**Section 175.200 General Requirements for Motor Fuel Dispensing Facilities**

a) Other than kerosene and except as otherwise provided in this Subpart B and 41 Ill. Adm. Code 180, all dispensing of flammable and combustible liquids at motor fuel dispensing facilities shall be from underground storage tanks.

b) All motor fuel dispensing facilities must abide by the operating and other requirements of this Subpart B.

c) Motor fuel dispensing facilities must hold a current and valid motor fuel dispensing permit for the particular type of facility involved in order to operate. No motor fuel dispensing facility shall open for business until inspected and approved by OSFM. Facilities operating under different classifications at any time shall obtain dispensing permits for and meet the requirements for all respective classifications that apply to the facility. Approval for dispensing operations will be granted upon compliance with 41 Ill. Adm. Code 172, 174, 175, 176 and 177. No owner or other person or responsible entity shall permit any person to violate the provisions of this Subpart B. Violation of the requirements for motor fuel dispensing facilities of this Subpart B may subject the owner or operator to penalties that may include revocation of the facility motor fuel dispensing permit issued under this Subpart and the green decal issued under 41 Ill. Adm. Code 177 as required for operation of the facility. Failure to remain in compliance with UST rules may also result in OSFM's issuance of a red tag for the tanks at issue, prohibiting any further operation of the facility or further deposit of regulated substances into any tank subject to a red tag. Maintenance of equipment physically connected to the UST, including dispensers, hoses, emergency breakaways, electrical equipment directly tied to the UST, emergency stops and shear valves, are required items subject to red tag for noncompliance.

d) Applications for a Motor Fuel Dispensing Facility Permit

1) No construction of a motor fuel dispensing facility or modification of an existing motor fuel dispensing facility shall be commenced until applications and plans are given written approval in the form of a review letter by OSFM.

2) Only contractors currently licensed and certified in accordance with 41 Ill. Adm. Code 172 may submit motor fuel dispensing facility permit applications. A UST contractor portal for the on-line submission of the motor fuel dispensing permit application can be found at the UST Applications and Forms page for the DPCS at https://webapps.sfm.illinois.gov/USTPortal/Home/Login?ReturnUrl=%2fUSTPortal. The applications shall be those prescribed by OSFM and plans must be submitted for each motor fuel dispensing facility showing compliance with applicable OSFM rules. The plans shall be drawn to scale and shall, at a minimum, include the following:

A) Lot lines and dimensions.

B) Building lines and dimensions.

C) Location and size of tanks and dispensing devices or equipment.

D) Location of control station (if applicable).

E) Locations of all emergency stops.

3) After examining the submitted application and plans, OSFM shall issue a review letter valid for a period of 6 months. Submission of incomplete or illegible applications and/or plans shall be cause for denial of applications.

4) Motor fuel dispensing facility work of the following kinds requires application and plan submittal to OSFM prior to commencing the work:

A) A station being newly constructed.

B) A station being established in a building that previously contained a different occupancy.

C) Making substantial modifications to an existing facility. Substantial modification would include, but not be limited to:

i) Installation of new dispensing islands or dispensers in new locations.

ii) Relocation of an emergency stop.

D) Changing from one facility category to another, as those categories are listed in Sections 175.210 through 175.250. The requirement to obtain a permit for the change will still apply even if only part of the facility is being changed (for example only one dispenser island) or if the facility plans to operate under a different category for only a portion of a 24-hour period.

E) Construction or relocation of buildings on the property, even if they are not the "primary" motor fuel dispensing facility station control buildings.

5) Motor fuel dispensing facility work of the following kinds does not require application and plan submittal to OSFM prior to commencing the work. This type of work or modifications will be inspected by OSFM when the facility is due for permit renewal:

A) Like-for-like replacement of existing equipment (e.g., replacement of existing dispensing cabinets or components not involving the shear valve or items below the shear valve; changing existing dispensing nozzles, hoses or fittings; replacing an existing emergency stop in its current location).

B) Replacing (or installing additional) collision protection posts or guardrails.

C) Changing or replacing warning or instructional signs.

D) Replacing or adding to the complement of portable fire extinguishers.

6) In addition to the requirement for a motor fuel dispensing permit pursuant to this Subpart before any dispensing can occur, work affecting UST components or equipment shall also require a separate Section 175.300 permit to be obtained via the submittal of separate applications to OSFM pursuant to that Section.

e) Issuance and Renewal of Motor Fuel Dispensing Facility Permits

1) A motor fuel dispensing facility permit or permit renewal will be issued by OSFM after an on-site inspection has been conducted by OSFM to verify compliance with all applicable OSFM administrative rules.

2) No motor fuel dispensing facility shall open for business until inspected and approved by OSFM, and until OSFM issues a motor fuel dispensing facility permit, which must be prominently displayed at all times at the motor fuel dispensing facility. When a facility is required to obtain more than one kind of permit, all the permits shall be displayed.

3) Motor fuel dispensing facility permits shall be issued on a biennial basis. These permits shall expire on December 31 of the year shown on the permit.

4) Any name or ownership change shall require completion of an electronic Notification of Ownership Change for Underground Storage Tanks under 41 Ill. Adm. Code 176.440(g) within 30 days, at the UST Applications and forms page for the DPCS at https://sfm.illinois.gov/about/divisions/petroleum-chemical-safety/applications-and-forms.html. Copies of proof of legal ownership, including, but not limited to, the current deed, contract or lease, shall be downloaded with this Notification.

f) Storage and handling of LP gases at motor fuel dispensing facilities shall be in accordance with 41 Ill. Adm. Code 200.

(Source: Amended at 47 Ill. Reg. 6837, effective May 2, 2023)