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2 CHAPTER I: OFFICE OF THE STATE FIRE MARSHAL

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6 AND THE STORAGE, TRANSPORTATION, SALE AND USE OF
7 PETROLEUM AND OTHER REGULATED SUBSTANCES

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99 176.APPENDIX A Derivation Table (Repealed)

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101 AUTHORITY: Implementing the Gasoline Storage Act [430 ILCS 15] and authorized by
102 Section 2 of the Gasoline Storage Act [430 ILCS 15/2].

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104 SOURCE: Adopted at 34 Ill. Reg. 13485, effective September 2, 2010; amended at 36 Ill. Reg.
105 3187, effective February 15, 2012; amended at 42 Ill. Reg. 10621, effective October 13, 2018;
106 amended at 47 Ill. Reg. 6949, effective May 2, 2023; amended at 48 Ill. Reg. _____, effective
107 _____.

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110 SUBPART D: GENERAL TECHNICAL REQUIREMENTS,
111 INCLUDING REPORTING, RECORDKEEPING AND NOTIFICATION

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113 **Section 176.400 Delegation of Authority to Enforce UST Rules and Regulations**

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115 Pursuant to 430 ILCS 15/2, OSFM has authority to delegate to any municipality having a
116 population over 500,000 ~~the City of Chicago~~ enforcement of its UST rules and regulations.
117 Subject to the terms of the delegation agreement, such delegation may include permitting,
118 inspections, and enforcement activities regarding UST activities within the jurisdiction of that
119 municipality, including assessing and collecting permit fees for the municipality's own use that
120 would otherwise have been assessed and collected by OSFM.

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122 a) ~~The methods and procedures of this enforcement do not have to be identical with~~
123 ~~those of OSFM; however,~~ OSFM has oversight concerning this enforcement.

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125 b) Subject to the terms of a delegation agreement, when OSFM is expressly
126 authorized to initiate enforcement action, that municipality ~~the City of Chicago~~ has
127 concurrent authority.

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129 c) The rules and regulations of that municipality regarding UST activities within the
jurisdiction of that municipality ~~the City of Chicago~~ shall be identical to the

OSFM rules found ~~at not be less stringent than~~ 41 Ill. Adm. Code ~~172~~¹⁷⁴ through 177.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 176.470 Requirements for Conducting Precision Testing of Tanks and Piping, Cathodic Protection Testing, and Inspection and Testing of ~~Other~~-UST Equipment

Employees of an OSFM-licensed contractor conducting cathodic protection testing shall be ICC certified in the appropriate module and be licensed by OSFM pursuant to 41 Ill. Adm. Code 172. All employees of an OSFM-licensed contractor conducting precision testing of tanks and piping shall be ICC certified in the appropriate module or be certified by the manufacturer of the testing equipment being used. All employees of an OSFM-licensed contractor conducting only inspection and testing of UST equipment shall be certified via the installation/retrofitting ICC examination or shall have other documentation as allowed by subsection (b) ~~certified by the manufacturer of the testing equipment being used.~~

- a) Tank precision test methods shall be evaluated and listed by an independent third-party. Proof of evaluation and listing shall be demonstrated by the methods being published in the NWGLDE publication "List of Leak Detection Evaluations for Storage Tank Systems", incorporated by reference in 41 Ill. Adm. Code 174.210(a). All tank tightness methods are subject to approval by OSFM.
- b) A certified employee of the OSFM-licensed contractor shall be on site and actively supervising the work at all times. For cathodic protection, that employee must be ICC certified in the cathodic protection module exam. For precision testing of tanks and piping, the employee of the OSFM-licensed contractor must be ICC certified in the appropriate module specified at 41 Ill. Adm. Code 172.60(b) or be certified by the manufacturer in the testing of the equipment being evaluated for its operation in accordance with manufacturer's specifications. For inspection and testing of ~~other~~-UST equipment, the employee of the OSFM-licensed contractor must have a passing score on the OSFM-approved exam for the installation/retrofitting module or be certified by having a letter submitted by the employing licensed contractor establishing that the certified employee has the credentials and training as required by the manufacturer's recommended procedures and instructions ~~by the manufacturer in the testing of the equipment being evaluated for its operation in accordance with manufacturer's specifications.~~
- c) Other UST equipment. Other UST equipment or components or technology that are newly developed and not covered by a specific provision of OSFM rules shall be third-party listed under a national code or standard in accordance with Section 176.420, and be tested by a certified employee that has a passing score on the required OSFM-approved exam for the installation/retrofitting module or is

certified by having a letter submitted by the employing licensed contractor establishing that the certified employee has the credentials and training as required by the manufacturer's recommended procedures and instructions.

- de) Each tester shall also abide by any other applicable requirements found in 41 Ill. Adm. Code 172.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

SUBPART F: OPERATOR TRAINING

Section 176.655 Periodic Operation and Maintenance Walkthrough Inspections and Plan; Class A, B and C Operator Responsibilities

- a) At a manned facility, a Class A, Class B or Class C Operator must be onsite at all times. For unmanned facilities, emergency contact information for Class A, B and C Operators, including names and telephone numbers, shall be conspicuously posted at the facility unless a toll-free number for 24 hour dispatch to the facility has been prominently displayed at the facility. At both manned and unmanned facilities, the Class C Operator is responsible for responding to alarms or other indications of emergencies caused by spills or releases from USTs and shall be familiar with the written emergency response instructions and procedures for the facility.
- b) Periodic Operation and Maintenance Walkthrough Inspections. Each Class A or Class B Operator shall perform walkthrough inspections of each storage tank system for which he or she is designated and shall record the results of each inspection on a checklist to be maintained with the facility records. At a minimum, walkthrough inspections shall be conducted at least once every 30 days and once per year, with the results recorded on a checklist that details the inspection of the following:
- 1) At least once every 30 days:
 - A) Release detection methods, including monitoring systems and all associated sensors shall be maintained by:
 - i) checking to ensure that the entire system is fully operational;
 - ii) checking for potential releases and that there are no alarms or any other unusual operating conditions present; and

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- iii) checking and collecting 30-day Pass reports for ATGs and 30-day Normal reports for sensors and checking that all other required records are reviewed and current;
 - B) Integrity of spill and overflow prevention and spill containment equipment and manholes shall be maintained by:
 - i) Visually checking for damage, including cracks, holes or bulges;
 - ii) removing all liquid and debris;
 - iii) checking for a release of regulated substances in all areas of the containments, including the interstitial areas of any double-walled spill prevention equipment with interstitial monitoring;
 - iv) testing the overflow alarm for operation, if present;
 - v) checking for and removing any obstructions lodged in the fill pipe;
 - vi) checking to make sure the fill cap is securely on the fill pipe; and
 - vii) checking for all potential sources of water entry;
 - C) Visually checking dispensers, hoses, breakaways and hardware for leaks and damage;
 - D) That any impressed current cathodic protection system being utilized is operational, checking and recording that the power is on and that the voltage, amps and hour meter have the appropriate readings required under Section 175.510(f), with a log entry that shows date of inspection, initials of inspector, hour, volt and amp readings, and power on verification;
 - 2) At least once per year:
 - A) All containment sumps shall be maintained by:
 - i) checking for visual damage to the sumps, covers and lids;

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- ii) checking for the presence of regulated substances or any indication that a release may have occurred; and
 - iii) checking that these sumps and the interstitial areas for any double-walled sumps with interstitial monitoring are free of water, product and debris;
- B) All UST equipment including emergency stops shall be checked for the presence or absence of visible damage to any UST component;
- C) Documentation that the emergency stops have been tested by the owner/operator or a contractor for interconnection and pump shutdown shall be submitted and the testing shall comply with the following:
- i) Checking that activation of any single emergency stop results in the shutoff of all switches and pumps; and
 - ii) Making sure that this is done annually with the OSFM certification form completed (the OSFM form titled "Certification of Operational Testing of Emergency Stops" is available at <https://www2.illinois.gov/sites/sfm/About/Divisions/Petroleum-Chemical-Safety/Pages/Applications-and-Forms.aspx>);
- D) Documentation that the shear valves have been visually inspected by the owner/operator or a contractor shall be submitted and the inspection shall comply with the following:
- i) checking that the shear valves are located ½ inch above or below grade, with grade being the surface upon which the dispenser is mounted;
 - ii) checking that the shear valves are securely mounted using a listed rigid anchor device;
 - iii) checking that the link arm operates when tripped, ensuring the poppet valve closes easily; and
 - iv) Making sure that this is done annually with the OSFM certification form completed (the OSFM form titled "Certification of Annual Inspection of All Dispenser Shear

302 Valves" is available at the website cited in subsection
303 (b)(2)(C));

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305 E) All required signs are fully visible and all communication systems
306 in place and operational;

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308 F) All other daily, 30-day, monthly and annual inspections, testing,
309 reporting and records are maintained as required under 41 Ill.
310 Adm. Code 174, 175 and 176; and

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312 G) If applicable, the tank gauge stick or groundwater bailers shall be
313 checked for operability and serviceability (manual tank gauging or
314 groundwater monitoring).

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316 c) Inspection of containment sumps required by subsection (b)(2) shall be
317 performed:

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319 1) By an OSFM-licensed contractor that has licensure in the
320 installation/retrofitting or inspection and testing of UST equipment~~and tank~~
321 ~~and piping tightness testing~~ module; and

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323 2) Using an employee of an OSFM-licensed contractor for testing or
324 inspection who has a passing score on the required OSFM-approved exam
325 for the installation/retrofitting module or is certified by having a letter
326 submitted by the employing licensed contractor establishing that the
327 certified employee has the credentials and training as required by the
328 manufacturer's recommended procedures and instructions~~is certified in the~~
329 ~~installation/retrofitting or tank and piping tightness testing module and~~
330 ~~also certified by the manufacturer of the equipment being tested or~~
331 ~~inspected and the testing equipment being utilized.~~

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333 d) The OSFM 30-day and annual walkthrough inspections checklist is available at
334 the website cited in subsection (b)(2)(C).

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336 e) Operations and Maintenance Plan. UST facility owners and operators shall also,
337 in conjunction with their designated Class A and B Operators, adopt and
338 implement a written operations and maintenance plan signed by both the owner
339 and either a Class A or Class B Operator designated for the UST facility. The
340 plan shall be kept at the facility for the life of the UST and shall be updated to
341 reflect changes in the UST facility equipment and operations as they occur. The
342 operations and maintenance plan shall be as specific as possible for each facility.
343 At a minimum, the operations and maintenance plan shall include the following:
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- 345 1) A detailed plan showing what inspections, operations, testing,
346 maintenance and recordkeeping shall be done on a daily, 30-day, monthly,
347 ~~quarterly~~ and annual basis in accordance with OSFM rules.
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- 349 2) A description of the manner in which UST facility owners and operators
350 properly dispose of regulated substances spilled at the facility, including
351 any water or soil removed from any part of the UST when there is any
352 indication it might be or has been contaminated with a regulated
353 substance.
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- 355 3) The emergency procedures and instructions required under Section
356 176.645.
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- 358 f) The UST facility owner and operator and certified operators shall ensure that all
359 inspections and testing, as outlined in the operations and maintenance plan and
360 required by this Subpart, are properly performed. They shall also ensure that the
361 work is performed by licensed contractors if required by 41 Ill. Adm. Code 174,
362 175 or 176.
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- 364 g) The certified operators shall provide the UST facility owner and operator with a
365 copy of each inspection checklist and alert the owner and operator to any
366 condition that requires follow-up actions. The certified operator doing this shall
367 date and initial the 30-day and annual walkthrough inspection checklist,
368 indicating that this information has been provided to the UST facility owner and
369 operator and a description of the actions taken to correct an issue. The UST owner
370 and operator shall promptly address and correct each compliance and maintenance
371 item noted as being deficient on the checklist.
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- 373 h) A Class A, B or C Operator shall not represent himself or herself as certified
374 unless the person has a current valid certificate of training from an approved
375 trainer.
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377 (Source: Amended at 48 Ill. Reg. _____, effective _____)