**Section 175.320 Scheduling of UST Activity**

a) All permitted activity shall be scheduled with OSFM. There are 2 sets of procedures for scheduling permitted activity, Operational Safety Inspection (OSI) or Performance Assurance Inspection (PAI). The procedures for scheduling OSI Activity (Date Certain) are set forth in subsection (c) and for PAI Activity (Date and Time Certain) are set forth in subsection (d). A licensed contractor shall have at least one employee certified for the UST activity for which the permit was issued actively supervising in person the UST activity being performed on the site. At all times during permitted activity, including at all STSS inspections, including any final inspection, there shall be an employee or individual contractor certified in the work to be done on the job site. Subcontractors are not "employees" for this purpose.

b) No permitted and scheduled OSI or PAI activity can be performed outside the schedule unless changes have been approved in advance by OSFM. Notice of cancellation must be received by OSFM no later than 6:00 a.m. of the scheduled date and the revised date of the work must be at least one complete working day after OSFM receipt of the revised job schedule request. The day of receipt is not included in the advance notice/receipt calculation. A new permit and fee will be required when there is a failure to meet any of the schedules. This includes not being present for inspection, not being completely ready for inspection, violation of any technical requirements for the permitted work, allowing permit to expire before completing the final inspection, or not canceling the job within the allowed time frame. Failure to meet the schedules also includes a failure to complete all UST work and site preparation necessary for the STSS inspection, including any necessary testing and related corrections, prior to the time the STSS is scheduled to first arrive. Upon these events, the permit is considered void and no work may commence until a new permit is issued and the work scheduled pursuant to this Section.

c) OSI (Date Certain) Activity. OSI activity includes UST installations, installation or removal of an entire pipe run, tank removal, abandonment-in-place, lining and lining inspection, tank entry and any hot work. Regarding UST installation, scheduled OSFM inspections are required for an air test on the tank prior to installation, tank installation, air test on primary lines, air test on secondary containment, hydrostatic test on containments prior to backfill, and final inspection. Regarding installation of an entire pipe run, OSFM inspections are required for both the primary and secondary air test on the piping and a hydrostatic test on containments prior to backfill, and final inspection. Any additional inspection in follow-up to tank penetration via hot work, including a final lining inspection and tank precision testing, shall be scheduled as a PAI inspection. For a listing of OSI activities, see Appendix A to this Part.

1) For OSI activity, the licensed contractor shall have a granted permit before scheduling with OSFM to establish a specific date and time that is not less than one complete working day before the anticipated date of the permitted activity. A UST contractor portal for the on-line submission of permit applications and the scheduling of permitted work can be found at the UST Applications and Forms page for the DPCS at https://webapps.sfm.illinois.gov/USTPortal/Home/Login?ReturnUrl=%2fUSTPorta.

2) Only the licensed contractor or an employee of the contractor (this does not include subcontractors) may schedule the work with OSFM.

3) For OSI activity, the work will not be allowed to be done unless an STSS is on site.

4) At the final OSI (Date Certain) inspection on a lining, a licensed contractor representative is not required to be on site but scheduling of the final inspection is required.

d) PAI (Time and Date Certain) Activity. PAI permitted activity includes upgrades not involving piping installation, repairs not involving hot work, or cathodic protection activity. PAI activities will be scheduled for a period of at least 2 working hours (between 8:30 a.m. and 3:30 p.m. on State business days) and subsequent activities that interfere with the ability to inspect will not proceed until the time period is over. Tank and line precision testing and cathodic protection testing following permitted activity must be scheduled with OSFM pursuant to subsection (d)(2). For a listing of OSI activities, see Appendix A.

1) Permitted PAI Activity. The licensed contractor shall have a granted permit before scheduling the permitted activity with OSFM not less than one complete working day before the anticipated date of work. A UST contractor portal for the on-line submission of permit applications and the scheduling of permitted work can be found at the website cited in subsection (c)(1). The Division of Petroleum and Chemical Safety (DPCS) will transmit an e-mail confirmation of scheduling approval back to the contractor within one working day. Work shall not commence until the contractor receives this confirmation. Only the licensed contractor or an employee of the contractor (this does not include subcontractors) may schedule the work with OSFM.

2) Non-permitted PAI Activity. Non-permitted PAI activity includes tank and line precision testing and cathodic protection testing following permitted activity. The licensed contactor or contractor's employee shall schedule the activity with OSFM in advance of the anticipated work. Only the contractor or an employee of the contractor (this does not include subcontractors) may schedule the work with OSFM. A UST contractor portal for the on-line scheduling of non-permitted work can be found at the website cited in subsection (c)(1).

3) When only installing a bag, wristband or spike anode for cathodic protection in a containment sump, or a spill or overfill prevention device, or when an interstitial sensor is being reclassified from regulated to non-regulated, at the final PAI (Time and Date Certain) inspection, a licensed contractor representative is not required to be on site, but scheduling of the final inspection is required.

4) Any time an emergency repair permit is issued, the licensed contractor shall electronically schedule and complete the final inspection within 10 days after issuance of the permit.

e) UST Installation.

1) For all UST installations, the final inspection shall not be scheduled without prior submission of:

A) the completed electronic Notification for Underground Storage Tanks form and its accompanying Authorization to Submit (available at https://sfm.illinois.gov/about/divisions/petroleum-chemical-safety/applications-and-forms.html);

B) the completed OSFM on-line forms for all required testing; and

C) if applicable, the completed motor fuel dispensing permit application.

2) Other kinds of permitted work do not require submission of this Notification form.

f) There shall be no transfer or sale of product from a UST until the UST is in compliance with OSFM rules and any required final inspection has been completed. Any request to fill a required minimal amount of fuel necessary to perform compliance testing must be submitted electronically by an OSFM-licensed contractor and approved by OSFM in advance. A Drop Fuel Request form is available at the UST contractor portal at the website cited in subsection (c)(1). A depositor may make one deposit of a regulated substance to a newly installed or newly lined tank to provide ballast; that fuel shall not be sold or dispensed until the required decal is obtained.

g) In the event there is a delegation of authority to any municipality having a population over 500,000 to enforce UST rules and regulations, pursuant to the Gasoline Storage Act [430 ILCS 15/2], subject to the terms of that agreement, that municipality and its employees may, under this Section, supervise the above-referenced activities in place of OSFM and its employees, regarding UST activities within the jurisdiction of that municipality. In supervising such permitted UST activity, the municipality shall strictly follow OSFM administrative rules promulgated pursuant to the Gasoline Storage Act [430 ILCS 15] and the Petroleum Equipment Contractors Licensing Act [225 ILCS 729].

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