

224.60-100 Underground storage tanks and regulated substances defined.

As used in KRS 224.60-105:

- (1) "Underground storage tank" means any one (1) or combination of tanks (including underground pipes connected thereto) used to contain an accumulation of regulated substances, and the volume of which (including the volume of the underground pipes connected thereto) is ten percent (10%) or more beneath the surface of the ground. Such term does not include any:
 - (a) Farm or residential tank of one thousand one hundred (1,100) gallons or less capacity used for storing motor fuel for noncommercial purposes;
 - (b) Tank used for storing heating oil for consumptive use on the premises where stored;
 - (c) Septic tank;
 - (d) Pipeline facility (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, (49 U.S.C. App. secs. 1671 et seq.), the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. secs. 2001 et seq.), or which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the Natural Gas Pipeline Safety Act of 1968 or the Hazardous Liquid Pipeline Safety Act of 1979;
 - (e) Surface impoundment pit, pond, or lagoon;
 - (f) Storm water or waste water collection system;
 - (g) Flow-through process tank;
 - (h) Liquid trap or associated gathering lines directly related to oil or gas production and gathering operations; or
 - (i) Storage tank situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.
- (2) "Regulated substance" means any substance defined in Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, but not including any substance regulated as a hazardous waste under Subtitle C, and petroleum, including crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

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Formerly codified as KRS 224.810.