



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Washington State Building Code Council	<input checked="" type="checkbox"/> Permanent Rule <input type="checkbox"/> Emergency Rule
--	---

(1) Date of adoption: 11/13/92

(2) Purpose:
To adopt amendments to the Fleet Fueling requirements in the Uniform Fire Code.

(3) Citation of existing rules affected by this order:
 Repealed:
 Amended: Chapter 51-24 WAC, Sections 79.809 and 79.901
 Suspended:

(4) Authority for adoption:
 Statute: RCW 19.27.074
 Other Authority:

(5.1) **PERMANENT RULE ONLY**
 Pursuant to notice filed as WSR 92-16-050 on July 31, 1992 (date).
 Describe any changes other than editing from proposed to adopted version:
 Condition 6 under the Exception to Section 79.901(a) has been amended to allow fuel hose lengths over 50 feet for marine motor vehicles (ie boats).

(5.2) **EMERGENCY RULE ONLY**
 Pursuant to RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

 Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules	Emergency Rules
<input type="checkbox"/> 31 days after filing	<input type="checkbox"/> Immediately
<input checked="" type="checkbox"/> Other (specify) <u>7/1/93</u> *	<input type="checkbox"/> Later (specify) _____

* (if less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

NOV 11 1992
11:30
93-01-103

NAME (TYPE OR PRINT) Gene Colin	
TITLE Chair	DATE 11/13/92

NEW SECTION

WAC 51-24-79809 Unloading operations. Sec. 79.809. (a) Transfer Apparatus. Transfer apparatus shall be of an approved type.

(b) Storage Tanks. Class I, II or III liquids shall be transferred from a tank vehicle or tank car only into an approved atmospheric tank or approved portable tank.

EXCEPTIONS: 1. Liquids intended for use as motor fuels are allowed to be transferred from tank vehicles into the fuel tanks of marine craft and special equipment under the following conditions and when approved by the chief, and when:

A. The Tank Vehicle's specific function is that of supplying fuel to fuel tanks and each premises shall require a separate permit issued in accordance with Article 4,

B. The operation shall be performed only where the general public has no access or where there is no unusual exposure to life and property,

C. The dispensing line shall not exceed 50 feet in length, and

D. The dispensing nozzle is approved.

2. Transfer of liquids from tank vehicles to the fuel tanks of aircraft in accordance with Article 24, Division II and motor vehicles in accordance with Article 79, Division IX and X.

3. When a tank vehicle or tank is disabled through accident or mechanical failure and it becomes necessary to remove the cargo at that location, such cargo is allowed to be transferred to another tank vehicle or tank car.

(c) Time Limit. Tank vehicles and tank cars shall be unloaded as soon as possible after arrival at point of delivery and shall not be used as storage tanks. Tank cars shall be unloaded only on private sidings or railroad siding facilities equipped for transferring the liquid between tank cars and permanent storage tanks. Unless otherwise approved by the chief, a tank car shall not be allowed to remain on a siding at point of delivery for more than 24 hours while connected for transfer operations.

(d) Inside Buildings. Tank vehicles or tank cars shall not be located inside a building while unloading Class I, II or III-A liquids, unless approved by the chief.

EXCEPTION: Tank vehicles are allowed under canopies of automotive motor vehicle fuel-dispensing stations.

(e) Vehicle Motors. Motors of tank vehicles shall be shut off during the making and breaking of hose connections and during the unloading operation.

EXCEPTION: When unloading is performed with a pump deriving its power from the tank vehicle motor,

(f) Attendant. The operator or other competent person shall be in attendance at all times while a tank vehicle or tank car is discharging cargo. When practical, the tank vehicle or tank car shall be positioned such that the operating controls and the discharging end of the hoses are both in view of the operator or other competent person.

NEW SECTION

WAC 51-24-79901 General. Section 79.901. (a) Applicability. Automotive, marine and aircraft motor vehicles fuel-dispensing stations shall be in accordance with this division.

EXCEPTION: Class II or III liquids may be transferred from tank vehicles into the fuel tanks of motor vehicles when approved by the chief, and under the following conditions:

A. Only diesel fuel will be allowed and each premises shall require a separate permit issued in accordance with Article 4,

B. Tank vehicles shall meet the requirements of D.O.T. and UFC Standard 79-4 and as approved by the chief,

C. The tank vehicle, while in service, shall not be left unattended,

D. A fire extinguisher with a classification of 2A-20BC shall be readily available at the fueling site,

E. There shall be signs stating "NO SMOKING OR OPEN FLAME WITHIN 25 FEET" readily visible at the fueling site,

F. There shall be adequate lighting for night time operations,

G. For other than marine motor vehicles, the fuel hose shall not exceed 50 feet in length,

H. Approved automatic closing nozzles without a latch open device shall be used,

I. Communication devices shall be available in accordance with Section 79.903 (f) 2 D,

J. Tank vehicle's shall have emergency shut off valves as approved by the chief.

K. Dispensing shall be done in accordance with Section 79.807 (c),

L. At least 20 feet from any source of ignition,

M. The applicant shall comply with all applicable federal, state and local environmental laws and regulations as a condition of permit,

N. The private fueling area shall be located on an area graded in a manner to direct the spill away from buildings, storage and property lines.

(b) Bulk Plants. Motor vehicle fuel-dispensing stations are prohibited at bulk plants unless such use is in compliance with the

provisions of the division and is completely separated by a fence or similar barrier from the area in which bulk operations are conducted.

(c) Sources of Ignition in Vehicle Repair and Fuel Receiving Areas. Smoking and open flames shall be prohibited in areas used for servicing internal combustion engines and areas where fuel is received.