

Town of Needham Select Board

Policy Number:	SB-LIC-008
Policy:	Fuel Storage Application Procedures
Date Approved:	2/24/2004
Date Revised:	Reformatted 8/4/2015, Revised 11/22/2022
Approved:	

Policy:

Licenses, registrations, and permits for the storage of flammable or combustible fluids are granted in accordance with Massachusetts General Law, Chapter 148 and the Board of Fire Prevention Regulations. Local licensing boards have the authority to issue licenses for storage and sale of flammable products. Applications for the storage of flammable and combustible fluids are available from the Needham Fire Department.

I. Contextual Definitions

1. **Permit:** Permission granted by the Fire Chief allowing flammable or combustible fluids to be kept or stored. The Fire Chief records applications and permits.
2. **License:** Permission granted by the Select Board as Local Licensing Authority for the land (not an individual) for storage of flammable or combustible liquids (1,000 or more gallons) following a public hearing. Such permission, once granted, runs with the land regardless of change of ownership. Only one license may be issued to the land, but may be amended to reflect changes in quantity, condition, or restrictions, and may be revoked or suspended. The Select Board records applications, licenses, and maintains public hearing documentation. The propane tank, including all piping and equipment, shall meet federal, state, and local codes, regulations, specifications, and directives upon installation.
3. **Registration:** Acknowledgement certified by the Town Clerk of a flammable or combustible fluid storage license by the owner or occupant of the property for which the license was granted. The registration is renewed annually via the filing of a Certificate of Registration, which attests to continued use of the license. The Town Clerk maintains blank copies of Certificates of Registration and maintains record signed registrations.

II. General Requirements and Restrictions

1. The tank (to include all piping and equipment) and system shall meet all Federal, State, and local regulations, specifications, and directives at the time of installation.
2. For licenses, the owner/occupant of the land that holds the license shall file a

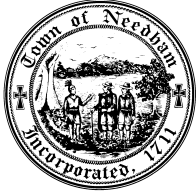
Certificate of Registration to the Town Clerk annually, on or before April 20th.

III. Application Process for Storage of Flammable and Combustible Fluids Permits and Licenses

1. The Applicant must request an application from the Fire Department and return it with a plot plan certified by a Registered Professional Engineer or Registered Land Surveyor. The plot plan shall include identification of all underground and aboveground utilities as well as water and sewer lines. The applicant is responsible for ensuring that all "Dig Safe" requirements are met prior to the installation of the tank(s).
2. The Fire Chief reviews and signs/approves the application and (if approved) grants the permit, informs the applicant, collects payment, and files a copy of the permit. If a license is not required, this is the final step in the application process.
3. If a license is required, the Fire Department will further inform the applicant, then forward the application to the Office of the Town Manager for review and scheduling of a public hearing before the Select Board.
4. The Office of the Town Manager will provide the applicant with the date and time of the public hearing, as well as a packet of information that the applicant must send to abutters via USPS Certified Mail. The packet of information will include the certified abutters list, mailing labels for abutters, and a copy of the legal notice published by the Select Board in a local newspaper prior to the hearing.
5. The applicant must return the certified mail receipts to the Office of the Town Manager no later than one business day prior to the public hearing, or risk having the public hearing delayed. The applicant is also responsible for payment of the legal advertisement, which will be billed directly by the publishing newspaper.
6. The applicant or designee must attend the public hearing.
7. If granted, the applicant will be provided a signed copy of the license, which they then must register with the Town Clerk along with a signed Certificate of Registration, who will also collect payment. If granted with restrictions, the application and license will be modified accordingly before issuance. If denied, the applicant will be provided written notice of denial. Should the meeting be continued by the Select Board without a decision being reached, the Office of the Town Manager will coordinate with the applicant to schedule the continued hearing.

Attachment: Certificate of Registration

NOTE: COMPLETE TOP AND BOTTOM OF FORM AND FORWARD BOTH SECTIONS AND FEE TO
NEEDHAM TOWN CLERK, 1471 HIGHLAND AVENUE, NEEDHAM, MA 02492



TOWN OF NEEDHAM CERTIFICATE OF REGISTRATION

April 2022

In accordance with the provisions of Chapter 148, Section 13, of the General Laws, the undersigned hereby
certified that _____

Is the holder of the license granted: _____

For the lawful use of the building(s) or other structure(s) situated or to be situated at

as related to the **KEEPING, STORAGE, MANUFACTURE OR SALE OF FLAMMABLES OR EXPLOSIVES**

Note: This certificate of registration must be signed by the holder of the license if said license was granted
prior to July 1, 1936, otherwise by the owner or occupant of the land licensed.

Received _____ 20 _____

by _____

(Office Title)

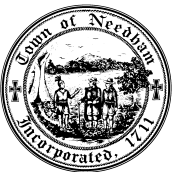
(Signature)

(State whether owner, occupant or holder)

(Mail Address)

(name of occupant or holder if different)

All materials must be stored in accordance with the provisions of Massachusetts General Law, Chapter 148, the
Massachusetts Fire Code (527 CMR), and all other applicable laws and regulations, including the terms and conditions of the
subject license. Quantities stored may not exceed the maximum quantity specified by the license.



TOWN OF NEEDHAM REGISTRATION

April 2022

This is to certify that _____
has in accordance with the provisions of Chapter 148, Section 13 of the General Laws, filed with me a certificate of
registration setting forth that _____

is the holder of the license granted: _____

for the lawful use of the building(s) or other structure(s) situated or to be situated at

as related to the **KEEPING, STORAGE, MANUFACTURE OR SALE OF FLAMMABLES OR EXPLOSIVES.**

(Signature and Official Title)

Note: A certificate of registration must be filled on or before April 30th of each year.
(THIS REGISTRATION MUST BE CONSPICUOUSLY POSTED ON THE PREMISES.)



TOWN OF NEEDHAM
Town Hall
1471 Highland Avenue
Needham, MA 02492-2669

**Office of the
Town Manager**

Telephone: (781) 455-7500
Email: OTM@NeedhamMA.gov

Application for Fuel Storage Licenses

Select Board Public Hearing FAQs

1. What kinds of storage tank installations require Select Board approval?
 - Any installation of tanks designed to hold flammable or combustible fluids (“fuel tanks”) with a storage capacity over 1,000 gallons must be approved by the Select Board
 - This applies to both above and below ground tanks
2. Why does this license require Select Board approval?
 - State Law requires Select Board approval
 - The public hearing ensures transparency relative to the proposed plan and provides abutters and the general public with an opportunity to discuss the proposal and to ask questions of the provider and Fire Department representative
3. Is this a common occurrence?
 - Yes – this standard process has occurred many times in Needham and across the state.
 - All fuel tanks installed above or below ground in Massachusetts are subject to a hearing.
4. Who reviews the application?
 - All plans for fuel tanks are inspected and permitted by the Needham Fire Department, including tanks with over 1,000 gallons and those under 1,000 gallons
 - Fuel tanks over 10,000 gallons must also be approved by the State
 - All fuel tanks must meet Town, State, and Federal requirements
5. What are the risks associated with fuel tank installation and how are they mitigated?
 - Storage of petroleum-based fuel inherently carries risk of fire, explosion, and leaks
 - Town, State, and Federal laws and regulations are in place governing all aspects of fuel tank lifecycles, to include (but not limited to):
 - Fuel tank construction specifications
 - Post-installation inspection and leak checks
 - Servicing inspection requirements
 - Annual re-certification
 - Removal specifications
6. As an abutter of the property, why am I being notified?
 - State Law requires that abutters of the property on/in which fuel tanks are proposed to be installed be noticed of the public hearing
7. Will I be able to speak at the hearing?
 - Yes – any member of the public may speak during the designated period of the public hearing
8. How do I have questions answered before the public hearing?
 - Email questions to selectboard@needhamma.gov
 - Call with questions to 781-455-7500 x205