

**OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

PROGRAM DIRECTIVE

Program Directive A-115
Issued May 18, 1981
Revised November 24, 2014

SUBJECT: Flammable Liquids: Aboveground Tanks

**AFFECTED STANDARDS/
DIRECTIVES:** 1910.106(g)(1)(i)(a)

PURPOSE: This instruction emphasizes that 1910.106(g)(1)(i)(a) does not apply, and therefore cannot be used, to prohibit outside aboveground tank storage of motor fuels not located at service station sites.

BACKGROUND: There has been some confusion with the intent of 1910.106 (d)(1)(i) as it applies to facilities other than a service station, such as an industrial plant.

- A. 1910.106(g)(1)(i)(a) applies only to automotive and marine service stations. A service station is a place where motor fuels are stored and dispensed and includes any facility used for the sale and service of tires, batteries, and accessories, and for minor automotive maintenance work. Major automotive repairs are excluded.
- B. 1910.106(e)(2)(ii)(C) permits industrial users to store large quantities of flammable liquids in outside above-ground tanks by complying with the applicable requirements of 1910.106(e)(2)(ii)(b). This allowance is only when it's necessary and when use and handling is incidental to the principal business.
- C. 1910.106(g)(4)(ii)(C) contains an exemption that allows outside aboveground tanks at marine service stations where rock ledges or high water tables make underground tanks impractical.

ACTION: 1910.106(g)(1)(i)(a) will be applied only to service stations. When observing an outside aboveground tank used for storing motor fuel and dispensing into automotive or marine fuel tanks, compliance officers should check the following items to determine the appropriate rules:

- A. Whether the motor fuel station is an automotive or marine service station. See definition of service station.
- B. Whether the employer is complying with applicable requirements, particularly those in 1910.106(g)(1)(i) (b) when the outside aboveground storage tank is not located at an automotive or marine

service station, and the use of the motor fuels is only incidental to the principle business.

EFFECTIVE

DATE:

This directive is effective immediately and will remain in effect until canceled or superseded.

History: Issued 5-18-1981 Revised 5-8-2000 and 11-24-2014