



PBS Regulations – Subpart 4

February 22, 2016

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Agenda

1. Introduction/Ground Rules
2. Applicability Summary
3. Subpart 4 Applicability
4. Tank System Categories
5. Equipment Requirements
6. Operating Requirements
7. Leak Detection
8. Reporting
9. OOS Tanks/Closure
10. Wrap-Up



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Ground Rules for Webinar

- We will mute all lines
- Please type all questions into chat box (directed to host)
- Questions will be addressed at specific points during the presentation



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Regulations have been ADOPTED!

Effective Date
October 11, 2015



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PBS Regulations

Part 613 Structure



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Part 613 Structure

- Subpart 1: General Provisions
- Subpart 2: UST Systems Subject to Both Subtitle I and Title 10 (USEPA & NYSDEC regulated)
- Subpart 3: UST Systems Subject Only to Title 10 (NYSDEC regulated)



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Part 613 Structure

- Subpart 4: AST Systems
- Subpart 5: Delivery Prohibition
- Subpart 6: Release Response and Corrective Action



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Structure of Subparts 2 - 4

Requirements for	Subpart 2	Subpart 3	Subpart 4
Equipment	.1	.1	.1
General Operations	.2	.2	.2
Leak Detection/Inspection	.3	.3	.3
Reporting, Investigation, and Confirmation	.4	.4	.4
Operator Training	.5		
Out-of Service Tanks and Tank Closure	.6	.5	.5



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Subpart 1

General Provisions



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Applicability

Petroleum means:

- Crude oil and any fraction thereof
- Synthetic forms of certain oils, complex blends of hydrocarbons, and petroleum mixtures are included
- Animal & vegetable oils and substances that are normally gases are excluded



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Applicability

Petroleum mixture:

- 1% or more petroleum with no hazardous substance

OR

- At least 70% petroleum with less than 30% hazardous substance




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Applicability

Tank system means:

- Stationary device designed to store petroleum that is constructed of non-earthen materials that provide structural support, including all associated piping and ancillary equipment



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Applicability

Tank system does not include:

- Dispenser system
- Septic tank system
- Surface impoundment, pit, pond, or lagoon
- Spill/overflow containment tanks expeditiously emptied after use
- Stormwater or wastewater collection system
- Flow-through process tank system
- Liquid trap/gathering lines related to oil/gas production



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Applicability

- *Stationary device* means a device that is not mobile
- Examples of stationary devices include tank systems that are fixed or permanently in place on foundations, racks, cradles, or stilts



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Applicability

Facility means:

a single property, or contiguous or adjacent properties used for a common purpose which are owned or operated by the same person or persons, on or in which are located:

(1) one or more tank systems having a combined storage capacity of more than 1,100 gallons (including a major facility)

OR

(2) an underground tank system having a storage capacity that is greater than 110 gallons



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Applicability

Facility means:

- The property on which the tanks are located, not the tanks themselves
- Even if there is more than one tank owner at a property, all tanks may be considered one facility
- If unrelated businesses on the same property, then each business may be considered a separate facility



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Applicability

Facility includes:

- One or more tank systems with combined storage capacity >1,100 gallons
- Certain USTs >110 gallons



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Applicability

Facility does not include:

- *Operational tank systems*
- *Temporary tank systems*
- *Wastewater treatment tank system*
- Heating oil tank systems $\leq 1,100$ gallons used for on-premises consumption*
- Tank systems $\leq 1,100$ gallons storing motor fuel for non-commercial purposes at a *farm* or *residence**

*unless on a property that is otherwise a facility



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Applicability

- *UST system* means:
 - tank system that has 10% or more of its volume beneath the surface of the ground, or
 - is covered by materials
- *AST system* means:
 - tank system that is not a UST system



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Subpart 4 Applicability

Subpart 4 covers AST systems that are part of a facility



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Tank System Categories

- Category 1 = tank installed before December 27, 1986
- Category 2 = tank installed from December 27, 1986 through October 11, 2015
- Category 3 = tank installed after October 11, 2015



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Questions?



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Subpart 4 Requirements

AST Systems



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Equipment Requirements – Tanks



New tank construction standards (UL 80, UL 2258) allow for new technologies



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Equipment Requirements – Tanks

Tanks not constructed of steel are allowed:

- for storage of Class IIIB petroleum in areas that would not be exposed to spills or leaks of Class I or Class II petroleum;

OR

- if dictated by properties of petroleum stored, **but only with prior DEC approval**



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Equipment Requirements – Tanks

Tank secondary containment requirements are clarified

- Secondary containment required for ASTs $\geq 10,000$ gallons



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Equipment Requirements – Tanks

- ASTs $< 10,000$ gallons within 500 horizontal feet of sensitive receptor must either have secondary containment or utilize a **design/technology** such that a release is not reasonably expected to occur



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Equipment Requirements – Piping

Underground piping for ASTs must be protected from corrosion:

- Steel with cathodic protection
- Fiberglass (FRP)
- Flexible piping



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Equipment Requirements – Overfill

ASTs must be equipped with a gauge* which:

- accurately shows product level in tank;
- is accessible to carrier;
- can be conveniently read



* Can also use high-level alarm, high-level liquid pump cutoff controller, or equivalent device

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Equipment Requirements – Installation

Additional industry standards for testing of ASTs at installation are adopted




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Equipment Requirements – Valves

- Shear valve for pressurized piping (motor fuel AST)
- Solenoid valve for AST that causes gravity head on motor fuel dispenser
- Operating valve for each connection on gravity-drained AST
- Check valve to prevent backflow from pump-filled AST



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Operating Requirements – Spill / Overfill

- One of the transfer procedures described in NFPA 385 or API RP 1007 must be used (available on respective websites)
- Unless those procedures are technically infeasible (must still have procedure to prevent spills & overfills)



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Operating Requirements – Spill / Overfill

Tank labeling requirements:

- Tank ID number
- Design capacity
- Working capacity

Fill port color coding or marking



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Operating Requirements – CP

- Annual monitoring for adequacy of cathodic protection required
- Impressed current systems must be monitored every 60 days for operation
- Cathodic protection monitoring records must be maintained for 3 years

* Monitoring by 10/11/16; records by 10/11/18



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Inspections & Leak Detection

- “Reasonably expected to discharge” has changed to “in close proximity to sensitive receptors”
- Monthly inspections, 10-year inspections (where applicable) are still required
- Tightness testing of ASTs (alternative to 10-year inspection) is allowed



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Tank Closure

- ASTs OOS >12 months at an active site NOT required to be permanently closed
- Active site = one or more other tanks not OOS



Questions?



Questions?

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