

1301:7-9-04 **Registration of UST systems.****(A) Purpose and scope.**

For the purpose of prescribing rules pursuant to sections 3737.02 and 3737.88 of the Revised Code, the state fire marshal hereby adopts this rule to establish registration requirements for underground storage tanks containing petroleum or other regulated substances. This rule is adopted by the state fire marshal in accordance with Chapter 119. of the Revised Code and shall not be considered a part of the "Ohio Fire Code."

(B) Annual registration.

(1) No later than the last day of June of each year, owners of the following UST systems shall submit an annual registration application to the state fire marshal:

- (a) UST systems currently in use; and
- (b) UST systems which were taken out of service after January 1, 1974 in a manner not in compliance with either the "Ohio Fire Code" or this chapter of the Administrative Code, as those requirements were in effect at the time the UST systems were taken out of service.

Owners shall submit an annual registration application to the state fire marshal for each location containing such UST systems.

(2) The state fire marshal shall prescribe the annual registration application form to be used and shall, at least thirty days prior to the registration deadline of each year, provide an annual registration application to each owner that submitted any UST registration application to the state fire marshal during the previous year.

(3) A fee in the amount of ~~fifty~~ one hundred dollars for each tank or compartment comprising an UST system listed on the application shall be submitted by the owner with the annual registration application to the state fire marshal. Any registration received after the last day of June each year shall be charged a ten per cent late fee.

(C) Registration for new UST system installations.

(1) Any owner who installs an UST system shall, within thirty days of bringing such UST system into service, submit a new UST system registration application described in either paragraph (C)(2) or (C)(3) of this rule to the state fire marshal for each location where such UST system is installed.

- (2) If an UST system is installed at a location for which there is no current registration, the owner of the UST system shall submit a new facility registration application to the state fire marshal on the application form prescribed by the state fire marshal.
- (3) If an UST system is installed at a location for which there is a current registration, the owner of the UST system shall submit a modified registration application to the state fire marshal on the form prescribed by the state fire marshal.
- (4) A fee in the amount of ~~fifty~~ one hundred dollars for each newly installed tank or compartment brought into service which is listed on either registration application described in paragraph (C)(2) or (C)(3) of this rule shall be submitted by the owner with the new UST registration application to the state fire marshal.

(D) Registration of previously deferred USTs.

Owners shall submit a new UST system registration application to the state fire marshal on the form prescribed by the state fire marshal for any previously deferred USTs identified in paragraph (C) of rule 1301:7-9-01 of the Administrative Code that are subject to the registration requirement. All requirements identified in this rule shall apply to previously deferred USTs.

(E) Transfer of UST ownership.

- (1) Any person to whom ownership of any UST is transferred shall, within thirty days of the transfer, submit a transfer of UST registration application to the state fire marshal for each location where an UST subject to the transfer is located. The state fire marshal shall prescribe a form for this application. The transferor shall notify the transferee of this requirement at the time of transfer.
- (2) A fee in the amount of ~~fifty~~ one hundred dollars for each tank or compartment comprising an UST system listed on the application shall be submitted by the new owner of the UST with the transfer of UST registration application to the state fire marshal.

(F) Change of product.

Owners shall submit a modified registration application to the state fire marshal on the form prescribed by the state fire marshal within thirty days of a change of product. A registration fee is not required.

(G) Fee exemptions.

The United States, the state of Ohio, and political subdivisions are exempted from paying the fees described in paragraphs (B)(3), (C)(4), and (E)(2) of this rule. This paragraph does not exempt the United States, the state of Ohio, and political subdivisions from compliance with all other provisions of this rule.

- (H) The state fire marshal shall review each application and reject the application if the application does not provide all of the information required by the prescribed form or if the application was not accompanied by the applicable fee payment.
- (I) No person shall falsify any information on any application form required by this rule.
- (J) Owners of UST systems shall retain a copy of all current and valid registration applications required by this rule, and shall make such copy available for inspection within twenty-four hours of a request by the state fire marshal or local fire official.

Effective:

Five Year Review (FYR) Dates: 7/31/2022

Certification

Date

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