
HOUSE BILL 1421

State of Washington

53rd Legislature

1993 Regular Session

By Representatives J. Kohl, Horn, Rust and Bray

Read first time 01/27/93. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to residential underground heating oil tanks;
2 adding new sections to chapter 19.27 RCW; adding a new section to
3 chapter 18.85 RCW; adding a new section to chapter 80.04 RCW; providing
4 an effective date; and declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.27 RCW
7 to read as follows:

8 The provisions of the uniform fire code governing the abandonment
9 of underground storage tanks shall apply to underground storage tanks
10 used to store fuel oil and connected to oil-burning equipment.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.27 RCW
12 to read as follows:

13 (1) The department of ecology, in consultation with the council and
14 representatives from fire protection agencies, industry, and the
15 public, shall establish standards for the proper abandonment of
16 residential underground heating oil storage tanks.

17 (2) The local government building official shall not issue a final
18 permit approving construction involving the conversion of a fuel-oil

1 heating system to another source of fuel unless the building official
2 determines that any underground storage tank connected to the fuel oil
3 heating system has been abandoned in conformance with this chapter and
4 any rules adopted by the council under this chapter and the standards
5 adopted by the department of ecology pursuant to subsection (1) of this
6 section.

7 (3) The department of ecology, in consultation with the utilities
8 and transportation commission, the council, energy utilities, the oil
9 heat industry, and local government, shall develop and disseminate
10 materials to the public describing the standards and procedures for
11 properly abandoning underground residential heating oil tanks.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.85 RCW
13 to read as follows:

14 At the time written disclosure is given to a potential purchaser of
15 residential real property, the seller or the seller's agent shall
16 disclose the presence of any underground residential heating oil tanks
17 of which the seller or the seller's agent knows or reasonably should
18 have knowledge. The disclosure shall include any underground tanks
19 that have been abandoned in place and a brief description of the
20 procedures used to abandon those tanks.

21 NEW SECTION. **Sec. 4.** A new section is added to chapter 80.04 RCW
22 to read as follows:

23 The commission shall adopt rules requiring electric and gas
24 companies to advise their customers at least once each year of the
25 availability of the public education materials developed under section
26 2 of this act.

27 NEW SECTION. **Sec. 5.** If any provision of this act or its
28 application to any person or circumstance is held invalid, the
29 remainder of the act or the application of the provision to other
30 persons or circumstances is not affected.

31 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take
2 effect July 1, 1993.

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