

Kansas Administrative Regulations

State Fire Marshal

Article 7.—Flammable And Combustible Liquids

22-7-8. Retroactivity.

(a) Kansas Fire Prevention Code regulations governing flammable and combustible liquids shall apply uniformly at all new or existing establishments and facilities in Kansas except as modified below. Requirements pertaining to operational practices and use of containers shall apply and be enforced at all new or existing establishments and facilities at or in which flammable or combustible liquids are stored, handled or used as of the effective date of these regulations.

(1) Physical installations shall apply and be enforced at all establishments and facilities erected, constructed, installed or first devoted to flammable or combustible liquid storage, handling or use on or after the effective date of these regulations.

(2) Establishments and facilities in existence prior to the effective date of these regulations shall comply with the following minimum requirements.

(A) The location or arrangement of buildings, tanks, platforms, docks, or spacing or clearances between these installations or between these installations and adjoining property lines, shall not be deemed to be distinctly hazardous and may be continued. When reconstruction or modernization of any noncomplying establishment or facility existing prior to the effective date of these regulations is undertaken, the elimination or correction of such nonconformity shall then be made in the course of such work.

(B) Lack of adequate emergency venting on any above ground tank, or lack of an operable fire valve at any tank opening below the liquid level on above ground tanks of more than 1,100 gallons or on any size above ground tank used for refueling at a service station, is deemed to be distinctly hazardous and shall be corrected or eliminated by no later than January 1, 1994 in all tanks except for crude oil tanks in oil fields, or tanks at refineries or marine or pipeline terminals.

(C) Lack of a liquid level gauge or a suitable means to prevent tank overfilling with the availability of appropriate conversion charts to determine the available capacity of a

tank is deemed to be distinctly hazardous, and such system or means shall be installed and operable by no later than October 1, 1993.

(D) Lack of diking of existing above ground tanks to contain a fuel spill of at least 110 percent to the capacity of the largest tank is deemed to be distinctly hazardous, and such diking or containment shall be installed which contains the product at a location away from inhabited buildings or places of high value by no later than January 1, 1994.

(E) Lack of breakaway devices on all dispenser hoses and the secure anchoring of dispensers is deemed to be distinctly hazardous, and such shall be installed, anchored and operable by no later than October 1, 1993.

(F) Lack of a properly installed fire valve underneath a dispenser in a pressurized piping system is deemed to be distinctly hazardous, and such device shall be installed immediately.

(G) Lack of a properly operating solenoid valve installed adjacent to any tank installed at an elevation which produces a gravity head on a dispensing device used to refuel vehicles and in the piping serving any such dispenser is deemed to be distinctly hazardous, and such valve shall be installed by no later than July 1, 1994, or at any prior date when such piping or dispenser is modified or replace.

(H) Lack of a fire valve or vacuum-activated anti-siphon valve installed underneath any suction type dispenser served by above ground tanks at an elevation that produces a gravity head on a dispensing device used to refuel vehicles is deemed to be distinctly hazardous, and either a fire valve or anti-siphon vacuum activated valve shall be installed by no later than July 1, 1994, or at any prior date when such piping or dispenser is modified or replaced.

(I) Lack of substantial collision protection at the end of dispenser islands is determined to be distinctly hazardous, and such protection shall be provided no later than January 1, 1994, or any prior date when dispenser island is modified or upgraded.

Editor's Note:

This article was formerly entitled, "Bulk Oil and Service Stations; Flammable Liquids." Regulations formerly appearing hereunder were revoked.

(Authorized by and implementing K.S.A. 1992 Supp. 31-133; effective May 10, 1993.)