



# Department of Commerce

## Division of State Fire Marshal

John R. Kasich, Governor  
Andre T. Porter, Director

8895 East Main Street  
Reynoldsburg, Ohio 43068  
1-614-752-7938  
TTY/TDD: 1-800-750-0750  
[www.com.ohio.gov](http://www.com.ohio.gov)

### THE BUSTR PERMIT PROCESS

#### ACTIVITIES THAT REQUIRE A BUSTR PERMIT

Rule 1301:7-9-10 of the administrative Code, often referred to as the 'permit rule', addresses the process for obtaining a permit to perform work on underground storage tank (UST) systems regulated by the Bureau of Underground Storage Tank Regulations (BUSTR). A permit is required to perform the following types of work:

- Install;
- Remove;
- Close-in-place;
- Take out of service more than 90 days;
- Perform a change in service;
- Perform a major repair of an UST system that has caused a release; or
- Perform a modification of an UST system or component.

It is important to note that not all tanks are regulated by BUSTR, and you should review paragraph (C) of rule 1301:7-9-01 and paragraph (B)(64) of 1301:7-9-02 of the Administrative Code for lists of tanks that are exempt or excluded from BUSTR regulation. Often, a permit is still required to perform work on flammable and combustible tanks that are not regulated by BUSTR, the permit shall be obtained in accordance Ohio Fire Code through the local fire authority or State Fire Marshal's Code Enforcement Bureau.

#### WHERE TO OBTAIN A BUSTR PERMIT

Regardless of ownership, any person performing work on a BUSTR regulated UST system must obtain a permit before the permit related work takes place. During emergency situations, BUSTR may grant verbal approval to perform work prior to the issuance of a written permit.

BUSTR permits can be obtained from the BUSTR central office in Reynoldsburg, Ohio, or in some cases, from local fire departments that have been delegated by BUSTR to issue permits on our behalf. A list of delegated fire departments is posted on the BUSTR web site at <http://www.com.ohio.gov/fire/bustMain.aspx>.

To obtain a permit, an 'Application for BUSTR Underground Storage Tank Permit—Part A' must be filled out and submitted to BUSTR or to the delegated fire department (a copy of the permit application is available on the BUSTR web site at <http://www.com.ohio.gov/fire/bustMain.aspx>). BUSTR charges a fee of \$35 to obtain a permit. Delegated fire departments charge their own fees and these fees may be different from what BUSTR charges. If the work being performed involves the installation of a new UST, then an 'Application for BUSTR Underground Storage Tank Permit—Part B' must be completed and submitted along with additional plans and written descriptions.

#### PERMIT REVIEW AND APPROVAL

After a complete permit application is submitted, BUSTR or the delegated fire department will review the application and confirm that the proposed work is in compliance with all applicable BUSTR and Ohio Fire Code (OFC) rules and regulations. If the permit application meets BUSTR and OFC requirements, the work is approved and a permit to conduct work is issued.

## **PERFORMANCE OF WORK UNDER A BUSTR PERMIT**

Once a permit application is approved and a permit is issued, work may commence. The permit will remain open for six months; after which, a new permit must be obtained or an extension must be obtained under the original permit.

Important: Most work performed under a permit must be supervised by an Installer certified pursuant to rule 1301:7-9-11 of the Administrative Code and inspected by an UST Inspector certified pursuant to rule 1301:7-9-15 of the Administrative Code. It is the obligation of the permit holder to make all appropriate arrangements to ensure that work is properly supervised and inspected. Lists of all Certified UST Installers and Inspectors are posted on the BUSTR web site at <http://www.com.ohio.gov/fire/bustMain.aspx>.

## **BUSTR INSPECTION PROCEDURES**

For every activity that requires a permit, there are times during the work when inspections must be performed. In areas under the authority of a delegated fire department, the designated local inspector is required to perform all inspections. In other parts of the State, BUSTR Inspectors or state certified private inspectors may be used. It is the responsibility of the permit holder to contact the inspector at the times when an inspection is required. Citations will be issued if a permit holder fails to have work properly inspected, and any work that is not properly inspected must be performed over. Rule 1301:7-9-15 of the Administrative code provides a complete description of when inspections are required. A copy of this rule is posted on the BUSTR web page at <http://www.com.ohio.gov/fire/bustMain.aspx>.

Following each inspection, the inspector will complete an 'Inspection Field Report' and leave a copy of the report at the site or with the permit holder.

Inspections are often billed separately from the initial permit application fee. The fee for a state inspector (BUSTR inspector) is \$60 per hour or fraction thereof. The inspection fee charged by delegated fire department inspectors or by state certified private inspectors is not controlled by BUSTR and can be set at the discretion of the inspector.

## **POST INSPECTION REQUIREMENTS**

After the final inspection is performed, an invoice will be sent to the permit holder (or UST owner) for any fees owed to the fire marshal for inspections performed by a state inspector (BUSTR Inspectors). No person shall operate any UST system or portion thereof upon which there are past due permit fees or inspection fees owed to the fire marshal.

Please note: A closure assessment is required following most types of permit related work. Please contact BUSTR's Release Prevention Section to discuss which activities trigger a closure assessment at 614-752-7938.

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