

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

Requirements for installation:

A D.E.P. Certified Installer is required on all installations.

Emergency generators or heating oil less than 3,000 Gallons does not need to be permitted.

1. Two completed copies of the application. Both applications **must** be notarized.
2. A copy of the Site Mining Survey Map **must** be provided by applicants before approval of permits. This information can be found by contacting the Mine Subsidence Insurance Fund at 1-800-922-1678.
Or by visiting <http://www.dep.state.pa.us/MSIHomeowners/checkrisk.html>.
3. If an existing site, digital photographs of tank/site/dispensers locations **must** be provided.
4. 2 - Site maps showing location of tanks, distances to buildings, roadways, waterways, overhead and underground utilities and property lines. This drawing may be completed by hand and submitted on a 8-1/2" x 11" sheet of paper. **Electronic copies are preferred.**
5. Parcel ID number **must** be provided. This information can be found by visiting the Allegheny County Real Estate website at <http://www2.county.allegheny.pa.us/RealEstate/Search.aspx>.
6. Allegheny County does not issue any variance. If a variance is needed, please contact the local municipality. If a variance is granted a copy of the variance **must** accompany the completed tank application.
7. GPS coordinates of site location **must** be provided.

Upon return of all required documents, including tank specifications, and payment of fee, your application will be reviewed by this Office. You will be notified by email, mail or phone if any additional information is needed or of the approval of your application, along with a Certificate of Fire and Explosion Safety Number. You will also receive a validated copy of your application and site plan for your records and for your future use in meeting any State and Local requirements. **You must have a certificate of Fire and Explosion Safety and Number before installation of tank(s).** No other form of approval is valid.

Approval, if given, is based upon your original application and site plan. Any changes to these originals **must** be approved by this Office before beginning installation. **All above listed items must be completed before processing and approval.**

Please note that this Office **must be notified in writing upon the removal of any existing tank(s).**

Please make the check for appropriate fee(s) payable to: County of Allegheny

UPON FINAL INSPECTION, A PERMIT WILL BE ISSUED. A COPY OF THE PERMIT MUST BE POSTED FOR PUBLIC VIEW AT THE LOCATION OF THE INSTALLED TANKS.

The regulations for the installation of AST/UST are available on the following website:

<http://www.alleghenycounty.us/emergency-services/fire-marshal/storage-tanks.aspx>

REV. 10/17

MATTHEW J. BROWN, CEM, CFPS, CHIEF
DEPARTMENT OF EMERGENCY SERVICES

911 COMMUNICATIONS • EMERGENCY MANAGEMENT • EMERGENCY MEDICAL SERVICES • FIRE ACADEMY • FIRE MARSHAL
400 NORTH LEXINGTON STREET • PITTSBURGH, PA 15208
PHONE (412) 473-2550 • FAX (412) 473-2623 • WWW.ALLEGHENYCOUNTY.US

No. 30-16-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing new fees for the County Fire Marshal's administration and enforcement of the Commonwealth's Combustible and Flammable Liquids Act's rules and regulations.

Whereas, the Allegheny County Department of Emergency Services, (hereinafter referred to as "Emergency Services includes the Allegheny County Fire Marshal's Office, (hereinafter referred to as "Fire Marshal"); and

Whereas, Section 6104.1 (a) of the Second Class County Code authorizes Allegheny County, through its Fire Marshal, to administer and enforce, except in the City of Pittsburgh, rules and regulations promulgated by the Pennsylvania Department of Labor and Industry under Section 4(b) of the Combustible and Flammable Liquids Act, 35 P.S. § 1241 *et seq.*, which are set forth in Chapter 14 of 34 Pa. Code, governing the possession, use, storage and sale of combustible and flammable liquids; and

Whereas, Section 6104.1 of the Second Class County Code also authorizes Allegheny County to collect reasonable fees for administering and enforcing Commonwealth's Combustible and Flammable Liquids Act's rules and regulations; and

Whereas, the County's fees for administering and enforcing the Commonwealth's Combustible and Flammable Liquids Act's rules and regulations were last set by an ordinance approved by the then Board of Allegheny County Commissioners on November 11, 1976; and

Whereas, Emergency Services has recommended that the fees charged by the County for administering and enforcing Commonwealth's Combustible and Flammable Liquids Act's rules and regulations should be reasonably increased from the amounts set almost forty years ago to cover the increased costs of administration and enforcement; and

Whereas, Article IV, Section 2.b. of the Allegheny County Home Rule Charter vests the County's Council with the power to establish fees and service charges.

The Council of the County of Allegheny hereby enacts as follows:

Section 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference as set forth in their entirety herein.

Section 2. Allegheny County Fire Marshal Flammable and Combustible Liquid Act Fee Schedule.

A. The County's fees for administering and enforcing Commonwealth's Combustible and Flammable Liquids Act's rules and regulations within Allegheny County, excluding the City of Pittsburgh, shall be as set forth on the schedule of fees incorporated by reference in its entirety herein and attached hereto as Exhibit "A."

B. The Fire Marshal shall send a bill to a person, as defined in Section 1242 of the Combustible and Flammable Liquids Act, for whom the Fire Marshal has provided a service as described in the attached Exhibit A. The person receiving the bill for the Fire Marshal's services shall remit payment to the Fire Marshal within thirty (30) days of receipt of the bill. The Fire Marshal shall mail all bills for services rendered to a person no later than the 31st of December of each calendar year.

Section 3. Effective Date.

This Ordinance shall enter into effect on January 1, 2017.

Section 4. Severability.

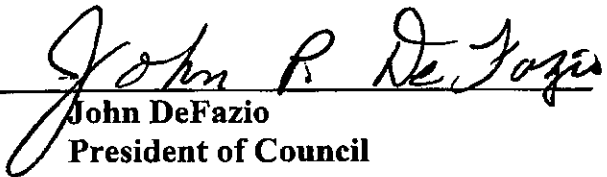
If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance, which shall be in full force and effect.

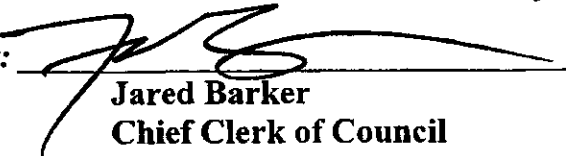
Section 5. Repealer.

Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 30th day of August, 2016

Council Agenda No. 9746-16


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office September 2, 2016

Approved: 
Rich Fitzgerald
Chief Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY PAGE

Section 6104.1 (a) of the Second Class County Code authorizes Allegheny County, through its Fire Marshal, to administer and enforce, except in the City of Pittsburgh, rules and regulations promulgated by the Pennsylvania Department of Labor and Industry under Section 4(b) of the Combustible and Flammable Liquids Act, 35 P.S. § 1241 *et seq.*, which are set forth in Chapter 14 of 34 Pa. Code, governing the possession, use, storage and sale of combustible and flammable liquids. Section 6104.1 of the Second Class County Code also authorizes Allegheny County to collect a reasonable fee for the Fire Marshal's administration and enforcement of these rules and regulations.

The current fees charged the County's fees for administering and enforcing the Commonwealth's Combustible and Flammable Liquids Act's rules and regulations were last set by an ordinance approved by the then Board of Allegheny County Commissioners on November 11, 1976. Personnel and administrative expenses associated with the performance of the reviews and inspections conducted by the Fire Marshal of the facilities subject to the Combustible and Flammable Liquids Act for increased over the nearly forty years when the current fee schedule was established. It is for this reason that the Department of Emergency Services respectfully request the approval of Allegheny County Council to increase these fees. A summary of changes to fees is below:

- A. For new installation or reinstallation of aboveground storage tanks, fee increased from \$50 to \$325 based on calculation of personnel and administrative costs.
- B. For new installation or reinstallation of underground storage tanks, fee increased from \$25 to \$450 based on calculation of personnel and administrative costs.
- C. For annual inspection of facilities with underground or aboveground storage tanks, proposed fee of \$325 for aboveground storage and \$450 for underground storage.
- D. For each dispensing unit, privately-owned, publicly-owned and commercially used, fee increased from \$10 to \$50 based on consumer price index/inflation.

EXHIBIT A

Allegheny County Fire Marshal's Office

Fee Schedule for Above-ground Storage Tank (AST) and Underground Storage Tank (UST):

#1 – AST new site installation = \$325.00 – review of application and documentation, site visit and inspection to approve installation

#2 – UST new site installation = \$450.00 – review of application and documentation, site visit and inspection to approve installation

#3 – AST rebuild installation at existing location = \$325.00 – review of application and documentation, site visit and inspection to approve rebuild

#4 – UST rebuild installation at existing location = \$450.00 – review of application and documentation, site visit and inspection to approve rebuild

#5 – AST inspection = \$325.00 – annual on-site inspection

#6 – UST inspection = \$450.00 – annual on-site inspection

#7 – Dispensing pump annual registration fee = \$50/dispensing unit

COUNTY OF



ALLEGHENY

**ALLEGHENY COUNTY FIRE MARSHAL FLAMMABLE AND COMBUSTIBLE LIQUID ACT
FEE SCHEDULE**

EFFECTIVE JANUARY 1, 2017

1. **AST New Site Installation - \$325.00**
Review of application and documentation, site visit and inspection to approve installation
2. **UST New Site Installation - \$450.00**
Review of application and documentation, site visit and inspection to approve installation
3. **AST Rebuild Installation and/or Dispenser Replacement at existing location - \$325.00**
Review application and documentation, site visit and inspection to approve rebuild
4. **UST Rebuild Installation and/or Dispenser Replacement at existing location - \$450.00**
Review application and documentation, site visit and inspection to approve rebuild
5. **AST Inspection - \$325.00**
On-site safety inspection (not to include annual dispenser fee)
6. **UST Inspection - \$450.00**
On-site safety inspection (not to include annual dispenser fee)
7. **Dispensing Pump Annual Registration Fee - \$50.00**
\$50.00 per dispensing unit

REV. 09/17

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APPLICATION FOR APPROVAL

UNDERGROUND TANKS - PUMPS - DRAWING-OFF DEVICES

READ REGULATIONS CAREFULLY FOR THE STORAGE, HANDLING AND USE OF FLAMMABLE AND COMBUSTIBLE LIQUIDS BEFORE FILLING OUT APPLICATION

APPLICATION NO:

PARCEL ID:

CERTIFICATE NO:

ALLEGHENY COUNTY FIRE MARSHAL
400 NORTH LEXINGTON STREET
PITTSBURGH, PA 15208-2521
(412) 473-2552 FAX: (412) 473-2623

DATE

(DO NOT WRITE IN THIS SPACE)

APPLICANT _____ MAILING ADDRESS _____
TANK(S) OWNER _____ MAILING ADDRESS _____
TANK(S) LOCATION _____ MUNICIPALITY _____
APPLICANT TELEPHONE NO _____ FACILITY TELEPHONE NO _____
OWNER EMAIL _____ APPLICANT EMAIL _____

PROPOSED AND EXISTING TANKS

LIST ALL PROPOSED AND EXISTING TANKS. APPROVAL NUMBER, IF KNOWN, IS REQUIRED FOR EXISTING TANKS ONLY. IF UNKNOWN, ENTER THE APPROXIMATE DATE (MONTH AND YEAR) OF INSTALLATION. EXISTING TANKS MUST BE SHOWN ON THE DRAWING UNLESS BEING REMOVED OR ABANDONED.
**IF THERE IS INSUFFICIENT ROOM PLEASE ATTACH ADDITIONAL PAGES.

NUMBER AND CAPACITY	PROPOSED OR EXISTING	APPROVAL NO IF EXISTING	MATERIAL OF CONSTRUCTION	LIQUID TO BE HANDLED	FLASHPOINT (EXCEPT GASOLINE AND FUEL OIL)
1					
2					
3					
4					

TOTAL TANKS (EXISTING TANKS THAT REMAIN IN SERVICE PLUS PROPOSED TANKS)

TANKS TO BE REMOVED (Number and Capacity) _____

INSTALLATION SPECIFICATIONS

DISTANCES FROM PROPOSED TANKS (AND EXISTING TANKS IF APPROVAL NUMBERS IS UNKNOWN) TO NEAREST BUILDINGS, INCLUDING TANK OWNER, ADJOINING PROPERTY LINES AND/OR NEAREST SIDE OF ANY HIGHWAY. DISTANCES MUST CORRESPOND WITH AND APPEAR ON DRAWINGS. DISTANCES TO BE MEASURED FROM THE NORTHERN MOST TANK TO NORTH PROPERTY LINE/BUILDING, EASTERN MOST TANK TO EAST PROPERTY LINE/BUILDING, ETC. ALL EXISTING TANKS MUST BE INCLUDING IN ALL DISTANCE MEASUREMENTS.

(ENTER ALL DISTANCES IN FEET)

BUILDINGS: NORTH _____ EAST _____ SOUTH _____ WEST _____
PROPERTY LINES: NORTH _____ EAST _____ SOUTH _____ WEST _____

WILL TANK CONSTRUCTION MEET MINIMUM STANDARDS OF APPLICABLE UNDERWRITERS LABORATORIES, INC. STANDARDS? _____
IF CONSTRUCTED OF STEEL, WILL THE TANK(S) AND PIPING BE CATHODICALLY PROTECTED IN AN APPROVED MANNER? _____
DISTANCE FROM TANK(S) TO NEAREST WALL OF ANY CELLAR, BASEMENT OR PIT. _____
DISTANCE BETWEEN TANKS (MIN. 2') _____ NUMBER OF FEET TOP OF TANK WILL BE BELOW THE SURFACE. _____
IF TANK EXCAVATION IS LOWER THAN ADJACENT FOOTINGS, WILL TANK BE OUTSIDE A SLOPE OF ONE (1) HORIZONTAL. TO ONE (1) VERTICAL? _____
LOCATION OF FILL PIPE: OVER TANK _____ EXTENDED _____ (IF EXTENDED, GIVE DETAILS ON SITE PLAN)
WILL FILL PIPE OPENINGS FOR KEROSENE BE SMALLER THAN FILL PIPES FOR GASOLINE, DIESEL OR FUEL OIL TANKS? _____
METHOD USED TO IDENTIFY FILL CONNECTIONS: COLOR CODE _____ TAG _____
METHOD OF FILLING TANK(S): GRAVITY _____ PUMP _____ IF BY PUMP STATE THE UNLOADING RATE IN GPM _____
VENTING: PIPE SIZE (MIN. 1 1/4") _____ HEIGHT ABOVE GROUND (MIN. 12' FOR CLASS I) _____ OVER-ALL LENGTH _____
NUMBER OF FEET VENT PIPE(S) WILL TERMINATE FROM NEAREST BUILDING ON ADJACENT PROPERTY. _____

FLOOD AREAS

IS LOCATION SUBJECT TO FLOOD WATERS? _____ DEPTH OF HIGHEST FLOOD WATER AT LOCATION OF TANK(S) INSTALLATION? _____ NAME OF RIVER OR STREAM _____
WILL TANK(S) BE CONSTRUCTED AND INSTALLED WITH ALL SAFEGUARDS PROVIDED AS REQUIRED BY PROVISIONS OF CURRENT REGULATIONS? _____

SUCTION PUMPS, SUBMERGIBLE PUMPS & BULK LOADING PUMPS

**IF THERE IS INSUFFICIENT ROOM PLEASE ATTACH ADDITIONAL PAGES.

NUMBER OF DEVICES	MAKE AND MODEL	KEY OR CARD (INDICATE)	SINGLE, MULTI-HOSE OR SUB PUMP	ELECTRIC OR HAND (INDICATE)	PROPOSED, EXISTING OR REPLACEMENT	APPROVAL NUMBER
1						
2						
3						

TOTAL DEVICES (EXISTING PUMPS REMAINING IN SERVICE AND PROPOSED PUMPS)

DISPENSERS USED WITH REMOTE OR SUBMERGIBLE PUMPS
(INCLUDING BULK LOADING ARMS)

EXISTING DISPENSERS MUST ALSO BE LISTED BELOW, BE IDENTIFIED BY APPROVAL NUMBER AND SHOWN ON DRAWINGS IF REMAINING IN SERVICE

NUMBER OF DEVICES	MAKE AND MODEL	KEY OR CARD (INDICATE)	SINGLE, MULTI- HOSE	PROPOSED, EXISTING OR REPLACEMENT	APPROVAL NUMBER
1					
2					
3					

TOTAL DEVICES (EXISTING PUMPS REMAINING IN SERVICE AND PROPOSED PUMPS)

WHEN REMOTE PUMPING SYSTEMS WILL BE EMPLOYED, WILL THE SAFETY IMPACT VALVE INSTALLED AT THE BASE OF EACH DISPENSER BE OF AN APPROVED TYPE? _____

WILL THE DISPENSING EQUIPMENT, INCLUDING THE HOSE AND NOZZLE, BE OF AN APPROVED TYPE? _____

WILL ALL DISPENSING EQUIPMENT INSTALLED AFTER 6/23/84 BE A MINIMUM OF 5' FROM ANY BUILDING OPENING AND 10' FROM PROPERTY LINES? _____

WHERE DISPENSING OPERATION IS UNATTENDED, WILL ACCESSIBLE SUPPLEMENTAL MEANS BE PROVIDED, INDEPENDENT OF THE DISPENSING DEVICE, TO READILY DISCONNECT ELECTRICAL POWER IN CASE OF EMERGENCY? _____

WILL ALL ELECTRICAL EQUIPMENT BE CONSTRUCTED AND INSTALLED IN ACCORDANCE WITH THE REGULATIONS? _____

WILL FIRE EXTINGUISHER(S) REQUIRED BY CURRENT REGULATIONS BE PROVIDED? _____

ATTENDED SELF-SERVICE STATION OPEN TO THE PUBLIC
(COMPLETE THIS SECTION WHEN APPLYING FOR APPROVAL FOR SELF-SERVICE)

IF THIS LOCATION HAS BEEN PREVIOUSLY APPROVED FOR SELF-SERVICE OPERATIONS, PROVIDE APPROVAL NUMBER: _____

TYPE OF SPECIAL DISPENSING DEVICE: REMOTE PRESET _____ CARD OPERATED _____ COIN OPERATED _____ KEY OPERATED _____ OTHER (SPECIFY) _____

MAKE OF CONSOLE _____ MODEL NUMBER _____ IS THE CONSOLE UL APPROVED? _____

WILL AN ATTENDANT QUALIFIED IN PERFORMING THE FUNCTIONS AND RESPONSIBILITIES REQUIRED IN SECTION 14a.115 BE ON DUTY WHILE STATION IS OPEN TO THE PUBLIC? _____

LOCATION OF EMERGENCY CONTROL SWITCH, WHICH MAY INCLUDE THE MAIN POWER SHUT OFF: FROM CONSOLE (MIN. 20') _____ FROM DISPENSERS (MAX. 100') _____

IS THE EMERGENCY CONTROL SWITCH SEPARATE FROM THE EMERGENCY CONTROL ON THE CONSOLE? _____

WILL EMERGENCY PROCEDURES AND INSTRUCTIONS BE POSTED IN THE IMMEDIATE AREA OF THE CONSOLE? _____

WILL ALL DISPENSING OPERATIONS BE IN CLEAR VIEW OF THE ATTENDANT AT ALL TIMES? _____

WILL ATTENDANT BE WITHIN ARMS LENGTH DISTANCE OF THE CONSOLE DURING ALL DISPENSING OPERATIONS? _____

WILL A TWO-WAY "HANDS OFF" VOICE COMMUNICATIONS SYSTEM BE INSTALLED? _____

WILL INSTRUCTIONS FOR THE OPERATION OF THE DISPENSERS BE CONSPICUOUSLY POSTED ON THE DISPENSER OR THE DISPENSING ISLAND? _____

WILL THE FOLLOWING WARNING BE POSTED ON EACH DISPENSING ISLAND, LETTERING TO BE AT LEAST ONE INCH IN HEIGHT? _____

"IT IS UNLAWFUL TO DISPENSE FLAMMABLE OR COMBUSTIBLE LIQUID INTO ANY PORTABLE CONTAINER
UNLESS THE CONTAINER IS CONSTRUCTED OF AN APPROVED TYPE"

WILL EACH HOSE NOZZLE VALVE OF GASOLINE DISPENSING DEVICES BE OF HOLD OPEN APPROVED? _____

IF "NO" THEN NOZZLES EQUIPPED WITH HOLD-OPEN LATCHES COMPLY WITH UL-842? _____

WILL APPROPRIATE SIGNS BE POSTED? _____

IT IS UNDERSTOOD THAT THE APPROVAL OF THIS APPLICATION IS CONTINGENT UPON COMPLIANCE WITH ALL REQUIREMENTS OF TITLE 34 CHAPTER 14 (FEDERAL LAW MAY REQUIRE MORE STRINGENT MEASURES). A NON -TRAFFIC CITATION WILL BE ISSUED FOR VIOLATION OF THIS CODE. ADDITIONALLY, THE INSTALLATION IS SUBJECT TO MORE STRINGENT REQUIREMENTS AS MAY BE PROVIDED BY LOCAL ORDINANCE.

I ACKNOWLEDGE THAT I MUST NOTIFY THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) OF THE PROPOSED INSTALLATION IN ACCORDANCE WITH ACT 32 OF 1989, THE STORAGE TANK AND SPILL PREVENTION ACT.

I ALSO ACKNOWLEDGE THAT I UNDERSTAND THE COMPREHENSIVE FEDERAL UNDERGROUND STORAGE TANK TECHNICAL REQUIREMENTS* (INCLUDING THOSE PERTAINING TO FINANCIAL RESPONSIBILITY) AS PROMULGATED BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA) WHICH ARE CONTAINED IN THE SOLID WASTE DISPOSAL ACT OF 1970 AS AMENDED BY THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976 AS AMENDED.

SUBSCRIBED AND SWORN TO BEFORE ME

S
E MONTH _____ DAY _____ YEAR _____

SIGNATURE AND TITLE OF APPLICANT OR AUTHORIZED AGENT

MUNICIPALITY _____ COUNTY _____

A
L

TELEPHONE NO. (INCL. AREA CODE) _____

SIGNATURE OF PERSON ADMINISTERING OATH

COMMISSION EXPIRATION DATE _____

CONTRACTOR

DEP CERTIFIED INSTALLER NO. _____

SUBMIT TWO COPIES OF APPLICATION AND SITE PLANS ALONG WITH A CHECK MADE PAYABLE TO "COUNTY OF ALLEGHENY" FOR THE PROPER FEE.