**Section 281.70 Types of Storage**

a) Application to Amend Licensed Storage Capacity (Permanent, Temporary and Emergency)

1) Prior to increasing any type of storage capacity, or decreasing permanent storage capacity, the licensee shall submit an application to amend the licensed storage capacity and provide the following information:

A) The licensee's legal name and business address;

B) Description of each storage structure that is being added to, or removed from, the licensed storage capacity;

C) The storage capacity of each warehouse structure proposed to be added or deleted;

D) A certificate indicating that insurance coverage has been obtained on all space added to the licensed storage capacity; and

E) A filing fee of $100.

2) It is not necessary to submit an application or filing fee to decrease approved temporary or emergency storage requests that expire within a specified period.

b) Permanent Storage

The Department shall issue a license for permanent storage capacity or approve the application to amend the licensed permanent storage capacity of a licensee if all of the licensing requirements to obtain, maintain or amend a license as set forth in the Code and this Part have been met, and if the warehouse meets the following requirements:

1) The grain storage structures are owned or leased by the applicant/warehouseman.

2) Grain is protected from weather elements (i.e., a floor of concrete, asphalt, wood or metal or a material having similar structural qualities).

3) Each grain storage structure is covered by a permanent, waterproof roof.

4) The grain storage structure has rigid sidewalls (e.g., concrete, wood or metal or a material having similar structural qualities).

5) All grain storage structures that are connected by legs, pipes, belts or other fixed devices that transport grain are included in the licensed space.

c) Temporary Storage

1) Extensions of temporary storage approval may be granted by the Department provided:

A) The warehouseman demonstrates that there is good cause for an extension.

B) The request for extension is received at least 2 weeks in advance of the expiration date of the temporary storage approval.

2) Extensions for the use of temporary storage shall be granted in increments not to exceed 90 days.

d) Emergency Storage

1) The Department shall approve the use of emergency storage, provided the warehouseman demonstrates that an emergency exists.

2) Emergency storage is considered to be any storage that does not meet the criteria of permanent or temporary storage (i.e., uncovered ground piles, structures without rigid sidewalls, etc.).

3) Emergency storage approval shall not exceed 3 months. The length of approval shall be dependent on the ability of the warehouseman to maintain the quantity and quality of the grain in storage, considering weather conditions, exposure to weather elements, security, etc.

(Source: Amended at 33 Ill. Reg. 1647, effective January 16, 2009)