

1301:7-7-57 Flammable and combustible liquids.

Chapter 57 of the International Fire Code, 2021 edition, as incorporated by reference and modified in Section 101.1.1 of this code, is further modified as follows:

1. Modify section **5701.1 Scope and application** as follows:

After “in accordance with” insert “*NFPA 30, the building code, the mechanical code,*”.

2. Add section **5701.1.1** as follows:

“**5701.1.1** *Notwithstanding Sections 102.1 and 102.2 and unless otherwise noted in this chapter, the provisions of this chapter shall not apply to facilities, equipment, structures or installations existing or approved for construction or installation prior to the effective date of this chapter, except in those cases where the fire code official demonstrates by a preponderance of the evidence that the existing facility, equipment, structure or installation creates a distinct hazard to life or adjacent property.*”

3. Modify section **5701.2 Nonapplicability** as follows:

In subparagraph 1 after “provisions for flammable” insert “*and combustible*”.

In subparagraph 10 delete “The” and insert “*To the extent a subject area referenced in or regulated by this Chapter related to the storage of beer, distilled spirits and wines in barrels and casks is addressed elsewhere in this code (including Chapter 40 of this code), the*”.

In subparagraph 10 at the end of the sentence after “barrels and casks” insert “*is exempt from this Chapter*”.

Add subparagraph 14 as follows:

“**14.** *Underground storage tank (UST) systems regulated by rule 1301:7-9 of the Administrative Code. For the purposes of this provision “**Underground storage tank system**” means an underground storage tank and the connected underground piping, underground ancillary equipment, and containment system, if any. UST Systems also include below underground vent piping, underground tanks and underground piping up to and including the shear/impact valve, check valve or first isolation valve once the piping exits the underground.*”

4. Modify section **5701.3 Referenced documents** as follows:

Delete “International Building Code” and insert “*building code*”.

Delete “International Mechanical Code” and insert “*mechanical code*”.

5. Modify section **5701.4 Permits** as follows:

Delete “Sections 105.5 and 105.6.” and insert “*Chapter 1. In accordance with Section 105.1.1, permits required for the installation, alterations to tanks, piping or appurtenances, abandonment, removal or to place temporarily out of service a stationary*”

flammable or combustible liquid storage tank shall be obtained from the fire marshal when such permit is not issued by another officer listed in Section 3737.14 of the Revised Code.

Exceptions:

1. A stationary flammable or combustible liquid storage tank with a capacity of 1,100 gallons or less utilized for residential heating oil or agricultural purposes.
 2. A listed lockable engine mounted tank that is connected to stationary pieces of equipment if all of the following apply:
 - 2.1 The tank has a capacity of 500 gallons or less; and
 - 2.2 The equipment remains locked at all times unless the equipment is being serviced or the tank is being filled; and
 - 2.3 All other provisions of this code, including other security provisions such as vehicle protection, are complied with.
 3. A stationary flammable or combustible liquid storage tank utilized at a construction site for a period of less than 90 days.”.
6. Add section **5702.2** as follows:

“5702.2 “Approved” as used in Chapter 57. As used in this chapter and notwithstanding the definition as set forth in Chapter 2, the term “approved,” unless otherwise further specified or defined in this chapter, means: listed, labeled, or tested and documented in authenticated research reports from an authoritative source listed in Section 118.2, or otherwise acceptable to the fire code official.”
 7. Modify section **5703.5.4 Identification** as follows:

Delete “on each” and insert “at the point of”.

After “loading and unloading” delete “riser”.
 8. Modify section **5703.6.1 Nonapplicability** as follows:

Delete “International Mechanical Code” and insert “mechanical code”.
 9. Modify section **5703.6.5 Protection from external corrosion and galvanic action** as follows:

In the last sentence before “joined” insert “directly”.
 10. Modify section **5703.6.6 Valves** as follows:

After “a sufficient number of” insert “valves, including”.

After “check valves” insert a comma.

Delete “protect the plant” and insert “*provide protection*”.

11. Modify section **5703.6.6.2 Manual drainage** as follows:

After “at approved locations” insert “*appropriate for the facility that are*”.

Delete “their” and insert “*valve*”.

12. Modify section **5703.6.9 Flexible joints** as follows:

Delete “listed and”.

13. Modify section **5703.6.9.1 Fiberglass-reinforced plastic piping** as follows:

In the last paragraph, delete “and listed”.

14. Modify section **5703.6.10 Pipe joints** as follows:

In the first sentence, delete “listed” and insert “*approved*”.

In the second sentence, delete “approved”.

In the second sentence, after “methods and materials” insert “*suitable*”.

15. Add sections **5704.1.1 and 5704.1.2** as follows:

“**5704.1.1** *The aboveground tank storage of flammable and combustible liquids, shall be prohibited on premises to which the public has access.*

Exceptions:

1. *At a bulk plant or terminal, the public may access the facility premises but shall be prohibited from the bulk storage and transfer operation area in accordance with Section 5704.1.2.*

2. *At a property that contains a fleet vehicle motor fuel dispensing facility, the public may access the property but shall be prohibited from the fleet vehicle facility in accordance with Section 2306.3.*

3. *At premises that have an aboveground storage tank connected to stationary pieces of equipment such as internal combustion engine driven generators, fire pumps or other fixed pieces of equipment, the public may access the property but shall be prohibited from the aboveground fuel storage area in accordance with Section 5704.1.2.*

4. *At a property containing a flammable or combustible liquid storage tank serving an on-site electric generator used only for non-commercial purposes only at one-, two-, or three-family dwelling units where the flammable liquid storage tank(s) has a capacity of 60 gallons or greater or where the*

combustible liquid storage tank(s) has a capacity of 660 gallons or greater, the public may access the property but shall be prohibited access to the tank in accordance with Section 5704.1.2.

5. At a distillery, the public may access a premises where the above ground tank storage of flammable and combustible liquids occurs for the purpose of touring storage and production areas of the premises when such public access to the distillery structure or premises occurs in accordance with Section 4007. Above ground storage tanks at such distilleries must otherwise comply with the applicable provisions of this chapter.

5704.1.2 Security. Storage, dispensing, use and handling shall be secured against unauthorized entry and safeguarded against public access. Aboveground tanks that are not enclosed in vaults shall be enclosed by a fence, as listed below, at least 6 feet (1.8 m) high. The fence shall have a gate that is secured against unauthorized entry and shall either be:

1. Chain link or other non-combustible material, spaced at a minimum of three (3) feet from the tank on all sides; or
2. Fire-retardant coated wood or other fire-retardant combustible material, spaced at a minimum of 6 feet from the tank on all sides. No gaps shall be more than 3 inches in width.

Exceptions:

1. Listed, lockable engine mounted tanks that are connected to stationary pieces of equipment shall not be required to be enclosed in vaults or to have fencing if all of the following apply:
 - 1.1 The tank has a capacity of 500 gallons or less; and
 - 1.2 The equipment remains locked at all times unless the equipment is being serviced or the tank is being filled; and
 - 1.3 All other provisions of this code, including other security provisions such as vehicle protection, are complied with.”
2. A distillery shall not be required to be safeguarded against public access to the extent authorized in Section 4007 and only during such time that public access is occurring on the premises in accordance with that section. The property shall be safeguarded at all times when public access in accordance with Section 4007 is not occurring at the premises and shall otherwise be safeguarded against unauthorized entry in accordance with this section at all other times.

16. Modify section **5704.2.1 Change of tank contents** as follows:
At the end of the second sentence after “testing of a tank” insert “to verify compatibility of the proposed new contents with the existing tank”.
17. Modify section **5704.2.2 Use of tank vehicles and tank cars as storage tanks** as follows:
After “not be used as” insert “fixed”.
18. Modify section **5704.2.6 Separation from incompatible materials** as follows:
Delete “Grass, weeds” and insert “Weeds”.
19. Modify section **5704.2.7.3.2 Vent-line arresters and pressure-vacuum vents** as follows:
Delete “Listed or approved” and insert “Where installed, vent-line”.
20. Modify section **5704.2.7.5.8 Overfill prevention** as follows:
In the first sentence, delete “An approved” and insert “A”.

After “5704.2.9.7.5” insert “and 5704.2.9.7.7”.
21. Modify section **5704.2.7.7 Design of supports** as follows:
Delete “International Building Code” and insert “building code”.
22. Modify section **5704.2.7.11 Tank lining** as follows:
After “interior from corrosion” insert “, repair”.
23. Add sections **5704.2.7.11.1 through 5704.2.7.11.5** as follows:
“**5704.2.7.11.1.** The local fire code official shall determine whether or not the repair of leaking and/or deteriorating underground storage tanks containing flammable or combustible liquids shall be permitted within its jurisdiction. If such repair is permitted by the local fire code official, it shall be accomplished in the manner prescribed in Sections 5704.2.7.11.2 through 5704.2.7.11.5.

5704.2.7.11.2. Manufacturers desiring to have their product used in Ohio shall register the specifications for the internal coating systems for the repair of underground storage tanks containing flammable or combustible liquids with the state fire marshal. The specifications shall clearly describe the composition of the product, strength, limitations on use, preparation procedures, application procedures, quality control techniques, curing times and temperatures, field thickness testing procedures, field hardness testing procedures, and a method for determining whether an existing tank is repairable. This information, along with the results of the standards tests, shall be signed and sealed by a registered professional engineer.

5704.2.7.11.3. Each manufacturer who has registered an internal coating system must submit to the fire marshal a list of qualified applicators. It is the responsibility of the manufacturer to keep this list current. The list shall indicate that the applicator is qualified to seal metal tanks, nonmetallic tanks or both. The internal coating procedure shall be in accordance with API 1631.

5704.2.7.11.4. The applicator shall inform the following officials of the location of each project in the following manner:

1. The local fire official shall have in its possession a written notice stating the location of the project and the applicator's anticipated timetable for each stage of the project, prior to the commencement of the project. A copy of such written notice shall be mailed to the state fire marshal simultaneously with its delivery to the local fire official.
2. Any applicator who fails to make proper notification of the project location will be removed, for a period of six months, from the qualified applicator list on file with the state fire marshal. Reinstatement can be accomplished only by the manufacturer resubmitting the applicator's name after the six-month period has elapsed.
3. A current Certificate of Insurance covering the liability of the applicator shall be filed with the state fire marshal.
4. A sample of the Application for Tank Repairs may be obtained from the state fire marshal.

5704.2.7.11.5. A Certificate of Performance shall be utilized as follows:

1. A Certificate of Performance on each field application shall be submitted to the local fire official. The certificate (to be designed by the state fire marshal and printed and supplied by the contractor) shall be signed by the qualified applicator and will confirm that the tank preparation and product application complies with the sealant manufacturer's specifications which are registered with the state fire marshal.
2. A sample of the Certificate of Performance may be obtained from the state fire marshal."

24. Modify section **5704.2.8.1 Listing required, Exception** as follows:

Delete "International Building Code" and insert "building code" at all occurrences (2).

Delete "professional engineer" and insert "registered design professional".

25. Modify section **5704.2.8.2 Design and construction** as follows:

Delete "International Building Code" and insert "building code".

26. Modify section **5704.2.8.3 Secondary containment** as follows:

In the last sentence, delete "certified" and insert "demonstrated by testing".

27. Modify section **5704.2.8.9 Ventilation** as follows:

Delete “International Mechanical Code” and insert “*mechanical code*”.

28. Modify section **5704.2.8.11 Monitoring and detection** as follows:
Delete “an approved,” and insert “a”.
29. Modify section **5704.2.8.15 Accessway** as follows:
Delete “an approved,” and insert “a”.
30. Modify section **5704.2.9 Above-ground tanks** as follows:
After “5704.2.9.7.9.” insert “*Existing above-ground tank installations, even if previously approved, that are determined to constitute a hazard by the fire code official shall not be continued in service. Unsafe tanks shall be brought into compliance with the provisions of this code or removed as required by the fire code official and in accordance with this code.*”.
31. Modify section **5704.2.9.1. Existing noncompliant installations** as follows:
Delete the title and text in their entirety and insert “*Deleted.*”.
32. Modify section **5704.2.9.2.3 Fire protection of supports, Exception 2** as follows:
Delete “an approved” and insert “a”.
33. Modify section **5704.2.9.3 Supports, foundations and anchorage** as follows:
Delete “International Building Code” and insert “*building code*”.
34. Modify section **5704.2.9.4 Stairways, platforms and walkways** as follows:
Delete “International Building Code” and insert “*building code*”.
35. Modify section **5704.2.9.6.1 Locations where above-ground tanks are prohibited** as follows:
After the section number and heading, delete the text in its entirety and insert the following:
“*The above-ground tank storage of flammable and combustible liquids shall be prohibited on premises to which the public has access.*”

Exceptions:

1. *At a bulk plant or terminal, the public may access the facility premises but shall be prohibited from the bulk storage and transfer operation area in accordance with Section 5704.1.2.*
2. *At a property that contains a fleet vehicle motor fuel dispensing facility, the public may access the property but shall be prohibited from the fleet vehicle facility in accordance with Section 2306.3.*
3. *At premises that have an aboveground storage tank connected to stationary pieces of equipment such as internal combustion engine driven generators,*

fire pumps or other fixed pieces of equipment, the public may access the property but shall be prohibited from the aboveground fuel storage area in accordance with Section 5704.1.2.

4 At a property containing a flammable or combustible liquid storage tank serving an on-site electric generator used only for non-commercial purposes only at one-, two-, or three-family dwelling units where the flammable liquid storage tank(s) has a capacity of 60 gallons or greater or where the combustible liquid storage tank(s) has a capacity of 660 gallons or greater, the public may access the property but shall be prohibited access to the tank in accordance with Section 5704.1.2.”

36. Modify section 5704.2.9.6.3 Separation between adjacent tanks containing flammable or combustible liquids and LP-gas as follows:

At the beginning of the second paragraph delete “An approved means” and insert “Dikes, diversion curbs, grading or other method approved by the fire code official”.

After “under adjacent LP-gas containers” delete “such as by dikes, diversion curbs or grading”.

37. Modify section 5704.2.10.5 Equipment controls and piping in diked areas, Exception 1 as follows:

Before “resistive coating” insert “fire”.

38. Modify section 5704.2.11.3 Overfill protection and prevention systems as follows:

Delete “Fill pipes” and insert “Underground storage tanks”.

39. Modify section 5704.2.11.4.2 Leak detection as follows:

Delete “an approved” and insert “a”.

Delete “from any component of the system”.

40. Modify section 5704.2.13.1.2 Out of service for 90 days, subparagraph 1 as follows:

At the end of the sentence after “from the tank” insert “to the extent practical. No more than one-inch of liquid shall remain in the tank”.

41. Add an exception to section 5704.2.13.1.3 Out of service for one year as follows:

“**Exception:** Those underground tank systems that are out of service for more than one year where an extension of the one year out of service period has been granted by the state fire marshal. Any request for an extension of the out of service period shall be submitted in writing prior to the end of the one year out of service period, or extension thereof, to the state fire marshal. All such written requests for extension must contain the following information:

1. The name and address of the owner(s) of the property where the underground storage tank is located and the names and addresses of the underground storage tank owners and operators, if available;
 2. The address of the site where the underground storage tank is located;
 3. The date of the last use of the underground storage tank and the amount of additional time being requested; and
 4. Documentation that the underground storage tank is safeguarded in accordance with Section 5704.2.13.1.2.”
42. Modify section **5704.2.13.2.3 Out of service for one year** as follows:
Before “Tanks within” delete “Exception” and insert “Exceptions 1.”.
- Add Exception 2 as follows:
“2. Above-ground tanks that have been emptied of liquid, rendered vapor free and safeguarded against trespassing when approved by the fire code official.”
43. Modify section **5704.3.2.1.1 Materials** as follows:
Delete “approved”.
44. Modify section **5704.3.3.1 Portable fire extinguishers** as follows:
Delete “Approved portable” and insert “Portable”.
45. Modify section **5704.3.3.5 Shelf storage** as follows:
Delete “International Building Code” and insert “building code”.
46. Modify section **5704.3.6.2 Container capacity, Exception** as follows:
Delete “approved”.
47. Modify section **5704.3.7.1 General** as follows:
Delete “International Building Code” and insert “building code”.
48. Modify section **5704.3.7.5.1 Fire-protection systems** as follows:
Delete “an approved” and insert “a”.
- After “testing laboratory” insert “listed in Chapter 1”.
49. Modify section **5704.3.7.5.2 Portable fire extinguishers** as follows:
Delete “approved”.
50. Modify section **5704.3.8 Liquid storage warehouses** as follows:
Delete “International Building Code” and insert “building code”.
51. Modify section **5704.3.8.4 Automatic sprinkler systems** as follows:

In the third paragraph delete “an approved” and insert “a”.

After “testing laboratory” insert “*listed in Chapter 1*”.

52. Modify section **5704.4.1 Plans** as follows:

After “Storage” insert “*of flammable and combustible liquids in closed containers and portable tanks outside of buildings*”.

After “approved” insert “*site storage*”.

After “plans.” insert “*Such site storage plans shall be submitted to the fire code official at the time of notification or with the permit application as required in Chapter 1.*”.

53. Modify section **5704.4.2 Location on property** as follows:

After “Outdoor storage of liquids in” insert “*closed*”.

54. Modify **Table 5704.4.2 Outdoor liquid storage in containers and portable tanks** as follows:

In the title of the table after “**Outdoor storage of liquids in**” insert “*closed*”.

In the title of the second column “**Container storage-maximum per pile**” delete “**Container**” and insert “***Closed container***”.

55. Modify section **5704.4.2.2 Access** as follows:

After “Storage of” insert “*closed*”.

56. Modify section **5704.4.2.3 Security** as follows:

Delete “free from” and insert “*clear of*”.

57. Modify section **5704.4.2.4 Storage adjacent to buildings** as follows:

At the end of the last sentence before “container or portable tank.” insert “*closed*”.

58. Modify section **5704.4.3 Spill control and secondary containment, Exception** as follows:

At the beginning of the exception, delete “Containers” and insert “*Closed containers*”.

Delete “approved”.

After “Section 5004.2.3 and” insert “*closed*”.

59. Modify section **5704.4.8 Empty closed containers and portable tank storage** as follows:

In the title of the section before “**containers**” insert “*closed*”.

In the title of the section before “**tank storage**” insert “*portable*”.

In the first sentence before “tanks” insert “*portable*” at all occurrences (2).

In the first sentence before “containers” insert “*closed*” at all occurrences (2).

At the beginning of the second sentence delete “Tanks” and insert “*Portable tanks*”.

In the second sentence before “containers” insert “*closed*”.

60. Modify section **5705.2.3 Piping, hoses and valves** as follows:
Delete “or listed”.
61. Modify section **5705.2.4 Class I, II and III liquids, subparagraph 5** as follows:
Delete “engineered”.
62. Modify section **5705.3.4 Location of processing vessels, Exception** as follows:
Delete “International Building Code” and insert “*building code*”.
63. Modify section **5705.3.5.3 Quantities exceeding limits for control areas, subparagraphs 1 and 2** as follows:
Delete “International Building Code” and insert “*building code*” at all occurrences (2).

In subparagraph 2, delete “and Section 5705.3.7.6”.
64. Modify section **5705.3.6.2 Listed and approved machines** as follows:
In the title of the section, delete “**Listed and approved**” and insert “***Approved***”.

After “degreasing conducted in” delete “listed and”.
65. Modify section **5705.3.6.2.3 Solvent quantity limits, subparagraph 3** as follows:
Delete “approved” at all occurrences (2).

Before “an aggregate of 480 gallons” delete “and” and insert “*in accordance with Chapter 9. The total quantities shall not exceed*”.
66. Modify section **5705.3.7.1 Construction, location and fire protection** as follows:
Delete “International Building Code” and insert “*building code*” at all occurrences (2).
67. Modify section **5705.3.7.2 Basements** as follows:
Delete “International Building Code” and insert “*building code*”.
68. Modify section **5705.3.7.3 Fire protection** as follows:
Delete “International Building Code” and insert “*building code*”.
69. Modify section **5705.3.7.4 Doors** as follows:
Delete “International Building Code” and insert “*building code*”.
70. Modify section **5705.3.7.5.1 Ventilation** as follows:

Delete “International Building Code” and insert “*building code*”.

Delete “International Mechanical Code” and insert “*mechanical code*”.

71. Modify section **5705.3.7.5.3 Spill control and secondary containment** as follows:

Before “exceeding 1.3-gallon (5 L) capacity” insert “*or tanks*”.

Before “or systems exceeding a 5.3-gallon (20 L) capacity.” insert “*, tanks*”.

Before “exceeds 55 gallons (208 L)” insert “*or tank*”.

72. Delete the title and text of section **5705.3.7.6 Closed systems and its subsections** in their entirety and insert “*Deleted*” after **5705.3.7.6**.

73. Modify section **5705.3.8 Use, dispensing and handling outside of buildings** as follows:

After “Dispensing of” insert “*flammable and combustible*”.

Delete “into motor vehicle fuel tanks”.

74. Modify section **5705.4.8 Storage of residues** as follows:

Delete “and Chapter 50”.

75. Modify section **5705.4.9 Portable fire extinguishers** as follows:

Delete “Approved portable” and insert “*Portable*”.

76. Modify section **5706.1 General, subparagraph 2** as follows:

Delete “Well drilling and operating” and insert “*Reserved for future use*”.

77. Modify section **5706.2 Storage and dispensing of flammable and combustible liquids on farms and construction sites** and its **Exception** as follows:

Delete “on farms and rural areas” and insert “*at areas used for agricultural purposes*”.

In the exception, delete “International Mechanical Code” and insert “*mechanical code*”.

78. Modify section **5706.2.3 Containers for storage and use** as follows:

Delete “International Building Code” and insert “*building code*”.

79. Delete the title and text of section **5706.2.4.4 Locations where above-ground tanks are prohibited** in their entirety and insert “*Deleted*”.

80. Modify section **5706.2.8 Dispensing from tank vehicles** as follows.

In subparagraph 1, delete “specific function is that of” and insert “*functions shall include*”.

In subparagraph 2, delete “does not exceed” and insert “*shall not be exceeded from the reel or be more than*”.

In subparagraph 3, delete “is” and insert “and hose are”.

In subparagraph 4, delete “an approved” and insert “a”.

In subparagraph 4, delete “provided”.

81. Modify section 5706.2.8.1 Location as follows.

In the title of the section, delete “Location” and insert “Separation distance”.

Delete “50 feet (15 240 mm)” and insert “15 feet (4572 mm)”.

After “structures” insert “, property lines”.

82. Modify section 5706.3 Well drilling and operating and its subsections as follows.

Delete the entire text of the section in its entirety and after the section number and heading insert “Facilities and activities that are engaged in the exploration, development and production of crude oil and natural gas and that are regulated under Chapter 1509. of the Revised Code and rule 1501 of the Administrative Code are hereby excluded from regulation under the provisions of this code.”

Delete sections 5706.3.1 through 5706.3.8 in their entirety including the section numbers, headings and all text.

83. Modify section 5706.4.1 Building construction as follows:

Delete “International Building Code” and insert “building code”.

84. Modify section 5706.4.4 Ventilation as follows:

Delete “International Mechanical Code” and insert “mechanical code”.

85. Add section 5706.4.11 and its subsections as follows:

“5706.4.11 Dispensing from bulk plants prohibited. The dispensing of flammable or combustible liquids from aboveground bulk storage tanks located at a bulk plant shall be prohibited.

Exception: The dispensing of diesel fuel at a terminal or bulk plant into a motor vehicle that is transporting petroleum products or equipment essential to the operation of the terminal or bulk plant, provided that the motor vehicle is owned or leased by or operated under a contract with a person who has been issued a motor fuel dealers license under Section 5735.02 of the Revised Code. For such dispensing, the provisions of this rule governing capacity limitations shall not apply.

5706.4.11.1. Aboveground storage tanks and associated dispensers utilized for dispensing purposes at a fleet vehicle motor fuel dispensing facility located at a bulk plant shall be separated from bulk plant operations (bulk tanks and loading racks) by a minimum of 100 feet.

5706.4.11.1.1. The dispensing tanks and dispensers shall be installed in compliance with Sections 5704 and 5705.

5706.4.11.1.2. The individual capacity of the tanks shall not exceed 12,000 gallons and the aggregate capacity shall not exceed 48,000 gallons. Dispensing areas containing the maximum aggregate capacity shall be separated from each other and the bulk plant operations by a minimum of 100 feet.

5706.4.11.1.3. At a property that contains a fleet vehicle motor fuel dispensing facility, the public may access the property but shall be prohibited from the fleet vehicle facility.”

86. Modify section **5706.5 Bulk transfer and process transfer operations** as follows:

Delete “approved and”.

87. Modify section **5706.5.1.1 Location** as follows:

In the first sentence, delete “approved”.

At the end of the first sentence after “locations” insert “properly protected from ignition sources”.

Toward the beginning of the third sentence, delete “vehicles” and insert “vehicle transfer facilities”.

In the third sentence, delete “cars engaged in bulk transfer or process transfer operations” and insert “car transfer facilities”.

88. Modify section **5706.5.1.18 Security** and its **Exception 2** as follows:

Delete “noncombustible” and insert “chain link”.

Delete “5 feet (1524 mm)” and insert “6 feet (1.8 m)”.

In exception 2, delete “determined appropriate by” and insert “acceptable to”.

89. Modify section **5706.5.4.4 Fueling of vehicles at farms, construction sites and similar areas** as follows:

In the title of the section, delete “farms,”.

Delete “on farms and rural areas” and insert “at areas used for agricultural purposes”.

90. Modify section **5706.5.4.5 Commercial industrial, governmental or manufacturing** and its subparagraphs as follows:

At the beginning of the first sentence after “Dispensing of Class” insert “I,”.

In the first sentence, delete “where permitted,”.

Delete the text of subparagraph 1 in its entirety' and renumber remaining subparagraphs accordingly.

Delete text in subparagraph 2 (which becomes subparagraph 1) beginning with and including “provide to the jurisdiction” through the end of the subparagraph and insert the following:

“notify the local fire code official of their intent to conduct mobile fueling operations at a commercial, industrial, governmental, or manufacturing establishment. Upon receipt of such notification, the fire code official may conduct an inspection of the premises.”

Delete the text of subparagraphs 3 and 4 in their entirety and renumber remaining paragraphs accordingly.

Subparagraph 5 becomes subparagraph 2.

At the beginning of subparagraph 6 (which becomes subparagraph 3), delete “Mobile fueling” and insert “*Dispensing operations*”.

Subparagraphs 7, 8, 9, 10 and 11 become subparagraphs 4, 5, 6, 7 and 8, respectively.

At the beginning of subparagraph 12 (which becomes subparagraph 9), delete “Absorbent materials, nonwater-absorbent pads, a 10-foot-long (3048 mm) containment boom, an approved container with lid and a nonmetallic shovel” and insert “*Materials and equipment, such as absorbent pads,*”.

Delete the text of subparagraph 13 and its exception in their entirety and renumber remaining paragraphs accordingly.

In subparagraph 14 (which becomes subparagraph 10) after “fire, leak or spill” insert “*in accordance with 49 CFR 172.704*”.

Subparagraphs 15, 16 and 17 become subparagraphs 11, 12 and 13, respectively.

At the end of subparagraph 18 (which becomes subparagraph 14) after “operations” insert “*unless the continued operation of the engine is necessary to protect the cargo of the vehicle or to maintain the vehicle’s operation*”.

Subparagraphs 19 and 20 becomes subparagraphs 15 and 16, respectively.

In subparagraph 21 (which becomes subparagraph 17), delete text beginning with “, chock blocks” through and including the text “in place”.

Delete the text of subparagraph 22 in its entirety and insert the following:

“18. Sufficient space shall be left in the motor vehicle tank to allow for the possible expansion of motor vehicle fuel.”

Renumber remaining paragraphs accordingly.

In subparagraph 23 (which becomes subparagraph 19), delete “an approved” and insert “a” at all occurrences (2).

Add subparagraph 20 as follows:

“20. In the event of an unauthorized discharge, action shall be taken to prevent liquids spilled during dispensing operations from flowing into buildings or offsite.”.

Renumber remaining paragraphs accordingly; subparagraphs 24 and 25 become subparagraphs 21 and 22, respectively.

91. Modify section **5706.6.2.2 Parking on thoroughfares, Exception 1** as follows:

Delete the last sentence of Exception 1.

92. Modify section **5706.6.2.3 Duration exceeding 1 hour** as follows:

In subparagraph 1, delete “25 feet (7620 mm)” and insert “10 feet (3048 mm)”.

At the end of subparagraph 1, insert “in accordance with the building code”.

In subparagraph 2 after “buildings other than those approved” insert “in accordance with the building code”.

93. Modify section **5706.6.3 Garaging** as follows:

After “fire code official” insert “in accordance with the building code”.

94. Add sections **5706.9 through 5706.9.2** as follows:

“**5706.9 Fuel for kerosene heaters.** The state fire marshal recognizes and hereby adopts standard specification ASTM D3699-98, issued by the American Society for Testing and Materials, for the purpose of prescribing two grades of kerosene suitable for use in kerosene heaters, as follows:

5706.9.1 No. 1-K kerosene. This is a special low-sulfur grade kerosene with a maximum sulfur content of four-hundredths of one percent (0.04 percent) by weight, suitable for use in unvented kerosene heaters.

5706.9.2 No. 2-K kerosene. This is a regular grade kerosene with a maximum sulfur content of thirty-hundredths of one percent (0.30 percent) by weight, suitable for use in vented or flue-connected kerosene heaters.”

95. Modify section **5707.1.1 Approval required** as follows:

In the title, delete “required”.

In the first sentence:

Delete “and approval from the fire code official” and insert “*if required pursuant to Chapter I*”.

Delete the second sentence (beginning “Mobile fueling operations” and ending “at approved locations.”) in its entirety.

In the third sentence (which will become the second sentence):

After “The fire code official is authorized” insert “*but not required*”.

Delete “approve” and insert “*designate*”.

At the end of the sentence after “fueling is allowed” insert “*within that official’s jurisdiction*”.

After the end of the section after the above addition of “*official’s jurisdiction.*” insert “*Mobile fueling operations within such jurisdiction shall occur only at the designated locations.*”.