



OFFICE OF THE ILLINOIS STATE FIRE MARSHAL

JB Pritzker, Governor
Matt Perez, State Fire Marshal

January 2019

UST Facility Owner or Operator:

You have been given this information sheet because there is a situation at your facility that will be addressed with the current Certification Audit compliance inspection of your UST system. This facility has had tanks operating and receiving fuel deliveries under a current Green Decal while a tank or tanks red tagged for non-compliance remain in place with unresolved violations written against them. While this scenario can be allowed by our UST regulations at 177.115(c), the discretion given OSFM in these cases will no longer be exercised by the individual UST inspectors. Rather, to achieve consistent statewide enforcement, this prerogative will be reserved for OSFM Division of Petroleum & Chemical Safety management. Evidence of compliance, the Green Decal, will no longer be issued by default to stations which are not in full compliance. Any outstanding violations on NOVs that have exceeded the allotted 60 day compliance period will result in all tanks at the facility being red tagged until all tanks are compliant and all violations are resolved.

Situations that will be addressed include, but are not limited to:

- Tanks red tagged due to delinquency in testing or maintenance, whether ordered or routine.
- Tanks red tagged due to being in "Condemned" status. This could be from:
 - A single wall tank over 30 years old that has been out of service for over a year;
 - A lined tank that has failed an internal lining inspection;
 - A tank closed for over 5 years not subject to the exemption at 175.810(g);
 - A tank that never met the 1998 upgrade requirements that is discovered at a facility.
- Tanks that have NOVs where one or more UST violations have not been corrected, whether the violation(s) apply to all tanks or just one or some tanks at the facility.

Green Decals will no longer be issued to a facility where some tanks are in compliance while one or more tanks at the same facility are not. At the discretion of OSFM, and only under approved circumstances, a Temporary Green Decal Letter may be issued for a defined time period wherein designated tanks will be allowed to operate and receive fuel deliveries while red tagged tank issues are being addressed. This will be arranged with the Division Manager, conditional upon evidence being produced documenting intent and commitment to comply on the part of the Owner or Operator, and by meeting defined compliance objectives. The Owner or Operator will work with a licensed UST contractor to meet the objective of achieving compliance.

