

**Ind 8.04 Permits.** (1) All persons handling or storing flammable liquids of any flash point in excess of 8,000 gallons shall submit to the industrial commission full information and plans on their proposed installations and methods of storing and handling such liquids for its consideration, and no such installation shall be made without the approval of said commission.

(2) Application for the installation of new bulk oil stations and for storage and use of more than 8,000 gallons of flammable liquids must be made, in writing, to the industrial commission. Such applications must give full information on the following points:

(a) Number, size, capacity and contents of all tanks.

(b) Construction of tanks—gauge of metal, kind of manhole, kind and size of safety vents, regular and special. Emergency shut-off valve.

(c) Distance between tanks.

(d) Kind of foundation.

(e) Method of electrical grounding of tanks, tank cars and trucks.

(f) Size and construction of pump house. How ventilated.

(g) Size, construction and use of warehouse.

(h) Describe ladders, stairways and elevator platforms.

(i) Extent and direction of slope on bulk station site.

(j) A sketch, map or blue print, drawn to scale, must show the proposed location of all tanks, also all buildings, railway tracks, streets, highways, streams and other bodies of water within 150 feet from such tanks.

(k) Form SB-9 "Application For Installation Bulk Storage Flammable Liquid Tanks" and is furnished by the Industrial Commission, 1 West Wilson Street, Madison.

(3) Persons storing, retailing, handling and (or) using class I or II liquids in quantities less than 8,000 gallons shall obtain approval in writing from the chief of the fire department, if there is one, otherwise from the industrial commission, certifying that the type, class or kind of article or thing mentioned has been examined and approved by him, or his authorized deputy or assistant, found to be in conformity with these orders and that it may be kept, stored, manufactured, sold and transported within his municipality.

(4) The chief of the fire department in every city, village or town is by statute a deputy of the industrial commission and as such is authorized to issue permits under paragraph (3) of this order.

(5) Where, by local ordinance, regulatory jurisdiction and power in the matter of storage, handling and use of flammable liquids has been conferred on the inspector of buildings or other municipal department, such department may act in the same manner and to the same extent as the chief of the fire department.

**History:** 1-2-56; cr. (2) (k), Register, October, 1957, No. 22, eff. 11-1-57.

**Ind 8.05 Permits required.** (1) Except as hereinafter provided permits shall be obtained: (a) For the storage or handling of a total quantity of more than one gallon of class I liquids in any dwelling, apartment house or tenement, and in excess of 5 gallons in any other building, and in excess of 10 gallons outside of any building.

(b) For the storage or handling of a total quantity of class II liquids in excess of 5 gallons in any dwelling, apartment house or tenement, and in excess of 10 gallons in any other building, and in excess of 25 gallons outside of any building.

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(c) For the storage or handling of a total quantity of class III liquids in excess of 55 gallons.

**Ind 8.06 Use of certain flammable liquids without permit.** Unless storage of quantities in excess of those given in section Ind 8.05 is to be maintained for 30 days or more, nothing contained in these orders shall require the owner or occupant or his agent to obtain a permit for the use by him of paints, oil, varnishes or similar flammable mixtures.

**Ind 8.07 Application for permits.** All applications for permits to handle, sell, or store flammable liquids, except as otherwise provided in section Ind 8.04, shall be made in writing, to chief of the fire department. He shall forthwith satisfy himself as to the safety of the plan, installation and arrangement, through investigation, or through inspection of the premises to be used for such storage, sale or use and the means of distribution, or by other means. If the conditions surrounding an arrangement are, in his opinion, such that the intent of these orders can be observed, then he shall issue a permit, which permit shall not be transferable.

**Ind 8.08 Inspection before covering up installation.** Before any installation is covered from sight, a notification in writing shall be given the chief of the fire department, who shall, within 48 hours after the receipt of such notification, inspect the installation and give his written approval or disapproval. Upon failure of the chief of the fire department to inspect within the specified time, the installation may be covered.

**Ind 8.09 Modification of requirements.** Except as to matters within the jurisdiction of the industrial commission as provided in sections Ind 8.001 and Ind 8.84, the chief of the fire department shall have power to modify any of the provisions of these orders upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of these orders provided that the spirit of these orders shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the chief of the fire department thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant, and one copy transmitted to the industrial commission.

**Ind 8.10 Appeal.** Within 10 days after written notification by the chief of the fire department to the owner or occupant to correct or remedy any hazardous conditions, or upon his refusal to issue a permit applied for, an appeal, stating specifically the questions which the appellant desires to have passed upon, may be taken. A copy of all such appeal papers shall be served upon the chief of the fire department when such appeal is taken. Such appeal shall be heard by the industrial commission.

**Ind 8.11 Hazardous heating and lighting appliances.** The industrial commission or chief of the fire department may prohibit the use of any type, kind or make of heating or lighting appliance using flammable liquids, which has not been tested by some impartial, competent authority, and found to be properly safeguarded to protect life and property.