

1 ENGROSSED SENATE  
2 BILL NO. 1197

By: David of the Senate

3 and

4 McBride of the House

5  
6 An Act relating to Corporation Commission; amending  
7 17 O.S. 2021, Section 304, which relates to  
8 exemptions for the Oklahoma Petroleum Storage Tank  
9 Consolidation Act; exempting hydrogen tank systems  
10 from certain provisions; and providing an effective  
11 date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 17 O.S. 2021, Section 304, is  
14 amended to read as follows:

15 Section 304. The provisions of the Oklahoma Petroleum Storage  
16 Tank Consolidation Act shall not apply to:

- 17 1. Septic tank systems;
- 18 2. Pipeline facilities;
- 19 3. Surface impoundments, pits, ponds or lagoons;
- 20 4. Stormwater and wastewater collection systems;
- 21 5. Flow-through process tank systems;
- 22 6. Liquid trap or associated gathering lines directly related  
23 to oil or gas production and gathering operations;
- 24 7. Hydraulic lift tank systems;
8. Hydrogen storage tank systems;

1       ~~8.~~ 9. Storage tank systems with a capacity of less than one  
2 hundred ten (110) gallons;

3       ~~9.~~ 10. Fleet and commercial aboveground storage tanks with an  
4 individual capacity of two thousand one hundred (2,100) gallons or  
5 less;

6       ~~10.~~ 11. Storage tank systems with a de minimus concentration of  
7 regulated substances;

8       ~~11.~~ 12. Storage tank systems that serve as emergency backup  
9 tanks, provided that such backup tanks hold regulated substances for  
10 only a short period of time and are expeditiously emptied after each  
11 use. The provisions of this paragraph shall not prevent Corporation  
12 Commission notification requirements and such other restrictions as  
13 may be deemed necessary by the Commission to protect the  
14 environment;

15       ~~12.~~ 13. Farm or residential underground storage tanks with an  
16 individual capacity of one thousand one hundred (1,100) gallons or  
17 less used for noncommercial purposes;

18       ~~13.~~ 14. Underground storage tanks used for storing heating oil  
19 for consumptive use on the premises where stored;

20       ~~14.~~ 15. Storage tank systems storing hazardous wastes regulated  
21 under Subtitle C of the federal Solid Waste Disposal Act, 42 U.S.C.,  
22 Section 6921 et seq., or substances regulated as hazardous wastes  
23 under the Oklahoma Hazardous Waste Management Act; and  
24

~~15.~~ 16. Fuel storage facilities and associated equipment used in wholesale or bulk distribution activities that are supplied by a pipeline and from which fuel may be removed at a rack.

SECTION 2. This act shall become effective November 1, 2022.

Passed the Senate the 22nd day of March, 2022.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2022.

Presiding Officer of the House  
of Representatives