



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

ENACTED

FACT SHEET FOR H.B. 2043/S.B. 1365

underground storage tanks performance standards

Purpose

Increases the required ratio of installation of new piping connected to an underground storage tank (UST) that requires all connected piping to be brought into compliance and replaces referenced federal standards for UST compliance.

Background

A *UST* is a stationary tank or combination of tanks and underground pipes connected to the tank used to contain regulated substances, primarily petroleum, and that has at least 10 percent of its total volume underground ([A.R.S. § 49-1001](#)).

Statute prohibits a person from installing a UST unless the UST is in compliance with federal standards for secondary containment, release detection, and interstitial monitoring, as prescribed by the section of the Code of Federal Regulations which governs *methods for release detection for tanks* ([40 CFR § 280.43](#)). The Code of Federal Regulations *performance standards for new UST systems* prescribes performance standards designed to prevent releases due to structural failure, corrosion, spills or overfills ([40 CFR § 280.20](#)).

Under current statute, if a UST owner is installing new piping connected to the UST and the new piping consists of 25 percent or more of the total linear footage of the total footage connected to the UST, all of the connected piping must be brought into compliance at the time of the installation ([A.R.S. § 40-1009](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Increases, from 25 percent to 50 percent, the threshold for installation of new piping that requires the UST owner to bring all connected piping into federal compliance.
2. Requires a UST, connected piping, or under-dispenser containment, upon installation of a new UST or applicable system parts, to meet federal secondary containment performance standards for new UST systems as prescribed by 40 CFR § 280.20 in effect on January 1, 2020, and specifies that the UST must meet federal release detection requirements and interstitial monitoring requirements in effect on January 1, 2020.

3. Applies the requirement that the owner or operator install under-dispenser containment to installation of any dispenser system that connects to an underground UST, rather than only installation of a motor fuel dispenser that connects to an underground UST.
4. Makes technical and conforming changes.
5. Becomes effective on the general effective date.

House Action

NREW 1/12/21 DP 10-0-0-0
3rd Read 1/28/21 58-0-1-1

Senate Action

NREW 2/3/21 DP 5-4-0
3rd Read 2/11/21 17-13-0
(H.B. 2043 was substituted for S.B. 1365 on 3rd
Read)

Signed by the Governor 2/21/21
Chapter 37

Prepared by Senate Research
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KN/gs