SHORT TERM, TEMPORARY, AND OUT-OF-SERVICE STORAGE FACILITIES
SELECTED DEFINITIONS

Incidental to Transportation
A specific DOT term that refers to any storage or handling between the time a HM is offered to a carrier for transportation and the time it reaches its intended destination and is accepted by the consignee.

Includes
• storage or handling at carrier's terminal or storage facility;
• on a dock area waiting for loading;
• in a parked vehicle; or
• any time storage or handling is incidental to transportation.

A shipment consigned to a storage facility is out of transportation once received and unloaded at the storage facility. This storage is not “incidental to transportation” even though it will be offered for transportation at a future date.

Short Term Storage Facility
One that contains HMs that are incidental to transportation.

Temporary Storage Facility
• any storage facility containing HM for a limited time
• HM not stored or handled incidental to transportation.
• TSFs include, construction sites, emergency remediation sites, other sites with limited time period HM activities
• A vehicle containing HM covered by active shipping papers is not temporary storage.
SHORT TERM STORAGE FACILITY CLASSIFICATION

Storage facilities where HM (as defined in OH #4) is in, on, or about the facility; and

Storage meets restrictions of OH #5 (48-Hour Rule).
Hazardous Materials Defined for Short Term Storage Facilities
(For use only when referring to HM being contained in a STSF)

Hazardous Material
means any substance or product which is

• designated by DOT as capable of posing an unreasonable risk to health, safety, and property when transported in commerce; or

• a hazardous substance or a hazardous waste

• a marine pollutant or an elevated temperature material

• designated as hazardous under 49 CFR Part 172.101, including substances listed in 172.101, Appendix A where the quantity in one package which meets or exceeds the RQ, or is mixed in solution in concentrations which meet or exceed RQ for that substance

• designated as a hazardous waste as defined in 40 CFR 261 and 49 CFR Part 171, or

• which meets criteria for hazard classes and divisions in 49 CFR Part 173
48 HOUR RULE

A short term storage facility loses its STSF classification and must meet the requirements for a long term storage facility if

at any time during the reporting year the permittee receives a HM shipment and does not within 48 hours

• Forward it to the consignee, or
• Place shipment in suitable storage as defined by DOT (or EPA if hazardous waste), or
• Return the shipment to the consignor, or
• Dispose of the shipment per DOT rules and regulations.

(Note: This “48 Hour Rule” is modeled after the one-time US DOT regulation 177.853, which DOT deleted in April, 1996. DOT’s current rule on this matter is less specific, and is found at 177.800(d).

177.800(d) No unnecessary delay in movement of shipments. All shipments of hazardous materials must be transported without unnecessary delay, from and including the time of commencement of the loading of the hazardous material until its final unloading at destination.)
Shipping Papers, Packaging, Labeling and Placarding at STSF

Vehicle Placarding
• vehicles loading or unloading HM must be placarded per 172 subpart F & 177.817.

Packaging
• All packages, containers, drums and storage devices used for shipment, handling, transfer or storage of HM or wastes must meet standards established for such containers in 49 CFR 173

Labeling
• All packages, containers, drums or other storage devices that are used for the shipment handling or transfer of HM and/or wastes must be labeled per 49 CFR 172 subpart E.

Shipping Papers
• All vehicles engaged in the transportation of HM or wastes must have proper shipping papers, per 49 CFR 172, subpart C.

• Copies of all such papers to be maintained by facilities and made available for inspection by enforcement agencies.
Standards for Short Term Storage Facilities

STSFs must meet and maintain these standards:

**Safe Handling:** Loads of HM or wastes loaded, unloaded, stored at, or leaving a STSF must meet DOT standards for safe packaging, storage, loading, unloading, and transportation

**Separation of Materials:** Loads of HM must be properly segregated per **49 CFR Part 177.848**

**Equipment:** Equipment and facilities used for loading, transporting and handling HM, including dock plates, pallet jacks, fork trucks, lifts, hoist or other material handling devices must be maintained in proper working condition at all times

**OSHA Requirements:** Routine inspection and certification programs required by OSHA for equipment and facilities listed above must be developed and maintained as part of the facilities operating records and shall be made available for inspection at all times


**Drainage Systems:** Interior floor and/or sewer drains and exterior storm water drains located in the STSF must be capable of isolation to prevent any released, spilled, or discharged HMs or waste from reaching a storm water discharge point or direct discharge to any sewer connection.
EMPLOYEE TRAINING
FOR SHORT TERM FACILITIES

Training is Required
STSF employees must be trained by permit applicant.

Training Curriculum
The employees shall be trained as follows:
• hazmat employees receive training per 172 subpart H (172.700 -172.704) and 177.800.
• hazmat employee who will operate a motor vehicle must trained inapplicable requirements of 49 CFR Parts 390 through 397 and procedures necessary for the safe operation of that motor vehicle.
• STSF owners/operators must provide employees with safety training required under 29 CFR 1910.1200, including, but not limited to, Hazard Communication and emergency response
• Specific training requirements explained in GM, Ch 6

Training Records.
• STSF must create & maintain training records per state and federal requirements.
• employee training records shall be made available for inspection if requested by LFD
STSF Emergency Response Plans

Plan Submittal.
- STSFs must establish and implement written ERP
- ERP must be filed with the permit application
- ERP must be available at STSF for inspection.

ERP Content: The ERP shall incorporate
- the requirements of 49 CFR Part 172 subpart G and 49 CFR Part 177;
- a description of ER plans and procedures STSF will take in event of reportable release of HM;
- “procedures” which include immediate notification to LFD;
- a description of procedures for mitigation of release or threatened release; and
- a description of evacuation plans & procedures for persons at STSF which include immediate audible notice and warning to all persons on site.
OTHER STSF REQUIREMENTS

Hazardous Materials Inventory Statement
• STSFs which contain HM shall have a current HMIS

• HMIS must be filed with the permit application.

• HMIS shall be the same as that required under the Emergency Planning and Community Right to Know Act (EPCRA), 42 U.S.C. section 11000 et. seq.

Posting of Emergency Procedures
• STSFs shall have a current copy of HMIS and ERP in a large, metal, rural US Postmaster approved mail box which is clearly labeled in a marked area accessible to LFD

No Conflict with Federal/State Regulations
• Nothing in Subpart B of the Ordinance shall be construed to conflict with, impede, interfere with, or relieve the requirements of state and federal regulations.
TEMPORARY STORAGE FACILITY PERMIT CLASSIFICATION

temporary storage facilities where any HM may be placed in, on, or about facility.
TEMPORARY STORAGE FACILITIES

Temporary storage facility requirements:

**Containment:**
Liquid or solid HMs must be stored in primary and secondary containment
- Primary containment must be product tight
- When only one primary container is installed, the secondary containment must contain at least 110% of the volume of the primary container
- Where multiple primary containers are installed, the secondary container must contain 150% of volume of largest primary container in it, or 10% of aggregate internal volume of all primary containers in secondary containment, whichever is greater

**HMMP:**
- Short form HMMP prepared and submitted to HMMPO; include information required for LTMSF

**ERP:**
- ERP shall be prepared and submitted to HMMPO and shall include information required for LTSF

**Employee Training:**
- Employees trained according to requirements for LTSF

**HMIS:**
- HMIS prepared and submitted to HMMPO; include information required for LTSF

**Permittee inspection and records:**
- Shall be done according to requirements for LTSF
OUT OF SERVICE STORAGE FACILITIES
LFD Approval Required for Closure

Approvals For Partial Facility Closures
A person or entity shall apply for and obtain approval from LFD to close a portion of storage facility or storage system not less than 30 days prior to termination of storage of HM.

Approval For Total Facility Closure
A person or entity shall apply for and obtain approval from LFD to totally close a storage facility not less than 90 days prior to termination of storage of HM.

Applications Required
Each person or entity requiring additional approvals for a facility closure shall apply according to the procedures set forth §33-18.
STANDARDS FOR CLOSURES

Partial Closure
A partial closure must
• minimize the need for further maintenance,
• eliminate any substantial risk to public health or safety or environment from residual HM
• insure HMs stored in the storage facility or storage system are removed, disposed of, neutralized, or reused in an appropriate manner.

Total Closure.
A total closure must
• insure HMs that in storage facility are removed, disposed of, or neutralized appropriately
• insure facility is not contaminated as a result of the storage of HM

Requirement of a Closure Plan.
A closure plan must be prepared and submitted with application for partial or total closure of a storage facility or storage system

Content of a Closure Plan
A closure plan shall contain
• names and addresses of parties responsible for closure application and closure plan
• description of procedures applicant intends to make to meet closure standards

Continued Notification
Responsible parties set forth in closure plan shall notify the HMMPO of any address change which occurs within one year of effective date of the closure of facility.
PUBLIC NOTIFICATION

Any party may request a courtesy notice of a pending total facility closure by

- filing a written request with the hazardous HMMPO for notification of closure.
- including 5 self-addressed stamped envelopes for each party requesting notification.
- provide additional envelopes when the 5 envelopes have been used

Such Parties shall be notified within 10 working days of notification to LFD of such closure.

Notification will be made in writing and mailed.

Notification request shall be valid from the date filed until the next July 1st.

Request renewal for mailed notice must be filed in writing on or before July 1st, annually.
OUT OF SERVICE STORAGE FACILITIES OR STORAGE SYSTEMS

Unlawful
It is unlawful for any person or entity to allow, maintain or cause a HM storage facility to be abandoned except per §33.20.

Closure Plans
All storage facilities subject to 33-20.2 shall be closed in accordance with §33-20.1
• submit closure plan to HMMPO
• closure plan approved by LFD prior to closure.

Interest, Including a Leasehold Interest
Any person or entity having an interest, including a leasehold interest, in real property with an abandoned storage facility must
• submit to LFD a plan for closing or removing or upgrading and permitting facility
• file plan within 90 days of facility/s discovery
TEMPORARILY OUT-OF-SERVICE STORAGE FACILITIES

LTSFs or storage systems temporarily out of service (and intended to be returned to use) must continue to be monitored and inspected.

Any storage facility or storage system not being monitored and inspected on a regular plan must be closed or removed.
QUESTIONS?