

661—221.6(101) Temporary storage in disaster emergencies. Notwithstanding any provision to the contrary found in this chapter or the IFC or NFPA 30A as adopted by reference herein, aboveground flammable or combustible liquid storage tanks may be used to store flammable or combustible liquids in motor fuel dispensing operations, provided that all of the following apply:

221.6(1) The facility is in an area covered by a disaster emergency proclamation issued by the governor pursuant to Iowa Code section 29C.6 or, if not in such an area, the facility has applied to the department and has been approved for storage of flammable or combustible liquids in compliance with this subrule.

221.6(2) The facility has suffered damage that has rendered the storage tanks normally used by the facility for flammable or combustible liquids inoperable. Storage of flammable or combustible liquids in compliance with this subrule may continue only for as long as the normal storage tanks are inoperable and for more than 90 days.

Exception: In extraordinary circumstances, storage of flammable or combustible liquids in compliance with this subrule may continue for more than 90 days if the facility has sought and received specific written approval from the department for such storage.

221.6(3) The facility has written confirmation from the facility's insurance provider that insurance coverage will apply while storage of flammable or combustible liquids in compliance with this subrule is occurring.

221.6(4) Any aboveground flammable or combustible liquid storage tank used pursuant to this subrule shall be rated or listed by an independent testing laboratory for aboveground storage of flammable or combustible liquids.

221.6(5) Any aboveground flammable or combustible liquid storage tank used pursuant to this subrule shall be of no more than 1,000 gallons capacity.

Exception: A storage tank larger than 1,000 gallons capacity may be used pursuant to this subrule if the facility has received specific written approval from the department for its use. In reviewing such a request, the department will consider but is not limited to considering the following factors:

- a. Volume of throughput of the facility.
- b. Ability to meet setback requirements appropriate to the size of the tanks used.

221.6(6) All electrical service proximate to the storage area will comply with applicable provisions of NFPA 70, National Electrical Code, as adopted in 661—Chapter 550. An emergency shutoff control or electrical disconnect shall be installed no less than 20 feet nor more than 100 feet from any fuel-dispensing device at the facility and be clearly marked "Emergency Shutoff."

221.6(7) A 20-pound fire extinguisher with a minimum B:C rating of 40 shall be located no more than 50 feet from the location of any storage tank being used in compliance with this subrule.

221.6(8) Precautions shall be taken to prevent the ignition of flammable or combustible liquids, including the conspicuous posting of warning signs saying, "NO SMOKING" and "NO OPEN FLAME."

221.6(9) Aboveground flammable or combustible liquid storage tanks used pursuant to this subrule will be plumbed into existing dispensers, if practical. If this is impractical, all fueling at the facility shall be by attendant only; no self-service dispensing will be allowed at the facility.

221.6(10) Any aboveground flammable or combustible liquid storage tank used in compliance with this subrule shall be located so as to be protected from prospective damage from vehicle collisions and located with due regard to vehicular traffic patterns and the location of property lines and significant buildings, particularly those that are frequently occupied by humans.

[ARC 9181C, IAB 4/30/25, effective 6/4/25]