

RULES OF SAFETY FIRE COMMISSIONER

CHAPTER 120-3-11

**RULES AND REGULATIONS
FOR
FLAMMABLE AND COMBUSTIBLE LIQUIDS**

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120-3-11-.01 Promulgation and Purpose

- (1) These Rules and Regulations for Flammable and Combustible Liquids are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. § 25-2-4.**
- (2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation and handling of flammable and combustible liquids. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to flammable and combustible liquids when such are in conflict with these rules and regulations.**

120-3-11-.02 Definitions

The definitions contained herein are in addition to and in clarification of the definitions contained in the adopted codes and standards.

- (1) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.**
- (2) COMMISSIONER. The Georgia Safety Fire Commissioner.**
- (3) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.**
- (4) NFPA. The National Fire Protection Association.**
- (5) DOT. The United States Department of Transportation.**

- (6) **GPSC.** The Georgia Public Service Commission.
- (7) **ICC.** The Interstate Commerce Commission.
- (8) **Major Modification.** Where the general layout is modified to effect distance requirements, size of tanks or additions to tanks, systems, dispensers or islands.
- (9) **BULK STORAGE.** The portion of a property where liquids are received by tank, vessel, pipeline, tank car, or tank vehicle, and are stored or blended in bulk.
- (10) **Temporary Installations.** These are tanks that are installed for 90 days or less.
- (11) **Fleet Vehicle Service Station.** The portion of a commercial, industrial, governmental, or manufacturing property where liquids used as fuels are stored and dispensed into the fuel tanks of motor vehicles that are used in connection with such businesses, by persons within the employ of such businesses.

120-3-11-03 Submission of Plans for Storage Installations

- (1) **Plans for all proposed flammable or combustible liquids storage installation tanks, including additions to or relocations of tanks at existing facilities, with more than a 60 gallon capacity for Class I Liquids or a 120 gallon capacity for Class II and Class III liquids must be submitted in duplicate to the State Fire Marshal for approval, and must be in compliance with applicable codes and standards prior to commencement of construction. Exception: Plans for systems with a storage capacity of 660 gallons or less may be submitted to the local authority having jurisdiction, where one exists, for approval. Plans for all proposed bulk storage facilities of more than 660 gallons capacity (other than self-service stations) submitted to the State Fire Marshal shall be accompanied by the mandatory plan review fee pursuant to O.C.G.A. Section 25-2-4.1. The check shall be made payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.**
- (2) **Plans shall be of sufficient clarity and detail to indicate the location, setting, and covering of the tank(s), piping arrangements, vent heights and such other information as is necessary to indicate compliance with the requirements of this Chapter. One set of plans shall be returned to the applicant with approval or disapproval indicated thereon.**
- (3) **A copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.**
- (4) **All aboveground storage tanks for flammable and combustible liquids being submitted for approval shall include a prior site approval by a representative of the State Fire Marshal and the local authority having jurisdiction.**

120-3-11-04 Self-Service Stations

- (1) **Self-service operations shall be permitted at any service station, including marine self-service fueling stations and aircraft self-service fueling stations, only after a self-service permit has been issued by the State Fire Marshal in accordance with this Rule. A self-service permit shall not exempt the holder thereof from obtaining any other permits or licenses that may be required by other government agencies.**
- (2) **Application for a self-service station permit shall be made to the State Fire Marshal on the form provided. Pursuant to O.C.G.A. Section 25-2-4.1, each application for a new self-service station permit shall be accompanied by the mandatory permit fee payable to the Safety Fire Commissioner. Plans for any proposed station or major modification of any existing station shall be submitted to the State Fire Marshal with the self-service station permit application.**

- (a) Plans shall be submitted in duplicate, drawn to scale, and shall include a general arrangement layout, storage tank location, setting and covering of the tank(s), control devices or arrangements for self-service operations, piping and vent piping arrangements, corrosion protection and leak detection, dispenser arrangements and details, emergency control arrangements and such other details, information and specifications as necessary to indicate safe operations.
 - (b) One set of plans shall be retained by the State Fire Marshal and one copy returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept at the construction site for inspection by authorized representatives of the State Fire Marshal.
 - (c) Construction shall not commence until the plans have been approved and returned to the applicant.
- (3) Upon notification of completed construction of a new or modified station, the State Fire Marshal shall direct his authorized representative to inspect the facility. If the authorized representative determines that all requirements for self-service operations contained in this Chapter have been satisfied, to include written certification of tank and pipe leak testing and installation, he may issue a self-service permit.
 - (4) The self-service permit shall be posted by the applicant in a conspicuous location on the premises. The self-service permit is nontransferable and shall expire upon a change of ownership of the facility. Any issuance of a new self service permit to include change of ownership, facility name, lessee or lessor, or to replace lost or destroyed permits requires a \$100 fee.
 - (5) A self-service permit may be revoked for cause after notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner; provided, however, that the Safety Fire Commissioner may revoke any self-service permit prior to notice and hearing if he determines upon recommendation of the State Fire Marshal that the situation involves an imminent peril to the public health, safety and welfare and that the situation therefore requires emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held, if and only if, the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.
 - (6) The State Fire Marshal and his authorized representatives may conduct inspections of self-service stations to ascertain whether the stations are operating in compliance with this Chapter.

120-3-11-.05 Reporting of Fires and Accidents

- (1) As soon as possible, but no later than eight hours of the incident occurring, all owners, managers or operators of all vehicles, equipment and facilities covered under this Chapter shall notify the State Fire Marshal's Office of all fires involving such vehicles, equipment or facilities, and all accidents involving immediate peril to the public health, safety and welfare and requires emergency action.
- (2) As soon as the incident is under control, but no later than 72 hours after the incident, all owners, managers or operators of all such vehicles, equipment or facilities covered under this Chapter shall notify the State Fire Marshal's Office in writing of the facts and circumstances of such incident

120-3-11-.06 Adopted Codes and Standards

Except to the extent modified herein, the following NFPA Codes and Standards are hereby adopted.

NFPA NUMBER	YEAR NUMBER	TITLE	MODIFICATIONS ADDITIONS & DELETIONS
30	1996	Flammable and Combustible Liquids Code	See 120-3-11-.07(1)
30A	1996	Automotive and Marine Service Station Code	See 120-3-11-.07(2)
30B	1994	Manufacture and Storage of Aerosol Products	none
31	1997	Standard for the Installation of Oil Burning Equipment	none
32	1996	Standard for Drycleaning Plants	none
33	1995	Standard for Spray Application Using Flammable and Combustible Materials	none
34	1995	Standard for Dipping and Coating Processes	none
35	1995	Standard for the Manufacture of Organic Coatings	none
36	1997	Standard for Solvent Extraction Plants	none
37	1994	Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines	none
43B	1993	Storage of Organic Peroxide Formulations	none
43D	1994	Storage of Pesticides	none
45	1996	Fire Protection for Laboratories Using Chemicals	none
49	1994	Hazardous Chemicals Data	none
70	1996	National Electrical Code	none
88A	1995	Standard for Parking Structures	none
88B	1991	Standard for Repair Garages	none
303	1995	Marinas and Boatyards	none
326	1993	Safe Entry of Underground Storage Tanks	none
327	1993	Standard Procedures for Cleaning or Safeguarding Small Tanks and Containers	none

385	1993	Standard for Tank Vehicles for Flammable and Combustible Liquids	See 120-3-11.07(3)
386	1993	Standard for Portable Shipping Tanks	none
395	1993	Standard for the Storage of Flammable and Combustible Liquids on Farms and Isolated Construction Projects	none
407	1996	Aircraft Fuel Servicing	none
430	1995	Storage of Liquid and Solid Oxidizers	none
490	1993	Storage of Ammonium Nitrate	none
497A	1992	Classification of Class 1 Hazardous Locations for Electrical Installations in Chemical Process Areas	none
497B	1991	Classification of Class 2 Hazardous Locations for Electrical Installations in Chemical Process Areas	none
560	1995	Storage, Handling and Use of Ethylene Oxide for Sterilization and Fumigation	none
655	1993	Prevention of Sulfur Fires and Explosions	none
704	1996	Identification of the Hazards of Materials for Emergency Response	none

120-3-11-.07 Modifications, Additions and Deletions to Adopted Codes and Standards

- (1) **Modifications, Additions and Deletions to NFPA Number 30, (1996 Edition),entitled Flammable and Combustible Liquids Code, are as follows:**
- (a) **In addition to location requirements specified in Section 2-3.2 of NFPA 30 (1996 Edition), for bulk storage only, no aboveground storage tank(s) for Class I flammable liquids shall be erected within 300 feet of any school, church, hospital, theater or public hall. A public hall shall be any building regularly used for public assembly for purposes of amusement, instruction, religious worship or other meetings. Requests for exceptions to this Rule such as the temporary use of skid tanks on construction sites shall be submitted to the State Fire Marshal in accordance with Rule 120-3-11-.10.**
 - (b) **No barrels, drums or combustible materials shall be stored beneath or within ten (10) feet of any aboveground storage tank.**
 - (c) **Underground tanks shall not be filled by gravity from aboveground storage tanks unless a suitable device is provided to eliminate the possibility of overflow, or unless a qualified person is in constant attendance and has the means to stop the flow to the underground tanks promptly.**
 - (d) **Defective or leaky tanks, containers and piping shall be immediately made tight or replaced. All diked areas shall have provisions for emergency drainage under fire conditions.**
 - (e) **A suitable fence or other enclosure shall surround all aboveground tanks at bulk plants which would**

otherwise be readily accessible to the public.

- (f) Gauges or other means to monitor filling or emptying of aboveground tanks shall be provided.
 - (g) In addition to the prohibitions contained in Section 5-9 of NFPA 30, open lights and fires are prohibited and signs shall be posted to so indicate.
 - (h) Use of Class I liquids as a solvent or cleaning fluid is prohibited except in conjunction with equipment and processes specifically designed and approved for such use.
 - (i) Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.
 - (j) Aboveground tanks and piping shall be kept painted to prevent corrosion and shall be painted a light reflective color.
 - (k) Provisions for aboveground tanks larger than 660 gallons shall be made to prevent spills at loading and unloading points from entering public sewers and drainage systems or natural waterways for 110% of the largest compartment on the vehicle used for delivery.
 - (l) A listed emergency breakaway device designed to retain liquid on both sides of the breakaway point shall be installed on each hose dispensing Class I and Class II liquids.
- (2) In addition to the requirements contained in Rule 120-3-11-.04, self-service dispensing of Class I motor fuels shall be permitted in accordance with Chapter 9 of NFPA 30A, (1996 Edition), subject to the following:
- (a) All service station premises shall be kept clean, neat and free from rubbish and trash. Combustible materials other than required stock and supplies shall not be accumulated in storerooms or other areas in or on the premises. Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.
 - (b) A qualified attendant shall be at least 18 years of age, experienced with and physically able to perform the required duties, and not addicted to the use or under the influence of intoxicants, narcotics, or controlled substances. The attendant shall be familiar with all applicable State laws and provisions of this Chapter.
 - (c) While Class I liquids are being dispensed, the attendant shall not be assigned nor perform any duties that might cause distraction or prevention of properly supervising the dispensing of Class I liquids.
 - (d) Only those dispensers which are designed, or modified by approved means, and approved for self-service dispensing shall be used for such operations.
 - (e) Appropriate signs indicating self-service operations shall be clearly posted. Any station which has both self-service and full-service operations shall clearly identify each respective area.
 - (f) Key or card controlled self-service operations are permitted to operate under the following provisions in lieu of a qualified attendant when the service station is not open to the general public:
 - 1) All dispensers are key or card controlled.
 - 2) All key or card holders are fully trained in the safety operations, and meet the requirements of a qualified attendant for such operation.
 - 3) The owner of such station is responsible for the safe operation of the station and the training of all users thereof.

- 4) Each such location shall be provided with a fire extinguisher within 100 feet of the dispenser(s).
 - 5) Each such location shall be provided with an approved manual fire alarm system such as a pull station, a 911 system or a similar emergency alarm system within 100 feet of the dispenser(s), that will signal the local fire department.
 - 6) Each such location shall be provided with a public telephone within 100 feet of the dispenser(s).
 - 7) Each such location shall be provided with emergency phone numbers and contact points for owner/operator. The numbers shall be clearly visible to the user.
 - 8) Each such facility shall first apply for and have a valid self-service permit posted.
 - 9) Each individual cardholder has been trained and the training is documented.
- (g) Except as provided in paragraph 120-3-11-.07(2) above, no person other than the owner or operator of any service station and his authorized employees shall use or operate any motor fuel dispensing equipment or other Class I liquids dispensing equipment at any service station open or accessible to the public.
- (h) All motor fuel or Class I liquids dispensing equipment operators shall be capable and qualified to operate such equipment and shall not, while operating such equipment, be under the influence of intoxicants, narcotics or other dangerous drugs. Persons under the age of 16, persons incapable of dispensing flammable or combustible liquids by reason of physical or mental incapacity, and persons under the influence of intoxicants, narcotics or other dangerous drugs shall not be permitted to dispense such liquids at any service station open or accessible to the public. An appropriate warning sign shall be conspicuously posted on both faces of the dispensing device or such other place that the Commissioner may approve. The warning shall contain language deemed appropriate by the Insurance and Safety Fire Commissioner. The warning may be revised as deemed necessary by the Insurance and Safety Fire Commissioner in order to address health and safety concerns.
- (i) Flammable or combustible liquids shall not be introduced into any leaking or condemned, unapproved or non-labeled storage tank or container. Flammable or combustible liquids shall immediately be removed from any leaking or condemned storage tank. A condemned or red tagged system may be restored to service upon proper corrective actions and with the approval of the authority having jurisdiction. Tanks for the storage of flammable and combustible liquids for dispensing or fueling of motor vehicles are generally required to be underground as a prevalent rule. For exceptions see NFPA 30A and subparagraph 120-3-.07(2)(m) of this Chapter. In case of a change over from gasoline to diesel or home heating fuel, etc., the system shall be purged to avoid cross contamination, and the authority having jurisdiction shall be so notified.
- (j) Upon determination by the inspection that a flammable or combustible liquids systems or any part there of is unsafe to the extent that it endangers life or adjacent properties, the inspector may place an out of service tag (red tag) on the entire system or a specified portion of the system until the dangerous conditions are corrected. The out of service tag (red tag) may be removed only by an authorized representative of the State Fire Marshal's Office.
- (k) The use of portable aboveground skid tanks, with more than a 60 gallon capacity for Class I Liquids or a 120 gallon capacity for Class II or higher liquids shall be prohibited at service stations open to the public.
- (l) If the requirements of Section 2-4.2.2 in NFPA 30A 1996 Edition can not be met, Class II and Class III liquids, such as kerosene and fuel oil, may be stored in aboveground tanks with an aggregate capacity not exceeding 560 gallons at service stations open to the public.

- (m) Containers and piping shall be identified as to the product stored in them.
 - (n) NFPA 30A, Section 2-4-2-1 is adopted to read: Tanks storing class 1 and class II liquids at an individual site shall be limited to a maximum individual capacity of 12,000 gallons (45,600L) and an aggregate capacity of 40,000 gallons (152,000L). Tanks storing Class II and Class IIIA liquids at a fleet vehicle service station shall be limited to a maximum individual fueling capacity of 20,000 gallons (76,000L) and an aggregate capacity of 80,000 gallons (304,000L).
- (3) Modifications, Additions and Deletions to NFPA Number 385, (1993 Edition), entitled Standard for Tank Vehicles for Flammable and Combustible Liquids, are as follows:
- (a) Tank vehicles operating under the authority and jurisdiction of DOT shall comply with DOT regulations when there is a conflict with the provisions of this Chapter. Such vehicles are not exempted from the provisions of this Chapter when no conflict exists.
 - (b) Vehicles shall be maintained in good operating condition.
 - (c) Persons driving, attending, making deliveries, filling, discharging or repairing tank vehicles shall not be under the influence of intoxicants, narcotics or other dangerous drugs.
 - (d) Intoxicating beverages, narcotics and other dangerous drugs shall not be carried in or on tank vehicles.
 - (e) Certain deliveries and transfers prohibited:
 1. No Class I liquids shall be transferred from tank trucks to motor vehicle fuel tanks or other tanks or containers on any highway, road, street, or alley, except in an emergency.
 2. Nothing herein shall prohibit the fueling of machinery or vehicles used in road construction and maintenance, firefighting apparatus or vehicles, equipment used by public authorities or the United States Armed Services, or fuel containers used for such vehicles and equipment.
 3. Except for firefighting apparatus, all machinery and vehicle motors shall be shut down while being refueled. Auxiliary motors involved with environmental control in cargo spaces may be kept running if necessary.
 4. During flammable or combustible liquid off loading at public service stations, the area shall be posted and roped or barricaded as appropriate to limit access and prevent or control the source of ignition. The primary responsibility for this safety requirement shall be the truck driver who is delivering the flammable or combustible liquid. However, it shall also be the responsibility of the station attendant to make sure the precautions are followed.
 - (f) In addition to the markings required by Chapter 4, the name and address of the owner shall appear on the sides of the vehicle. The owner's name shall be in letters at least four inches in height with the address lettering as large as will fit in the space available.
 - (g) The requirements for emergency discharge control, Chapter 2-4, Section 2-4.1.1 of NFPA 385, applies to all trucks including existing trucks transporting Class I, II, and Class III A Liquids having a viscosity less than 45 SUS at 100°F.

- 4) **Modifications to NFPA 54 (1996 Edition) of the National Fuel Gas Code are as follows:**
- (a) **Section 5.1.8 shall be modified by adding the following wording, “Flammable liquids shall not be stored where gas appliances are present, unless the design, operation and installation of these appliances are such to eliminate the probable ignition of the flammable vapors. Gas utilization equipment installed in compliance with Sections 5.1.9, 5.1.10 and 5.1.11 shall be considered to comply with the extent of this provision.**
 - (b) **Exception No. 1: Overhead heaters where installed not less than 8 ft. (2.5m) above the floor.**

120-3-11-.08 Standards for Transportation of Flammable and Combustible Liquids by other than Tank Vehicle.

- (1) **Flammable and combustible liquids transported by other than tank vehicles shall be transported as prescribed by this Chapter. Nothing herein shall supersede any rules, regulations, or other transportation requirements when transportation is under the jurisdiction of DOT or GPSC.**
- (2) **Persons driving, attending, making deliveries, or otherwise handling flammable liquids while loading or unloading vehicles shall not be under the influence of intoxicants, narcotics or other dangerous drugs, nor shall same be carried in or on vehicles transporting flammable or combustible liquids.**
- (3) **Only approved containers shall be used. Metal containers meeting the requirements of and containing products authorized by ICC, DOT, or GPSC regulations shall be acceptable for use in transporting flammable or combustible liquids by other than tank vehicles. Containers loaded in or on vehicles shall be securely fastened to prevent slipping or overturning.**
- (4) **Vehicles shall be in good operating condition and shall not be overloaded. Every vehicle regularly used for transporting flammable or combustible liquids shall be equipped with at least one fire extinguisher having a rating of 20-BC, permanently mounted and readily accessible to the driver.**
- (5) **Drivers of vehicles transporting flammable or combustible liquids in containers shall be physically able to perform the job, careful, capable, reliable, familiar with traffic laws and the provisions of this Chapter, and shall not be under the influence of intoxicants, narcotics or other dangerous drugs. Smoking shall not be permitted in vehicles when transporting Class I liquids unless all containers loaded thereon are original, unopened containers.**
- (6) **Vehicles transporting 1,000 pounds gross weight or more of flammable liquids shall carry placards on the front, rear and sides which meet DOT requirements for text, color, and size.**

120-3-11-.09 Recommended Practices Adopted as Requirements

The following are hereby adopted as requirements and shall be followed for the control of flammable and combustible liquids or the operation of equipment using such liquids.

NFPA NUMBER	TITLE	YEAR EDITION
328	Control of Flammable and Combustible Liquids and Gases in Manholes and Sewers	1992
329	Handling Underground Leakage of Flammable and Combustible Liquids	1992

120-3-11-.10 Request for Modification of Specific Requirements

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner, in his discretion, may accept the State Fire Marshal's recommendation and grant the requested modification.

120-3-11-.11 Compliance with Rules and Regulations; Penalties

All persons shall transport, store, handle and use flammable and combustible liquids in conformity with this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law.

120-3-11-.12 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

120-3-11-.13 Forms

The following form is available from the Office of Insurance and Safety Fire Commissioner to implement this Chapter and O.C.G.A. Section 25-2-4.1:

TITLE

FORM NUMBER

Application for Self-Serve Service Station Construction
and/or Operations Permit

SFD 39

Notes:

1. The NFPA codes, standards and recommended practices adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.
2. Copies of these NFPA publications may be obtained from:

National Fire Protection Association
Batterymarch Park
Quincy, Massachusetts 02269
Phone: 1-800-344-3555

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.