

Public Comment F386-16 KLEIN-G :

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Replace Proposal as Follows:

2015 International Fire Code

SECTION 5707 ON-DEMAND MOBILE FUELING OPERATIONS

5707.1 General. On-demand mobile fueling operations that dispense Class I, II, and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.6.3.

Exception: Fueling from an *approved* portable container in cases of an emergency or for personal use.

5707.1.1 Approval required. Mobile fueling operations shall not be conducted without first obtaining a *permit* and approval from the *fire code official*. Mobile fueling operations shall occur only at *approved* locations.

5707.2 Mobile fueling vehicle. An on-demand mobile fueling vehicle shall be one of the following:

1. A vehicle that has chassis-mounted *tanks* or *containers* where the aggregate cargo capacity does not exceed 1200 gallons (4592 L). A mobile fueling vehicle with a mounted *tank* in excess of 110 gallons (415 L) shall comply with the requirements of Section 5706.6, Section 5707, and NFPA 385.
2. A vehicle that carries a maximum of 60 gallons (227 L) of motor fuel in metal *safety cans* listed in accordance with UL 30 or other *approved* metal *containers* each not to exceed 5 gallons (19 L) in capacity. *Containers* shall be secured to the mobile fueling vehicle except when in use.

The mobile fueling vehicle shall comply with the requirements of all local, state and federal requirements. The mobile fueling vehicle and its equipment shall be maintained in good repair.

5707.3 Required documents. Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the owner of the mobile fueling operation and shall be maintained in compliance with Section 107.3.

5707.3.1 Safety and emergency response plan. Mobile fueling operators shall have an *approved* written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.

5707.3.2 Training records. Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures and the safety and emergency response plan. Training records of operators shall be maintained.

5707.3.3 Site plan. Where required by the *fire code official*, a site plan shall be developed for each location at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate: all buildings, structures, *lot lines*, property lines, and appurtenances on site and their use or function; all uses adjacent to the *lot lines* of the site; fueling locations, the locations of all storm drain openings, and adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and the scale of the site plan.

5707.4 Mobile fueling areas. Mobile fueling shall not occur on public streets, *public ways*, or inside *buildings*. Fueling on the roof level of parking structures or other *buildings* is prohibited.

5707.4.1 Separation. Mobile fueling shall not take place within 25 feet (7620 mm) of *buildings*, property lines, or combustible storage.

Exception: The *fire code official* shall be authorized to decrease the separation distance for dispensing from metal *safety cans* or other *approved* metal *containers* in accordance with Section 5707.2.

When dispensing operations occur within 15 feet (4572 mm) of a storm drain, an *approved* storm drain cover or an *approved* equivalent method that will prevent any fuel from reaching the drain shall be used.

5707.4.2 Sources of ignition. Smoking, open flames, and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the vehicle or the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

5707.5 Equipment. Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.4.

5707.5.1 Dispensing hoses and nozzles. Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles and hoses shall be of an *approved* and *listed* type.

5707.5.2 Fuel limit. Mobile fueling vehicles shall be equipped with a *fuel limit switch* set to a maximum of 30 gallons (116 L) and a nozzle or other *approved* device that, when activated, immediately causes flow of fuel from the mobile fueling vehicle to cease.

5707.5.3 Fire extinguisher. An *approved* portable fire extinguisher complying with Section 906 with a minimum rating of 40-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

5707.5.4 Spill kit. Mobile fueling vehicles shall contain a minimum 5 gallon (19 L) spill kit of an *approved* type.

5707.6 Operations. Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.

5707.6.1 Dispensing hose. Where equipped, mobile fueling vehicles shall be positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the mobile fueling vehicle.

5707.6.2 Drip control. Operators shall place a drip pan or an absorbent pillow under the nozzle to catch drips and under each fuel fill opening prior to and during dispensing operations.

5707.6.3 Spill reporting. Spills shall be reported in accordance with Section 5003.3.1.

105.6.17 Flammable and combustible liquids. An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or *combustible liquids*. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
 - 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the *fire code official*, would cause an unsafe condition.
 - 2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.
3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.
4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.
 5. **Exception:** Fuel oil and used motor oil used for space heating or water heating.
6. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the *approved*, stationary on-site pumps normally used for dispensing purposes.
7. To operate 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.
8. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or *combustible liquid* tank.
9. To change the type of contents stored in a flammable or *combustible liquid* tank to a material that poses a greater hazard than that for which the tank was designed and constructed.
10. To manufacture, process, blend or refine flammable or *combustible liquids*.
11. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.
12. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or, where required by the *fire code official*, to utilize a site for on-demand mobile

fueling operations in accordance with Section 5707.

Commenter's Reason:

This Public Comment is designed to regulate on-demand mobile fueling operations, vehicles and equipment by authorizing the fire code official to permit operations and individual sites. This Public Comment provides a code compliant path for on-demand mobile fueling and provides the fire code official the explicit authority to regulate such operations while leaving current mobile fleet fueling requirements unchanged.

On-demand mobile fueling is an emerging industry that has had significant consumer demand both nationally and internationally. The practice is already occurring—both regulated and unregulated—and codification in the national code is imperative to ensure safe, consistent regulation of the operation.

This Public Comment was developed by the California State Fire Marshal's Office Mobile Fueling Task Force - IFC Subgroup, comprised of fire code officials, industry stakeholders, and interested parties.