**Section 176.400 Delegation of Authority to Enforce UST Rules and Regulations**

Pursuant to 430 ILCS 15/2, OSFM is authorized to delegate enforcement of its UST rules and regulations to any municipality having a population over 500,000. Subject to the terms of the delegation agreement, such delegation may include permitting, inspections, the completion and issuance of inspection forms and notices and enforcement activities regarding UST activities within the jurisdiction of that municipality, including assessing and collecting permit fees for the municipality's own use that would otherwise have been assessed and collected by OSFM.

a) OSFM will maintain oversight concerning delegated enforcement.

b) Subject to the terms of a delegation agreement, when OSFM is expressly authorized to initiate enforcement action, that municipality has concurrent authority under Section 2(1)(a) of the Gasoline Storage Act [430 ILCS 15/2(1)(a)].

c) The rules and regulations of that municipality regarding UST activities within the jurisdiction of that municipality shall be identical to the OSFM rules found at 41 Ill. Adm. Code 172 through 177.

(Source: Amended at 48 Ill. Reg. 12876, effective August 7, 2024)