

65-34,103. Exceptions to application of act. Except as provided in K.S.A. 65-34,119, and amendments thereto, the Kansas storage tank act shall not apply to:

- (a) Farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
- (b) tanks used for storing heating oil for consumptive use on a single family residential premise where stored;
- (c) a pipeline facility, including gathering lines, regulated under:
 - (1) U.S.C. 49 chapters 601 and 603 and which is determined by the secretary of transportation to be connected to a pipeline, or to be operated or intended to be capable of operating at pipeline pressure, or as an integral part of a pipeline; or
 - (2) state laws relating to intrastate pipelines comparable to the provisions of law referred to in subsection (c)(1);
- (d) surface impoundments, pits, ponds, septic tanks or lagoons;
- (e) storm water or waste water collection systems;
- (f) flow-through process tanks;
- (g) liquid traps, storage tanks or associated gathering lines directly related to oil or gas production and gathering operations;
- (h) aboveground storage tanks of agricultural materials regulated by the Kansas department of agriculture;
- (i) aboveground storage tanks located at a petroleum refining facility;
- (j) pipeline terminals;
- (k) aboveground tanks of less than 660 gallons capacity;
- (l) storage tanks associated with oil and natural gas production; and
- (m) electrical equipment which has as part of its design a storage tank containing one or more regulated substances.

History: L. 1989, ch. 186, § 4; L. 1992, ch. 311, § 2; L. 2004, ch. 101, § 104; L. 2013, ch. 18, § 3; July 1.