

Mobile Fueling Company Permit Application

Applicant information

Company name: _____

Site address: _____
 Street City State Zip Phone

Mailing address: _____
 If different Street City State Zip

Insurance information

Name of insurance provider: _____
 Attach Proof of Insurance Certificate

Emergency Spill and Response Plan
 Attach company's Emergency Spill and Response Plan

Operator information

Complete and attach an *Operator Information Form* for each operator who will be conducting mobile fueling. See page two.

Vehicle information

Complete and attach a *Vehicle Information Form* for each vehicle used for mobile fueling. See page three.

Permit fee

Review fee	\$152	
Inspection fee	\$127	For 1-3 tank vehicles. Add \$32 for each additional beyond three.

Applicant signature _____ Date _____

Page two: Operator Information form
 Page three: Vehicle Information form
 Page four: Mobile Fueling ordinance

Revised 3/28/12



Public Safety Complex
 505 NW 179TH ST, Ridgefield, Washington
 Phone: (360) 397-2186 Fax: (360) 397-2076
www.clark.wa.gov/development



For an alternate format, contact the Clark County ADA Compliance Office.
 Phone: (360)397-2322
 Relay: 711 or (800) 833-6384
 E-mail: ADA@clark.wa.gov

Vehicle Information Form

Vehicle:

Make	Model	Year
License number	State	Expiration

Date of last visual and kinetic inspection: _____

Date of last internal and pressure inspection _____

Attach copies of inspection certificates.

Vehicle:

Make	Model	Year
License number	State	Expiration

Date of last visual and kinetic inspection: _____

Date of last internal and pressure inspection _____

Attach copies of inspection certificates.

Vehicle:

Make	Model	Year
License number	State	Expiration

Date of last visual and kinetic inspection: _____

Date of last internal and pressure inspection _____

Attach copies of inspection certificates.

Please make copies of this form as needed to provide information about additional vehicles.

Operator Information Form

Operator's name: _____
Last First

Driver's license number: _____ State: _____

Endorsements: _____

Required training	Date last received
Fire Extinguisher Use	_____
Fuel Dispensing and Handling	_____
Spill Control and Mitigation	_____
Company Emergency Response Plan	_____

Operator's name: _____
Last First

Driver's license number: _____ State: _____

Endorsements: _____

Required training	Date last received
Fire Extinguisher Use	_____
Fuel Dispensing and Handling	_____
Spill Control and Mitigation	_____
Company Emergency Response Plan	_____

Operator's name: _____
Last First

Driver's license number: _____ State: _____

Endorsements: _____

Required training	Date last received
Fire Extinguisher Use	_____
Fuel Dispensing and Handling	_____
Spill Control and Mitigation	_____
Company Emergency Response Plan	_____

Please make copies of this form as needed to provide information about additional operators.

ORDINANCE NO. _____

AN ORDINANCE amending the Uniform Fire Code providing for mobile fueling under limited circumstances.

WHEREAS, Clark County has adopted by reference the 1997 edition of the Uniform Fire Code; and

WHEREAS, the 1997 edition of the Uniform Fire Code prohibits transferring fuel from tank or cargo vehicles directly into the fuel tanks of motor vehicles; and

WHEREAS, such fueling activity although limited, is discretionarily allowed in Cities and Counties by Washington Administrative Code Chapter 51-44; and

WHEREAS, the Clark County Fire Marshal recommends these minimum actions necessary for fire safety to allow limited fueling directly from tank or cargo vehicles; and

WHEREAS, this matter is being considered by the Clark County Board of Commissioners at a duly-advertised public hearing and the Board finds that adoption of this ordinance will further the public health, safety and welfare; now, therefore,

BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, as follows:

Section 1. New. A new section is added to the Clark County Code to read:
15.12.231 Amendment of subsection 7904.5.4.2.1.

7904.5.4.2.1 General. Class I, II or III liquids shall be transferred from a tank vehicle or tank car only into an approved atmospheric tank or approved portable tank, except as provided in Sections 5205 and 7904.5.2.2 through 7904.5.4.2.6.

Section 2. New. A new section is added to the Clark County Code to read:

15.12.210 Addition of Section 5205 – Mobile Fueling.

5205 – MOBILE FUELING

5205.1 General. Mobile fueling includes any method of transferring or dispensing motor vehicle fuels into the fuel tanks of on-road motor vehicles from tank or cargo vehicles. Mobile fueling shall be in accordance with section 5205.

5205.2 Permits. Permits are required for mobile fueling for diesel fuel. Fueling with Class I flammable liquids is prohibited. See Section 105.

1. A permit is required to engage in mobile fueling. Such permit shall identify permitted vehicles and operators.
2. A permit is required for each site where mobile fueling occurs.
3. Issuance of permits will be based on the standards contained in the Uniform Fire Code.

5205.3 Prohibited Locations and Fuels.

5205.3.1 Sensitive Areas. Mobile fueling is prohibited:

1. Within Critical Aquifer Recharge areas.
2. Within 50 feet of a body of water or a designated wetland.
3. Within areas sloped towards or that provide logical paths that would funnel spilled fuels toward a body of water or wetland.

5205.3.2 Zoning. Mobile fueling is limited to those areas zoned in Chapter 18 of the Clark County Code allowing vehicle fuel dispensing stations unless otherwise expressly allowed in the Uniform Fire Code. Mobile fueling is prohibited in planned unit developments (PUDs) or residentially zoned areas.

5205.3.2 Prohibited Materials. Except as provided in Sections 7904.5.2.2 through 7904.5.4.2.6, mobile fueling other than diesel fuel is prohibited.

5205.4 Company Requirements.

5205.4.1 Insurance. Fueling companies shall present proof of an insurance policy in effect in the amount of not less than two million dollars (\$2,000,000) per incident that covers the following activities:

1. Property and casualty.
2. Fuel loading and unloading.
3. Fuel transportation.
4. Remedial environmental mitigation.
5. Malicious actions.

The insurance shall name Clark County as an additional insured. The fueling company shall notify the fire marshal, in writing, not less than thirty (30) days prior to the effective date of any termination or material change to the policy or bond.

5205.4.2 Emergency and Spill Response Plan. Fueling companies shall submit a written emergency and spill response plan detailing its preparation and ability to respond to a spill and carry out appropriate mitigation measures and to dispose of hazardous materials and hazardous waste material. The plan shall include:

1. The operator and company spill notification process.

2. The operator's on-site spill mitigation procedures.
3. The fueling company's spill mitigation resources and response plan.
4. A description of the fueling company's spill clean up capability and / or identification of a company approved by the fire marshal contracted by the fueling company to clean up fuel spills.
5. The fueling company's hazardous material and hazardous waste material disposal process and methods used to safeguard hazardous waste materials on fuel delivery vehicles.

Such plans shall be updated at least annually and approved by the fire marshal prior to issuing or renewing permits or commencing fueling operations.

5205.4.3 Vehicle and Operator Identification. Fueling companies shall maintain current lists of operators and vehicles used for mobile fueling together with their proof of compliance with the requirements of this section. Copies of the lists and proof of compliance shall be provided to the fire marshal. Any changes to the list or in the status of operators or vehicles shall be reported to the fire marshal in writing.

5205.5 Operator Requirements. Operators must possess a current state issued Commercial Driver's License with tank vehicle and hazardous material endorsements. Operators shall be trained annually in the use of fire extinguishers, handling and dispensing motor fuels, spill control and mitigation procedures and the fueling company's emergency and spill response plan.

5205.6 Vehicle Requirements.

5205.6.1 Construction and Inspection. Vehicles used for mobile fueling shall comply with Uniform Fire Code Standard 79-4, this Section and as approved by the fire

marshal. Cargo tanks shall pass an annual visual and kinetic inspection and a five-year internal and pressure inspection per DOT standards. Certification from an approved, DOT registered inspector shall serve as proof of compliance with this section

5205.6.2 Switch Loading. Gasoline or other Class I flammable liquids shall not be used or carried on vehicles used for mobile fueling . Vehicles having empty compartments previously used to carry gasoline or other flammable liquids shall not be used for mobile fueling until such compartments are drained and flushed consistent with switch loading. Switch loading shall be in accordance with 7904.5.2.9.

- EXCEPTION:**
1. The normal fuel tank of the fueling vehicle.
 2. The fire marshal may approve limited quantities of gasoline or other flammable liquids to be carried on special or multi-purpose fueling vehicles.

5205.6.3 Fuel Hose. Fuel hoses shall be listed for their intended use. Fuel hose shall not be extended further than 50 from the fueling vehicle and shall have a maximum inside diameter of 1-¼ inches.

EXCEPTION: Fuel hoses may be extended beyond 50 feet when the operator carries at all times during fueling, a remote emergency shut-off device capable of stopping the fuel flow. The approved distance shall not exceed 125 feet, the maximum operating distance specified by the device manufacturer or the maximum demonstrated operational capability of the shut off device, whichever is less.

A band shall mark fuel hoses at least 12 inches long in a contrasting color at either the 50-foot mark or the alternatively approved maximum extension distance.

5205.6.3 Fuel Nozzles. Dispensing nozzles may be either listed automatic closing-types without latch-open devices or auto start and stop types with latch-open devices.

5205.6.4 Fuel Limiting Device. Every mobile fueling vehicle shall have installed a device that limits the maximum amount of fuel that can be dispensed during a single fueling evolution to 500 gallons.

EXCEPTION: The fuel limiting device may be omitted when the operator has on his possession, at all times during fueling, an operational remote emergency shut-off device capable of shutting off the flow of fuel.

5205.6.5 Emergency Shut Off Valve. Every vehicle used for mobile fueling shall have an approved emergency fuel shut off valve capable of immediately stopping the flow of fuel. Such valve shall be clearly identified.

5205.6.6 Fire Protection Equipment. Every vehicle used for mobile fueling shall have an operational fire extinguisher with a minimum rating of 2A:20:B:C.

5205.6.7 Fuel Spill Kit. Every vehicle used for mobile fueling shall carry a fuel spill kit and a drip pan at all times. The fuel spill kit shall include:

1. Non-water absorbing pads capable of absorbing at least 15 gallons of fuel,
2. Loose granular absorbent material sufficient to absorb at least 5 gallons of fuel,
3. An approved storm drain cover,
4. A non-water absorbent containment boom at least 10 feet long capable of absorbing at least 12 gallons of fuel,
5. A non-metallic shovel, and
6. Two five-gallon buckets with lids.

The fuel spill kit shall be readily available in an uncontaminated location.

The drip pan shall be liquid tight and of at least 3 gallon capacity.

5205.6.7 Documentation. Every vehicle used for mobile fueling shall carry a copy of the mobile fueling company permit and the spill response plan.

5205.7 Site Requirements. Copies of the mobile fueling company permit and the site permit shall be retained at each mobile fueling site. Site permittees shall immediately notify the fire marshal whenever site or procedural alterations occur that might impact mobile fueling or if there is any change in fuel providers.

5205.7.1 Fueling location. A site map showing approved fueling locations shall be conspicuously posted and maintained at each mobile fueling site. In addition to or as an alternative to the site map the fire marshal may require or approve signs and ground markings to identify approved fueling locations. Mobile fueling is prohibited:

1. In any area accessible by the general public.
2. Within 15 feet of buildings, combustible storage, compressed or liquefied gas tanks or Class I, II or III tanks or storage areas. Where structures used solely for vehicle parking are constructed of non-combustible materials and entirely open on all four sides fueling may occur adjacent to or within the structure.
3. Within 25 feet of building openings, storm drains or sources of ignition. The distance to storm drains may be reduced when an approved storm drain cover is placed over the drain prior to commencing fueling. Storm drains that direct intake to approved oil water separators need not be covered.
4. Within 25 feet of any property line, street, alley or public way. The distance may be reduced where the ground is distinguishably sloped away from the

boundary or when curbs or other approved barriers exist that would prevent liquid flow off site.

5205.7.2 Unusual Hazards. The fire marshal may require additional measures or prohibit mobile fueling at sites with unusual hazards to life or to property.

5205.7.3 Site Illumination. Where site yard lighting in approved fueling areas is less than 1.0-foot candle fueling operations shall be limited to daylight hours.

EXCEPTION: Where fueling vehicles are capable of providing an equivalent level of lighting, around both vehicles, fueling may occur at night.

5205.8 Operational Requirements.

5205.8.1 Spill Notification. Operators shall report any spill that is not immediately contained by the spill pan and or absorbent by calling 911.

5205.8.2 Vehicle Location. Fueled and fueling vehicles shall be on the permitted site in approved fueling areas during fueling and shall not block fire apparatus access routes.

5205.8.3 Ignition Sources. Smoking and open flames are prohibited within 25 of fueling vehicles or points of fueling. Signs stating “No Smoking or Open Flames Within 25 Feet” shall be clearly visible and readable at the fueling vehicle and at the point of fueling at all times. Signs may be permanent or portable.

5205.8.4 Warning Lights. The fueling vehicle’s hazard warning lights or a yellow flashing light mounted on the fueling vehicle and visible from all directions shall be activated during fueling.

5205.8.5 Parking Brakes and Engines. The fueling vehicles parking or emergency brake shall be fully set in the on position during fueling. Engines of both the fueling vehicle and the vehicle being fueled shall be turned off during fueling.

EXCEPTION: Where the fueling vehicle's engine is required to be operating in order to dispense fuel.

5205.8.6 Hoses in Traffic Lanes. Fuel hoses shall not extend across traffic lanes without florescent traffic control cones being placed to effectively block traffic from driving over the fuel hose.

5205.8.7 Attendance During Fueling. Operators shall not leave the point of dispensing while fuel is being transferred.

5205.8.8 Overfill and DripProtection. Operators shall place the required drip pan under the fueled vehicle's fueling connection during dispensing operations.

EXCEPTION: Absorbent in good condition with a minimum three-gallon capacity may be substituted for the drip pan.

Operators, when fueling, shall have on their person absorbent pads capable of capturing diesel overfill foam and drips from fuel nozzles.

5205.8.8 Topping Off. Topping off fuel tanks is prohibited. Fuel expansion space shall be provided in each vehicle fuel tank to prevent overflow. Operators shall cease fueling and remove the fuel nozzle when the automatic shut-off engages.

ADOPTED this ____ day of _____, 2002.

BOARD OF COUNTY COMMISSIONERS
FOR CLARK COUNTY, WASHINGTON

Attest:

Clerk to the Board

By: _____
Judie Stanton, Chair

Approved as to Form Only

ARTHUR C. CURTIS
Prosecuting Attorney

By: _____
Craig Pridemore, Commissioner

By: _____
Christopher Horne
Deputy Prosecuting Attorney

By: _____
Betty Sue Morris, Commissioner