



ADMINISTRATIVE RULES OF MONTANA

17.58.326 APPLICABLE RULES GOVERNING THE OPERATION AND MANAGEMENT OF PETROLEUM STORAGE TANKS

- (1) The applicable state rules referenced in 75-11-308(1)(b)(ii) and 75-11-309(1)(b), MCA, are:
 - (a) the following provisions of the International Fire Code (IFC 2009) are applicable to aboveground storage tanks. A copy of the code may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, or online with cost at www.iccsafe.org:
 - (i) 312.1 Vehicle impact protection shall be provided by posts that comply with Section 312.2 or by other approved physical barriers that comply with Section 312.3;
 - (ii) 2203.2 An approved, clearly identified, and readily accessible emergency disconnect switch shall be provided at an approved location to stop the transfer of fuel to the fuel dispensers in the event of a fuel spill or other emergency. An emergency disconnect switch for exterior fuel dispensers shall be located within 100 feet of, but not less than 20 feet from, the fuel dispensers;
 - (iii) 2206.7.3 Dispensing devices, except those installed on top of a protected aboveground tank that qualifies as vehicle-impact resistant, shall be protected against physical damage by mounting on a concrete island six inches or more in height;
 - (iv) 2206.7.5.1 Dispensing hoses for Class I and II liquids shall be equipped with a listed emergency breakaway device designed to retain liquid on both sides of a breakaway point. Such devices shall be installed and maintained in accordance with the manufacturer's instructions. Where hoses are attached to hose-retrieving mechanisms, the emergency breakaway device shall be located between the hose nozzle and the point of attachment of the hose-retrieval mechanism to the hose;
 - (v) 2704.2.2.4 Secondary containment for outdoor storage areas shall be designed to contain a spill from the largest vessel. If the area is open to rainfall, secondary containment shall be designed to include the volume of a 24-hour rainfall as determined by a 25-year storm and provisions shall be made to drain accumulations of groundwater and rain water. (In Montana the volume of a 24-hour rainfall as determined by a 25-year storm does not exceed 4.6 inches of freeboard.); and
 - (vi) 3404.2.9.7.6 Aboveground storage tanks shall not be filled in excess of 95 percent their capacity. No later than December 31, 2013, tanks must comply with one of the following requirements:
 - (A) an overfill prevention system shall be provided for each tank. During tank-filling operations, the system shall provide an independent means of notifying the

person filling the tank that the fluid level has reached 90 percent of tank capacity or by providing an audible or visual alarm signal, or providing a tank level gauge marked at 90 percent of tank capacity; or

- (B) an impermeable secondary containment shall be provided for each tank. The tank shall have secondary containment, designed in accordance with 2704.2.2.4 of International Fire Code that is impermeable to petroleum;
- (b) the following provisions of the National Fire Protection Association Uniform Fire Code, Flammable and Combustible Liquids Code (NFPA 30) (2008) are applicable to aboveground storage tanks. A copy of the Code may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169, or online at www.nfpa.org:
 - (i) 21.3.1 Tanks shall be permitted to be of any shape, size, or type consistent with recognized engineering standards. Metal tanks shall be welded, riveted and caulked, bolted, or constructed using a combination of these methods;
 - (ii) 22.5.2.1 Tanks shall rest on the ground or on foundations made of concrete, masonry, piling, or steel;
 - (iii) 22.5.2.2 Tank foundations shall be designed to minimize the possibility of uneven settling of the tank and to minimize corrosion in any part of the tank resting on the foundation;
 - (iv) 27.3.2 Piping systems shall be maintained liquidtight. A piping system that has leaks that constitute a hazard shall be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction;
 - (v) 27.5.1.1 Joints shall be made liquidtight and shall be welded, flanged, threaded, or mechanically attached;
 - (vi) 27.5.1.3 Threaded joints shall be made with a suitable thread sealant or lubricant; and
 - (vii) 27.6.4 Aboveground piping systems that are subject to external corrosion shall be suitably protected;
- (c) the following provisions of the National Fire Protection Association Uniform Fire code, Code for Motor Fuel Dispensing Facilities and Repair Garages (NFPA 30A) (2008) are applicable to aboveground storage tanks. A copy of the Code may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169, or online with cost at www.nfpa.org:
 - (i) 4.3.8 Any portion of a tank or its piping that is in contact with the soil shall have properly engineered, installed, and maintained corrosion protection that meets the requirements of 21.4.5 of NFPA 30;
 - (ii) 5.2.3 Any portion of a piping system that is in contact with the soil shall be protected from corrosion in accordance with good engineering practice; and
 - (iii) 6.3.4 Dispensing devices shall be mounted on a concrete island or shall otherwise be protected against collision damage by means acceptable to the authority having jurisdiction. Dispensing devices shall be securely bolted in place. Dispensing devices shall be installed in accordance with the manufacturers' instructions;

- (d) the following provisions of the National Fire Protection Association Uniform Fire Code, Standard for the Installation of Oil-burning Equipment (NFPA 31) (2006) are applicable to aboveground storage tanks attached to burners. A copy of the Code may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169, or online at www.nfpa.org:
 - (i) 7.2.7.1 Metal tanks shall be welded or brazed or constructed using a combination of these methods;
 - (ii) 7.3.1 Tanks shall rest on the ground or on foundations made of concrete, masonry, piling, or steel;
 - (iii) 7.3.2 Tank foundations shall be designed to minimize the possibility of uneven settling and to minimize corrosion in any part of the tank resting on the foundation;
 - (iv) 7.3.3.1 Single wood timber supports (not cribbing), laid horizontally, shall be permitted to be used for outside aboveground tanks if the supports are less than 12 inches high at their lowest point;
 - (v) 7.9.4 Outside aboveground tanks and their appurtenances and supports shall be protected from external corrosion;
 - (vi) 7.9.7 Each oil burner supply line connected to the gravity feed connection of the supply tank shall be provided with a shutoff valve at the tank;
 - (vii) 7.12.5 Each tank shall be maintained liquidtight;
 - (viii) 7.13.1 If an oil storage tank is permanently removed from service, for whatever reason, it shall be emptied of all contents;
 - (ix) 7.13.2 If an oil storage tank is temporarily removed from service, for whatever reason, it shall be emptied of all contents;
 - (x) 8.2.9 Piping shall meet the following criteria:
 - (A) Piping shall be substantially supported and protected against physical damage; and
 - (B) Piping shall be protected against corrosion; and
 - (xi) 8.2.12 Piping shall be maintained liquidtight;
- (e) 40 CFR Section 112.3, to the extent that this regulation requires an owner or operator to prepare and implement a Spill Prevention, Control, and Countermeasure Plan, is applicable to all petroleum storage tanks; and
- (f) the following requirements in ARM Title 17, chapter 56 are applicable to underground storage tanks:
 - (i) the installation and design standards for underground storage systems contained in subchapters 1 and 2;
 - (ii) the spill and overfill prevention and corrosion protection requirements for underground storage tanks contained in subchapter 3;
 - (iii) the release prevention and detection requirements for underground storage tanks and piping contained in subchapter 4;

- (iv) the testing, monitoring, and recordkeeping requirements contained in subchapter 3 and subchapter 4;
- (v) the release reporting, initial response, and corrective action requirements contained in subchapters 5 and 6; and
- (vi) for inactive and permanently closed underground storage tanks, ARM 17.56.701 and 17.56.702, to the extent that those rules require emptying of such tanks.

Authorizing statute(s): 75-11-318, 75-11-319, MCA

Implementing statute(s): 75-11-308, MCA

History: NEW, 1998 MAR p. 479, Eff. 2/13/98; AMD, 1999 MAR p. 2279, Eff. 10/8/99; AMD, 2002 MAR p. 2904, Eff. 10/18/02; AMD, 2004 MAR p. 3018, Eff. 12/17/04; AMD, 2006 MAR p. 1734, Eff. 7/7/06; AMD, 2011 MAR p. 377, Eff. 3/25/11; AMD, 2011 MAR p. 1370, Eff. 7/29/11.