

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2564 Session of  
1994

INTRODUCED BY REBER, GEORGE, HESS, BUNT, DENT, PETTIT, PESCI,  
STERN, FARGO, LEH, GORDNER, TRELLO, DEMPSEY, DALEY, MIHALICH,  
CESSAR, ROONEY, BROWN, CLYMER, S. H. SMITH, COLAIZZO, KING,  
HERSHEY, GODSHALL, HENNESSEY, LYNCH, E. Z. TAYLOR, MASLAND,  
LAWLESS, J. TAYLOR, D. W. SNYDER, GERLACH, STAIRS,  
HUTCHINSON, SCHEETZ, ALLEN, LAUB, HASAY, FICHTER,  
M. N. WRIGHT, ULIANA, ADOLPH, SEMMEL, ARMSTRONG, FARMER,  
MERRY, FLICK, HARLEY, ARGALL, SAURMAN, GRUPPO, NAILOR,  
JAROLIN, RUBLEY, LEE, MILLER AND NYCE, MARCH 7, 1994

REFERRED TO COMMITTEE ON CONSERVATION, MARCH 7, 1994

AN ACT

1 Amending the act of July 6, 1989 (P.L.169, No.32), entitled "An  
2 act providing for the regulation of storage tanks and tank  
3 facilities; imposing additional powers and duties on the  
4 Department of Environmental Resources and the Environmental  
5 Quality Board; and making an appropriation," further defining  
6 "underground storage tank."

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The definition of "underground storage tank" in  
10 section 103 of the act of July 6, 1989 (P.L.169, No.32), known  
11 as the Storage Tank and Spill Prevention Act, is amended to  
12 read:

13 Section 103. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

1 \* \* \*

2 "Underground storage tank." Any one or combination of tanks  
3 (including underground pipes connected thereto) which are used  
4 to contain an accumulation of regulated substances, and the  
5 volume of which (including the volume of the underground pipes  
6 connected thereto) is 10% or more beneath the surface of the  
7 ground. The term shall not include:

8 (1) Farm or residential tanks of 1,100 gallons or less  
9 capacity used for storing motor fuel for noncommercial  
10 purposes.

11 (2) Tanks [of 3,000 gallons or less] used for storing  
12 heating oil for consumptive use on the premises where stored.

13 (3) A septic or other subsurface sewage treatment tank.

14 (4) A pipeline facility (including gathering lines)  
15 regulated under:

16 (i) The Natural Gas Pipeline Safety Act of 1968  
17 (Public Law 90-481, 82 Stat. 720, 49 U.S.C. App. § 1671  
18 et seq.).

19 (ii) The Hazardous Liquid Pipeline Safety Act of  
20 1979 (Public Law 96-129, 93 Stat. 989, 49 U.S.C. § 2001  
21 et seq.).

22 (5) An interstate or intrastate pipeline facility  
23 regulated under State laws comparable to the provisions of  
24 law in paragraph (4).

25 (6) Surface impoundments, pits, ponds or lagoons.

26 (7) Storm water or wastewater collection systems.

27 (8) Flow-through process tanks.

28 (9) Liquid traps or associated gathering lines directly  
29 related to oil or gas production and gathering operations.

30 (10) Storage tanks situated in an underground area

1 (such as a basement, cellar, mine working, drift, shaft or  
2 tunnel) if the tank is situated upon or above the surface of  
3 the floor.

4 (11) Tanks permitted pursuant to the act of July 7, 1980  
5 (P.L.380, No.97), known as the Solid Waste Management Act,  
6 including, but not limited to, piping, tanks, collection and  
7 treatment systems used for leachate, methane gas and methane  
8 gas condensate management.

9 (12) Any underground storage tank system whose capacity  
10 is 110 gallons or less.

11 (13) Any other tank excluded by policy or regulations  
12 promulgated pursuant to this act.

13 Section 2. This act shall take effect in 60 days.