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Edmund G. Brown Jr.
Governor

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To Interested Parties:

SUMMARY TABLE OF UNDERGROUND STORAGE TANK PROVISIONS OF ASSEMBLY BILL 1674 (STATS. 2010, CH. 535)

Assembly Bill No. 1674 (AB1674) authored by Assembly Member Saldana became effective on January 1, 2011. AB 1674 makes changes to the underground storage tank (UST) regulatory program regarding criteria for exclusions from the requirements of Chapter 6.7 of the California Health and Safety Code. These changes are reflected in Sections 25281.6 and 25283.5, and apply to those tanks located in subsurface or below grade containment structures.

The enclosed table summarizes the main provisions of AB1674 that apply to USTs. For the complete text of this bill, visit the legislative counsel's website at www.leginfo.ca.gov.

If you have questions regarding the implementation of AB 1674 please contact me at (916) 341-5870 or lfisher@waterboards.ca.gov or Cory Hootman at (916) 341-5668 or chootman@waterboards.ca.gov.

Sincerely,

Laura S. Fisher, Chief
Underground Storage Tank Technical Unit &
Office of Tank Tester Licensing

Enclosure

**Summary Table of
Underground Storage Tank (UST)
Provisions of Assembly Bill (AB) 1674
Stats. 2010, Ch. 535**

California Health and Safety Code, Chapter 6.7, Section 25283.5; USTs in containment structures beneath the surface of the ground (below-grade structures).

Item	Summary of Requirement	Citation	Staff Comment
1	The local agency determines that the UST meets the requirements that are equal to or more stringent than those imposed by Chapter 6.7.	25283.5 (a)(4)	Previous text "without objection from the Board" was deleted.
2	A UST installed on or after July 1, 2003 must be equal to or more stringent than the requirements of paragraphs (1) – (6), inclusive, of subdivision (a) and subdivisions (b) to (i), inclusive, of Section 25291 to qualify for an exemption under Section 25283.5.	25283.5 (a)(5)(A)	To be exempt, these USTs are required to be equal or more stringent than USTs installed pursuant to 25291 (a) (1) – (6) and (b) – (i) requirements, instead of the requirements of Sections 25290.1 and 25290.2, which would otherwise apply to USTs installed on or after July 1, 2003.
3	For a UST installed on or after July 1, 2003, all portions of the vent line, vapor recovery line, or fill pipe that is beneath the surface of the ground is subject to regulation as a "pipe," as defined in subdivision (m) of Section 25281.	25283.5 (a)(5)(B)	Vent lines, vapor recover lines, and fill pipes are regulated as piping and are, therefore, subject to all the same equivalency requirements as product piping of 25291 (a)(1) – (6) and (b) – (i).

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Underground Storage Tank (UST)
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California Health and Safety Code, Chapter 6.7, Section 25281.6. New exemption criteria for tanks located in below-grade structures connected to an emergency generator tank system. (See Section 25281.5 for piping exemption.)

Item	Summary of Requirement	Citation	Staff Comment
1	The tank is situated above the surface of the floor so that all of the surfaces of the tank can be visually inspected by either direct viewing, through the use of visual aids (e.g. mirrors, cameras, or video equipment) or monitored through the use of a continuous leak detection and alarm system capable of detecting unauthorized releases.	25281.6 (a)(1)	Exemption requires compliance with items 1 – 4 of subdivision (a) and that the tank be connected to a UST connected to an emergency generator tank system. The tank must be able to be visually inspected (alternate means like mirrors and cameras are now allowed) or use of continuous leak detection must be used.
2	In addition to the requirements of 1 – 4 a single-walled tank shall utilize a structure or separate discrete secondary structure sealed with a material compatible with the stored product so as to be able contain the entire contents of the liquid stored in the tank in the event of a leak.	25281.6 (a)(2)	Where a single walled tank exists, the secondary structure can be either something as large as the containment structure or some discrete curbed area so long as it is able to contain the contents of the tank. The structure must be sealed with a material that is compatible with the stored product.
3	The owner or operator of the tank conducts visual inspections of the tank each time the emergency generator tank system is operated, or at least once a month, and maintains a log of inspection dates for review by the local agency.	25281.6 (a)(3)	None. Requirement self explanatory.
4	The tank or combination of tanks in the below-grade structure has a cumulative capacity of 1,100 gallons or less of diesel fuel.	25281.6 (a)(4)	None. Requirement self explanatory.