



COUNTY OF LINCOLN, NORTH CAROLINA

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OFFICE OF THE FIRE MARSHAL
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May 7th, 2013

LAND BASE FUEL DISPENSING FACILITIES

RE: Notification of Required Permitting for Work on **FUEL DISPENSING STATIONS OR FUEL DISPENSING EQUIPMENT WORK**

To: Whom It May Concern:

This letter is to notify you that a construction permit is required for the installation, repair, and/or replacement of fuel dispensing station(s) including the replacement of its components such as but not limited to the dispenser, nozzle, breakaway, and swivel.

105.7.7 Flammable and combustible liquids. A construction permit is required:

1. To install, repair or modify a pipeline for the transportation of flammable or *combustible liquids*.
2. To **install**, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, **fuel-dispensing stations**, refineries, distilleries and similar facilities where flammable and *combustible liquids* are produced, processed, transported, stored, **dispensed** or used.
3. To install, alter, remove, abandon or otherwise dispose of a flammable or *combustible liquid* tank.

A permit shall be obtained from the Lincoln County Fire Marshal's Office prior to the installation, repair, and/or replacement of a fuel dispenser, nozzle, swivel and/or breakaway device under the normal replacement schedule. The replacement of the hose is considered maintenance and does not require a permit as long as you do not shorten or make the hose longer than it originally was installed on the pump.

We have also been told that if a nozzle has an expiration date on it, it should be replaced before or on the expiration date. So this is one of several things we will also be looking at when we do inspections at our local gas stations or fuel dispensing facilities.

The following two sections are two of several parts of the NC Fire Code which deal with repair work and service of fuel dispensing equipment:

2205.2.2 Repairs and service. The *fire code official* is authorized to require damaged or unsafe containment and dispensing equipment to be repaired or serviced in an *approved* manner including, but not limited to, equipment that shows signs of physical damage, internal and external corrosion, leakage, brittleness, aging or undue wear and tear.

2205.2.3 Dispensing devices. Where maintenance to Class I liquid dispensing devices becomes necessary and such maintenance could allow the accidental release or ignition of liquid, the following precautions shall be taken before such maintenance is begun: **1. Only persons knowledgeable in performing the required maintenance shall perform the work.** 2. Electrical power to the dispensing device and pump serving the dispenser shall be shut off at the main electrical disconnect panel. **3. The emergency shutoff valve at the dispenser, where installed, shall be closed.** 4. Vehicle traffic and unauthorized persons shall be prevented from coming within 12 feet (3658 mm) of the dispensing device.

Permits must be pulled before the work is done unless it is an emergency repair work because of the danger to life and property due to the hazardous condition it creates a public risk. Any nozzle or part of the fuel dispensing system that is leaking or broken but could still dispense fuel, has been damaged during operation and will not function properly would fall under the emergency clause. If work is done under the emergency clause we want the permit faxed or e-mailed to us within 48 hours. We will be out to inspect the work once we receive the permits. Also any nozzle that has an expiration date on it, we will be checking it not only during the permit inspection but during our regular inspections. If you go to a work site and realize that you have another nozzle(s) to replace or items to work on, it may be added to the first permit or you can fill out a new one when you get back to the office. If the emergency repair is on a weekend or holiday, the permit application shall be submitted by 9:00 am the next scheduled work day (M-F 8 am to 5 pm). We must have a record of all work done.

After talking with our county attorney we feel that we have no choice but to require permits for this work until the state issues a different interpretation which states permits are not required for nozzle work, or any nozzle replaced, or repairs at land base gas stations. Or we get a better list of what is general maintenance and would not need to be permitted.

The following questions are on the permit and must be completed:

1. Type of work to be done? (Replacement, repair, new installation, etc.)

2. Will all work be done by either a trained, qualified or certified person? _____
3. The name of person(s) who will be doing the work. _____
4. Are you altering the equipment from its original install? _____
5. Is all working being done according to manufacturer specifications and by NFPA Standards & NC Codes? Yes _ NO
6. Name of person signing that work is done according to the manufacturer specifications, NFPA Standards and NC Codes. _____
7. Signature of Person doing the work _____

When the person doing the work signs the permit, they are stating that all work was done according to the manufacturer specifications, NFPA Standards and NC Codes.

At this time we are not charging for the permit until we can talk with our County Manager and Commissioners and see if anything changes at the state level. But if any work is done without pulling a permit and we find out we will have to issue a citation and fine.

During our regular inspections we will also need to see a yearly report that the following items have been done. **2205.2.4 Emergency shutoff valves.** Automatic emergency shutoff valves required by Section 2206.7.4 shall be checked not less than once per year by manually tripping the hold-open linkage. **2205.2.5 Leak detectors.** Leak detection devices required by Section 2206.7.7.1 shall be checked and tested at least annually in accordance with the manufacturer's specifications to ensure proper installation and operation.

We will also be checking the following two items during inspections:

2205.5 Fire extinguishers. *Approved* portable fire extinguishers complying with Section 906 with a minimum rating of 2-A:20-B:C shall be provided and located such that an extinguisher is not more than 75 feet (22 860 mm) from pumps, dispensers or storage tank fill-pipe openings.

2205.6 Warning signs. Warning signs shall be conspicuously posted within sight of each dispenser in the fuel-dispensing area and shall state the following:

1. No smoking.
2. Shut off motor.
3. Discharge your static electricity before fueling by touching a metal surface away from the nozzle.
4. To prevent static charge, do not reenter your vehicle while gasoline is pumping.
5. If a fire starts, do not remove nozzle—back away immediately.
6. It is unlawful and dangerous to dispense gasoline into unapproved containers.
7. No filling of portable containers in or on a motor vehicle. Place container on ground before filling.

Please do not hesitate to contact our office if you have any questions or need further information. I can be reached at (704) 736-8516.

Sincerely

A handwritten signature in black ink, appearing to read "Mike Futrell". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "Futrell".

Mike Futrell
Lincoln County Fire Marshal