



Department of Housing, Buildings and Construction  
Division of Fire Prevention  
Hazardous Materials Section  
101 Sea Hero Road Suite 100  
Frankfort KY 40601-5405  
Office Phone Number: 502-573-1702  
Information Bulletin – April 2012



## **AGST & UGST Permits**

In accordance with 815 KAR 7:120(3)(7)(i), a permit must be obtained for the installation or repair of an aboveground, or underground storage tank of flammables, combustible liquids, or gases. The hazardous materials plan review fee shall be \$100.00 for the first tank plus \$50.00 for each additional tank and \$100.00 per piping system including valves, fill pipes, vents, leak detection, spill and overflow detection, cathodic protection or associated components. You can obtain our permit applications on our website at: <http://dhbc.ky.gov> or feel free to contact our office at 502-573-1702.

The following are a few examples that require a permit application to be submitted with applicable plan review fees:

- **Installation, repair/modification and lining of tanks** - \$100.00 for first tank, \$50.00 for each additional tank plus \$100.00 per piping system (if applicable) and completed permit application.
- **Repair and/or replacement of piping system** (*example: replacement of valves, fill pipes, vents, leak detection, spill and overflow detection, cathodic protection or associated components*) – \$100.00 per piping system and completed permit application
- **Replacement of dispensers** – \$100.00 per piping system, and completed permit application
- **Permit Revisions** – (*example: change of contractor, change on piping type, size of tank, type of tank, directional change on piping configuration, etc.*) Revised permit application must be submitted to our office. Original permit will be closed and new permit number will be issued. There will not be a permit plan review revision charge assessed.

**Capacity of Tanks:** Tanks in excess of 25 gallons inside of a building & excess of 100 gallons outside a building for Class IA, IB, IC, II & IIIA liquids require a permit.

### **Permit Requirement Exemption:**

1. Tank installations for residential use.
2. Tank installations at isolated construction sites and isolated earth moving projects.
3. In accordance with the Kentucky Building Code, tanks for the use on farms located which are incidental to the operation of farm and located outside the boundary of a municipality but only if they are not used in the business of retail trade, as a regular place of work for 10 or more people or for the processing or storage of timber products.

**Permit Expiration:** In accordance with 105.5 of the 2007 Kentucky Building Code, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after time the work is commenced. The SFMO is authorized to grant, in writing one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated in accordance with 105.3.2 of the 2007 Kentucky Building Code. Permits requiring additional information (such as money, site drawings, etc.) are only valid 180 days.

**Work Commencing Before Permit Issuance:** In addition, in accordance with 108.2 of the Kentucky Building Code, any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an additional fee established by the building official. The fee shall be in addition to and equal to the amount of the original fee but not less than \$500.00. This section does not apply to emergency repairs.

**Emergency Repairs:** In accordance with the Kentucky Building Code, when equipment replacement and repairs must be performed in an emergency situation, the permit application/notification shall be submitted within the next working business day to the Hazardous Materials Section within the Division of Fire Prevention. At minimum the 1<sup>st</sup> page of the application must be submitted and include the scope of work if known at the time of submittal. Once the emergency repairs are made, a complete permit must be submitted for review.

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**Routine Maintenance of UPST System:** In accordance with 815 KAR 30:060(1), routine maintenance means servicing the UPST system or a component without excavation or making or the breaking of a connection below ground. *Routine Maintenance does not require an UGST permit.*

**Upgrade of UPST System:** In accordance with 815 KAR 30:060(1), upgrade means a modification or addition to a UPST system except routine maintenance. Upgrade of an UPST system requires an UGST permit.

**Piping Diagrams & Site Drawings:** The piping diagrams and site drawings are not required to be completed by an architect. But site drawings and piping diagrams must be submitted to our office in a form that is neat, accurate and concise.

**Cathodic Protection System Designs:** Our office requires that the UGST cathodic protection system be designed by a corrosion expert. Our office requires the design from the corrosion expert be submitted to us along with the expert's name, his/her company, and his/her NACE membership number. The cathodic protection system design must be submitted along with a completed UGST permit application and the applicable plan review fees.

**A certified UPST Installer/Remover contractor shall be present on site for each of the following activities:**

- a) Preparation of the excavation immediately prior to receiving backfill or a component of the UPST system;
- b) Setting of the UPST system, including placement of an anchoring device, backfilling to the level of the UPST system and strapping;
- c) Installing piping and its components, field coating, or corrosion protecting piping and its components;
- d) Final inspection and pressure testing of a component of the tank or piping component of the UPST system; and
- e) Completion of the backfilling and filling of the excavation.
- f) The actual excavation of an existing UPST system;
- g) The actual performance of a repair to the UPST system;
- h) The connection of a component of the piping during the repair project;
- i) The pressure testing of the UPST or its associated piping during the repair project;
- j) The replacement of a piping valve, fill pipe, vent, leak detection device, or spill and overflow protection device; and
- l) The addition of a leak detection device or spill and overflow device.

**A certified UPST Remover or certified UPST Installer/Remover contractor shall be present on site for each of the following activities:**

- a) Preparation for closing a UPST system shall require a certified contractor to be present on site for each of the following activities:
- b) The cleaning and purging of a UPST system;
- c) The filling of a UPST system with an inert solid material;
- d) All testing associated with the cleaning and purging processes; and
- e) The disconnection or capping of a component of the UPST system during the closing.
- f) The cleaning and purging of the UPST system;
- g) The actual excavation and removal of the UPST system or a component;

**A certified UPST Interior Tank Lining contractor shall be present on site for each of the following activities:**

- (a) The cleaning and purging of the UPST system;
- (b) The excavation of the tank top;
- (c) The cutting of the top of the tank;
- (d) The entry of the tank;
- (e) The preparation of the interior of the tank;
- (f) The application of the lining of the tank; and
- (g) The closing and testing of the tank.

**A certified UPST Cathodic Protection contractor shall be present on site for each of the following activities:**

- (a) Excavation; and
- (b) The installation of an approved corrosion protection system (example: anodes, etc.)

If you have any questions, please call the Hazardous Materials Section at 502-573-1702.