and not in compliance
8 with this chapter until the required repairs are
9 completed;
- 10 (4) The department shall issue an order pursuant to
11 section 342L-8(a)(2) and prohibit the underground
12 storage tank or tank system from accepting any new
13 delivery or deposit of regulated substances; provided
14 that the department shall revoke the permit required
15 under this chapter not later than sixty days after the
16 inspection was performed, unless:
- 17 (A) The required repairs have been completed in
18 accordance with the inspector's report and
19 recommendations, and the department receives
20 documentation of those repairs; or
- 21 (B) The department:



- 1 (i) Receives from the owner or operator a
2 written request accompanied by detailed
3 repair information and a schedule of
4 repairs; and
- 5 (ii) Grants a temporary deferral under of any
6 prohibition on the acceptance of any new
7 delivery or deposit of regulated substances;
8 and
- 9 (5) The underground storage tank or tank system shall be
10 taken out of service not later than ninety days after
11 the date of inspection, unless the department has
12 granted a temporary deferral under paragraph (4) of
13 this subsection.
- 14 (e) The owner or operator shall maintain the results of
15 inspections performed under this section for as long as the
16 underground storage tank or tank system is used to store a
17 regulated substance."

18 SECTION 2. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on January 1, 2050.

20



Report Title:

Underground Storage Tank; Inspection

Description:

Implements a schedule and standards for the inspection and repair of underground storage tanks. Effective 1/1/2050. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

