

CWPMA Policy Brief

Limitation on Fees that fire protection districts can charge to register underground and aboveground storage tanks.-

Background – Current statute indicates that municipalities and cities cannot impose more stringent regulations on operators than what OPS does through statute and rules. However that does not apply to fire protection districts.

*TITLE 8. LABOR AND INDUSTRY
LABOR I - DEPARTMENT OF LABOR AND EMPLOYMENT
ARTICLE 20.5. PETROLEUM STORAGE TANKS
PART 2. UNDERGROUND STORAGE TANKS*

8-20.5-205. More stringent requirements prohibited

(1) No municipality, city, home rule city, city and county, county, or other political subdivision of the state shall adopt or enforce any requirement more stringent than the provisions of this part 2. This section does not apply to requirements established pursuant to the uniform fire code or the national fire protection association codes, nor does it apply to requirements established pursuant to local zoning regulations. (CWPMA Note we would like to strike this section)

(2) The limitation in subsection (1) of this section shall not apply to any municipality, city, home rule city, city and county, county, or other political subdivision of the state which has received an exemption from the committee created in [section 8-20.5-104](#). The committee may grant a site-specific exemption when the applicant demonstrates that such an exemption would be cost beneficial and serve the health, safety, or economic interest of its citizens based on consideration of local hydrologic, geologic, or other conditions, including location of population concentrations or commercial areas.

Denver is the only Fire district we are aware of that imposes these underground storage tank fees on station owners. I attached a sample of the fire district permits for a station in Denver. As you can see the Fire Department assess stations for a multitude of things, and then assess a fee for actually visiting the site. Our station owners in Denver have taken the position that as the state has adopted substantially similar requirements per the Fire codes, that additional local regulation by essentially one fire protection district is unnecessary. Specifically the above article applies to Underground Storage Tanks. The facility inspection fee, compressed gas, the inert compressed gas, and the general gas station permit fee, are also assessed on the same station by the same fire protection district. According to my members doing business in Denver, the DFD doesn't actually inspect the tanks as they are underground and covered by concrete..... so it seems to our Association to be a bit over burdensome from a regulation perspective.



City and County of Denver
745 W Colfax AVE
Denver, CO 80204

Phone: 720-913-3570
FPB- Inspection Invoice

COPIED

Bill To:

A-B PETROLEUM INC
1245 W. ALAMEDA AVENUE
DENVER, CO 80223

Invoice Number: 395157

Invoice Date: 03/17/2016

Occupancy ID	Inspection Site	Inspection Type	Year	Inspection Date	Amount Due
1657	A-B PETROLEUM #34 (CONOCO) 303 S COLORADO DENVER CO 80222	Annual Fire Safety Inspection	2016	02/23/2016	\$81.25

TOTAL AMOUNT DUE: \$81.25

75734

Any check returned for insufficient funds is subject to a \$30 return check charge by the City and County of Denver Treasury Division. If our collection firm is involved, there is a \$30 return fee, and \$20 collection fee.*

* Pursuant to C.R.S. 13-21-109 and Section 53-3 of the City and County Ordinance.

TO ENSURE PROPER CREDIT PLEASE TEAR OFF THIS PORTION AND RETURN WITH PAYMENT

Make check payable to: DENVER MANAGER OF FINANCE

A-B PETROLEUM INC
1245 W. ALAMEDA AVENUE
DENVER, CO 80223

Acct ID: ABPE04

Invoice Number: 395157

Remit payment with a copy of invoice to:

Total Amount Due: \$81.25

Denver Fire Department
Attn: Inspections
P.O. Box 40385
Denver, CO 80204

For Calendar Year: 2016

Inspection Date: 02/23/2016

Please remit payment within 30 days of invoice date.

DENVER FIRE PREVENTION BUREAU

745 W Colfax AVE

P.O. Box 40385

Denver, CO 80204

720-913-3458

PERMIT NO: 162206

FIRE PROTECTION FOR OCCUPANT ID: 1657

Issued To: A-B PETROLEUM
1245 W. ALAMEDA AVE.
DENVER, CO 80223
PH: 303.777.6330 FAX: 303.698.0667
CONTACT: KEN BROWN

Site: 303 S. COLORADO BLVD.

Issued On: 02/24/2016 for the period of 06/02/2016 through 06/03/2017

Table with 3 columns: Code, Description of Occupancy or Operation, Permit Fee. Row 1: 10 COMPRESSED GAS (NOT LPG)-STORAGE, HANDLE, USE \$ 197.20

SPECIFICS AND CONDITIONS:

This is an annual operational permit for the storage/use of a CO2 in beverage dispensing processes. This system consists of: 1 - 300# containing 2622.3 cu/ft of CO2 (4.1 UNITS) at the above location. Storage Area Location: INTERIOR. Use area(s): SOFT DRINK DISPENSING. Storage areas shall have approved leak detection with local alarms (amber strobe and audible device inside and outside of storage areas). Required signage (i.e. "Carbon Dioxide", NFPA 704 placard for a Simple Asphyxiant, "Danger - Potential Oxygen Deficient Atmosphere") shall be posted near the entrance to storage areas. Where high pressure cylinders are used, they shall be secured to prevent tip-over at all times. Shut-off valves shall be clearly identified and accessible at all times. Where containers are stored inside, refilling operations shall be conducted via exterior remote fill connections fitted with return/overflow lines. Pressure relief devices shall be provided and vented to the exterior of the building. Employees shall receive regular operational and emergency response training for all systems. All equipment shall be used and maintained per manufactures recommendations. For questions contact the Flammables Group at 720-913-3474 or via E-mail to: Flammables@DenverGov.Org. All ordinances and codes of the City & County of Denver shall also apply. Permit must be posted on site. For questions contact the Flammables Group at 720-913-3474 or via email to Flammables@DenverGov.Org. All fire code and DFD guidelines shall also apply. Permit must be posted on site.

Table with 3 columns: Code, Description of Occupancy or Operation, Permit Fee. Row 1: 10.4 INERT-COMPRESSED GAS SYSTEMS \$ 125.00

SPECIFICS AND CONDITIONS:

This is an annual permit for the use of CO2 in BEVERAGE DISPENSING SYSTEMS. All beverage dispensing systems utilizing CO2 shall meet or exceed the mechanical standard for such installations as established in the International Building Code. Any determination made by the AHJ (Denver Fire Department or Denver Building Department) that a beverage dispensing system utilizing CO2 fails to meet this standard will result in the revocation of this permit without refund. A separate COMPRESSED GAS permit is also required. This system consists of: 1 - 300# cylinder containing 2622.3 cu/ft of

This is your actual PERMIT. This is not an Invoice. DO NOT SEND MONEY! Our records indicate the permit fee shown above was credited to your account on 03/07/2016 with Ck No. 116515 by JENNIFER MAGANA-FRANCO - THANK YOU.

Please place this permit in a conspicuous place. Your copies of our recent fire inspections must also be kept readily available for our review. Questions should be directed to the Denver Fire Prevention Bureau at the phone number shown above.

This permit shall not be construed to mean approval of any violation of the Fire/Building Code(s) and Standards adopted by the City and County of Denver.

Rec 3/14/16

DENVER FIRE PREVENTION BUREAU

745 W Colfax AVE

P.O. Box 40385

Denver, CO 80204

720-913-3458

COPY

PERMIT NO: 162206

FIRE PROTECTION FOR OCCUPANT ID: 1657

Issued To: A-B PETROLEUM
1245 W. ALAMEDA AVE.
DENVER, CO 80223
PH: 303.777.6330 FAX: 303.698.0667
CONTACT: KEN BROWN

Site: 303 S. COLORADO BLVD.

Issued On: 02/24/2016 for the period of 06/02/2016 through 06/01/2017

#19 is same w/ 3 tanks

Code	Description of Occupancy or Operation	Permit Fee
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CO2 (4.1 UNITS) at the above location. Storage area location: INTERIOR. Use area(s): BEVERAGE DISPENSING. The following are required: Storage areas shall have approved leak detection with local alarms (amber strobe and audible device inside and outside of storage areas). Required signage (i.e. "Carbon Dioxide", NFPA 704 placard for a Simple Asphyxiant, "Danger - Potential Oxygen Deficient Atmosphere") shall be posted near the entrance to storage areas. Where high pressure cylinders are used, they shall be secured to prevent tip-over at all times. Shut-off valves shall be clearly identified and accessible at all times. Where containers are stored inside, refilling operations shall be conducted via exterior remote fill connections fitted with return/overflow lines. Pressure relief devices shall be provided and vented to the exterior of the building. Employees shall receive regular operational and emergency response training for all systems. All equipment shall be used and maintained per manufactures recommendations. For questions contact the Flammables Group at 720-913-3474 or via E-mail to: Flammables@DenverGov.Org. All ordinances and codes of the City & County of Denver shall also apply. Permit must be posted on site.

15	FLAMMABLE/COMBUSTIBLE LIQUIDS - STORE, USE, HANDLE	\$ 650.00
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SPECIFICS AND CONDITIONS:

This is an annual permit for fuel storage in the amount 4-10,000 GALLON GASOLINE STORAGE TANKS (TOTAL 40,000 GALLONS; TOTAL 666.7 UNITS) at the above site. Fuel Storage Area: UST . Fuel Storage Use: RESALE. The following must be provided: a fire extinguisher (min. 2-A, 10-BC) located 75 feet from fuel tanks. "NO SMOKING" and "FLAMMABLE" signs POSTED. If you have any questions, contact the Flammables Section at 720-913-3474. All DFD guidelines apply. Permit must be on site and posted.

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Please place this permit in a conspicuous place. Your copies of our recent fire inspections must also be kept readily available for our review. Questions should be directed to the Denver Fire Prevention Bureau at the phone number shown above.

This permit shall not be construed to mean approval of any violation of the Fire/Building Code(s) and Standards adopted by the City and County of Denver.

Rec 3/14/16

DENVER FIRE PREVENTION BUREAU
745 W Colfax AVE
P.O. Box 40385
Denver, CO 80204
720-913-3458

PERMIT NO: 162206

FIRE PROTECTION FOR OCCUPANT ID: 1657

Issued To: A-B PETROLEUM
1245 W. ALAMEDA AVENUE
DENVER, CO 80223
CONTACT: BRIAN HALDORSON
PH: 303-777-6330 FAX: 303-698-0667

Site: 303 S. COLORADO BLVD., STATION #34.

Issued On: 02/24/2016 for the period of 06/02/2016 through 06/03/2017

Code	Description of Occupancy or Operation	PermitFee
17	MOTOR FUEL DISP. - FLAMM/COMB LIQ - PUBLIC	\$ 100.00

SPECIFICS AND CONDITIONS:

This permit is for SERVICE STATION- SELF SERVICE at the above site. Questions contact Flammables at 720-913-3474.
All DFD guidelines apply. Permit must be on site and posted.

Total Permit Fees	\$ 1,072.20
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Please place this permit in a conspicuous place. Your copies of our recent fire inspections must also be kept readily available for our review. Questions should be directed to the Denver Fire Prevention Bureau at the phone number shown above.

This permit shall not be construed to mean approval of any violation of the Fire/Building Code(s) and Standards adopted by the City and County of Denver, if such violations exist.