

shall be equipped with a pressure gauge, so that no more than 5 psi can be discharged into the tank during vapor freeing procedures. To ensure and maintain proper grounding and bonding, such connections shall be tested by the contractor for continuity. This testing shall be done with equipment designed for continuity testing.

- 9) OSFM personnel shall be on site before cutting and cleaning or entry operations may proceed.
- 10) If no access exists, an opening with the minimum dimensions of 18 inches by 18 inches shall be cut in the top of the UST using non-sparking equipment in preparation for a manway. Manways must be installed and be accessible from surface grade by way of a non-collapsible structure.
- 11) Personal protective equipment shall be in accordance with API 1631.
- 12) Cutting, cleaning and application of lining material shall be done in accordance with manufacturer's specifications and OSFM requirements.
- 13) It shall be the responsibility of the lining contractor to have a precision test performed within 3 days after backfilling and to submit the results to the OSFM within 10 days on forms prescribed by OSFM.
- 14) Tank owner shall file an amended Notification form prescribed by the OSFM within 30 days after the tank has been lined.
- 15) For performing internal inspections, once a tank has been reclassified as a non-hazardous confined space, a positive flow of fresh air must be supplied into the tank in lieu of supplied air and continuous monitoring must be performed during the operation.

(Source: Amended at 27 Ill. Reg. 8164, effective May 01, 2003)

#### **Section 170.431 Limitation on Interior Lining of USTs (Repealed)**

(Source: Repealed at 27 Ill. Reg. 8164, effective May 01, 2003)

#### **Section 170.440 Notification Requirements for Purposes of UST Registration**

- a) For any UST, with the exception of a UST containing heating oil not for consumptive use on the premises where stored:
  - 1) Any owner of an underground storage tank system in operation at any time

after January 1, 1974, and in the ground as of September 24, 1987, shall submit immediately a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office.

- 2) Any owner of an underground storage tank system brought into operation on or after April 21, 1989, shall submit, within 30 days after bringing such tank into operation, a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office. This applies even if the UST was subject to a change-in-service, pursuant to Section 170.630(a) or (b), within the 30-day time period.
  - 3) For the definition of UST, see Section 170.400.
  - 4) The Office of the State Fire Marshal shall use the information required to be submitted, pursuant to this subsection (a), to determine registrability of USTs.
- b) For a UST containing heating oil for consumptive use on the premises where stored:
- 1) Any owner of a heating oil underground storage tank system greater than 1100 gallons in capacity and in the ground as of July 11, 1990, shall submit immediately a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office.
  - 2) Any owner of a heating oil underground storage tank system greater than 110 gallons and less than or equal to 1100 gallons in capacity and in the ground as of September 6, 1991, shall submit immediately a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office.
  - 3) Any owner of a heating oil underground storage tank system greater than 110 gallons in capacity installed after September 6, 1991, shall submit, within 30 days after bringing such tank into operation, a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office. This applies even if the UST was subject to a change-in-service, pursuant to Section 170.630(a) or (b), within the 30-day time period.
  - 4) Heating oil tanks used exclusively for storing heating oil for consumptive use on a farm or residence are exempt from being classified as a UST.
  - 5) The Office of the State Fire Marshal shall use the information required to

be submitted, pursuant to this subsection (b), to determine registrability of USTs.

- c) Owners required to submit notices under subsection (a) or (b) above shall provide notice for each tank they own. Owners may provide notice for more than one tank using one notification form, but owners who own tanks located at more than one facility shall file a separate notification form for each separate facility.
- d) Owners shall provide all of the information referenced in subsections (a) and (b) above, as prescribed by the Office of the State Fire Marshal in the forms, including any certification required of the owner by this Part.
- e) Any owner of a new UST system shall certify in the notification form compliance with the following requirements:
  - 1) Installation of tanks and piping under Sections 170.420 and 170.421;
  - 2) Cathodic protection of steel tanks and piping under Sections 170.420(a) and 170.421(d);
  - 3) Release detection under Section 170.510 or 170.520; and
  - 4) Financial responsibility in accordance with Subpart C.
- f) All owners and operators of UST systems, which have been installed, upgraded or relined at any time since January 1, 1989, shall make a reasonable effort to ensure that the contractor certifies in the notification form that the methods used to perform the UST activity comply with the requirements of Section 170.420(d), and the contractor shall complete the certification. Such notification form is to be submitted to the Office of the State Fire Marshal within 30 days after the completion of the activity requiring certification.
- g) Any change in information stated in the form as described in subsections (a) and (b) above is to be submitted to the Office of the State Fire Marshal on an amended form, as prescribed by the Office, within 30 days, commencing from the date of such change. This includes, but is not limited to, removal, abandonment-in-place and temporary out-of-service status. A change in ownership is considered a change in information and is the responsibility of each subsequent owner to so report.
- h) Commencing April 1, 1995, any person who sells a new or re-certified tank, intended to be used as an underground storage tank, shall notify the purchaser of such tank of the owner's notification obligations under subsections (a)(2) and (b)(3) of this Section. The notification form provided by the Office of the State

Fire Marshal may be used to comply with this requirement.

(Source: Amended at 19 Ill. Reg. 5467, effective April 1, 1995)

#### **Section 170.441 Payment of 1988 Annual UST Fee**

The owner of any registered underground petroleum storage tank (excluding heating oil USTs for consumptive use on the premises where stored) in the ground at any time in 1988 and in operation at any time after January 1, 1974, shall pay a 1988 annual fee of \$100 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."

(Source: Added at 19 Ill. Reg. 5467, effective April 1, 1995)

#### **Section 170.442 UST Registration Fees**

- a) For USTs, with the exception of USTs containing heating oil for consumptive use on the premises where stored:

The owner of any petroleum or hazardous substance underground storage tank required to be registered with the Office of the State Fire Marshal prior to September 24, 1987, and who did not so register, shall do so and pay the Office a registration fee of \$500 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal." For purposes of this subsection (a), "owner" refers only to the last owner as of September 23, 1987.

- b) For USTs containing heating oil greater than 110 gallons for consumptive use on the premises where stored:
- 1) The owner of any heating oil underground storage tank in the ground as of September 6, 1991, and who first registered the tank with the Office of the State Fire Marshal prior to July 2, 1992, shall pay to the Office a registration fee of \$100 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."
  - 2) The owner of any heating oil underground storage tank in the ground as of September 6, 1991, and who first registered the tank with the Office of the State Fire Marshal on or after July 2, 1992 (never having been registered prior thereto), shall pay to the Office a registration fee of \$500 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."