

HEALTH AND SAFETY CODE

SECTION 25270-25270.13

. 25270.2 "Aboveground storage tank" does not include any of the following:

- (1) A **pressure vessel or boiler** that is subject to Part 6 (commencing with Section 7620) of Division 5 of the Labor Code.
- (2) A tank containing **hazardous waste or extremely hazardous waste**, as respectively defined in Sections 25117 and 25115, if the Department of Toxic Substances Control has issued the person owning or operating the tank a hazardous waste facilities permit for the storage tank.
- (3) An aboveground **oil production tank** that is subject to Section 3106 of the Public Resources Code.
- (4) **Oil-filled electrical equipment**, including, but not limited to, transformers, circuit breakers, or capacitors, if the oil-filled electrical equipment meets either of the following conditions:
 - (A) The equipment contains less than 10,000 gallons of dielectric fluid.
 - (B) The equipment contains 10,000 gallons or more of dielectric fluid with PCB levels less than 50 parts per million, appropriate containment or diversionary structures or equipment are employed to prevent discharged oil from reaching a navigable water course, and the electrical equipment is visually inspected in accordance with the usual routine maintenance procedures of the owner or operator.
- (5) A tank regulated as an **underground storage tank** under Chapter 6.7 (commencing with Section 25280) of this division and Chapter 16 (commencing with Section 2610) of Division 3 of Title 23 of the California Code of Regulations and that does not meet the definition of a tank in an underground area.
- (6) A **transportation-related tank facility**, subject to the authority and control of the United States Department of Transportation, as defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the United States Environmental Protection Agency, as set forth in Appendix A to Part 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal Regulations.
- (7) A tank or tank facility located on and operated by a **farm that is exempt from the federal** spill prevention, control, and countermeasure rule requirements pursuant to Part 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal Regulations.