

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

**INSTRUCTIONS FOR COMPLETING MAJOR PETROLEUM FACILITY LICENSE APPLICATION FORM**

Article 12 of Navigation Law, 6 NYCRR Part 610 and 17 NYCRR Part 30

**GENERAL INSTRUCTIONS** - Type or print all items, except "signature" in Section A. Forward completed applications to the appropriate NYSDEC Regional Office. Use one form if there are 13 tanks or less at a facility. For more than 13 tanks, use additional forms as needed. Note: This is a three-page application form with three sections (A, B, C). Be sure to complete all sections. **Special instructions for Vessels:** Only Sections A and C need to be completed.

**INSTRUCTIONS FOR COMPLETING "SECTION A" OF MAJOR PETROLEUM FACILITY LICENSE APPLICATION**

**LICENSE NUMBER** - Enter the five digit NYSDEC License Number if the facility was previously licensed; otherwise, leave blank.

**OTHER EXISTING DEC NUMBERS** - Enter the Chemical Bulk Storage (CBS) Number (Hazardous Substance Bulk Storage Law, Article 40 of ECL; 6 NYCRR Parts 595-599) and State Pollution Discharge Elimination System (SPDES) Number (Article 17, Title 8 of ECL, 6 NYCRR Parts 750-758) that are assigned to the facility, if applicable. If not applicable, write "Not Applicable".

**TRANSACTION TYPE** - Check the appropriate box(es) to indicate type of transaction. (Check all that apply.)

Initial/New Facility..... First application for license by the owner of a regulated facility. License number will be assigned by NYSDEC. Complete all sections.

Change of Ownership..... Application for license by the new owner of the facility being transferred. Enter the License Number from the existing License Certificate and complete all sections.

Substantial Tank Modification.. Check this box if one of the following applies: (1) one or more new stationary tanks has been added to the facility; or (2) an existing stationary tank has been replaced, reconditioned or permanently closed. In Section A, complete the Facility Section, License Number, name/title/signature of a duly authorized officer, and date. In Section B, fill in the entire line of information for each tank being amended.

Information Correction..... If any information changes have occurred since the initial license application or the last renewal, indicate the corrected information in the appropriate spaces, include the License Number, and complete the name/title/signature of a duly authorized officer, and date.

Renewal..... Application is being made for a previously licensed facility that has not changed ownership since the last licensing. Licenses for major petroleum facilities must be renewed annually and are not transferable. Indicate any changes that have occurred since last renewal and provide the name/title/signature of the duly authorized officer, and date.

**TYPE OF OWNER** - Check the appropriate box to indicate the type of owner.

**FACILITY INFORMATION** - Enter the name and location (**not** PO Box) of the facility. Include any information that would assist in locating the facility. For county, enter the county in which the facility is located. For township, enter the geographical location, not the mailing city. Enter the facility telephone number and the name of the operator at the facility who is familiar with the facility and the efforts of the business to comply with provisions of Article 12 of the Navigation Law. Also enter the emergency contact name and telephone number.

**OWNER INFORMATION** - Enter the name, address and telephone number of the company which owns or operates the facility applying for a license as required by Article 12 of the Navigation Law. Federal Tax Identification Number is the number assigned by the Internal Revenue Service. It is required by New York State Department of Tax and Finance.

**LEGAL AGENT IN NYS FOR SERVICE OF PROCESS WITH THE SECRETARY OF STATE** - Section 174 (11) of the Navigation Law requires that each owner or operator of a major facility or vessel subject to the provisions of that Section designate a person in the State as his/her legal agent for the service of process under Article 12 and further requires that such designation must be filed with the Secretary of State. In the absence of such designation, the Secretary of State shall be designated agent for purposes of service of process under Article 12 of the Navigation Law. Enter the name, street address, city, state and zip code of the person designated, as well as the date the designation of legal agent was filed with the Secretary of State. "Secretary of State" is **not** an acceptable legal agent.

**MAILING CORRESPONDENCE** - Enter the desired mailing name and address, telephone number and e-mail address for license correspondence and the name of the contact person who will be responsible for the payment of the license fee and familiar with the efforts of the business to comply with provisions of Article 12 of the Navigation Law, 6 NYCRR Part 610 and 17 NYCRR Part 30.

**TYPE OF MAJOR FACILITY** - Check the appropriate box indicating the type of major facility for which a license application is being submitted. If "other", specify the type of facility in the space provided. A major facility includes, but is not limited to, any refinery, storage or transfer facility, pipeline, deep water port, drilling platform, or any appurtenance related to any of the preceding that is used or capable of being used to refine, produce, store, handle, transfer, process or transport petroleum. A vessel shall be considered a major facility only when petroleum is transferred between vessels in the waters of the State of New York. Fueling operations between vessels are not considered a transfer. Petroleum means oil of any kind in any form including, but not limited to, oil, petroleum, fuel oil, oil sludge, oil refuse, oil mixed with other wastes and crude oils, gasoline and kerosene, etc. Facilities with a total combined aboveground or underground petroleum storage capacity of less than 400,000 gallons are not major facilities for the purposes of Article 12 of the Navigation Law. These facilities are regulated under 6 NYCRR Part 612, Registration of Petroleum Bulk Storage Facilities. Vessels are major facilities **regardless** of storage capacity.

**PRODUCT TRANSFER OPERATIONS** - Check all that apply for the operation that is used to transfer product to and from the facility.

**AVERAGE DAILY THROUGHPUT/TOTAL STORAGE CAPACITY** - Enter the average daily throughput and the total storage capacity of the facility (specify in gallons).

**NAME AND OFFICIAL TITLE OF OWNER OR OWNER'S AUTHORIZED REPRESENTATIVE** - Type or print name and title of the owner or authorized representative. An application submitted by a corporation must be signed by a principal executive officer of at least the level of vice president or his/her duly authorized representative, if such representative is responsible for the overall operation of the facility. For a partnership or sole proprietorship, the application must be signed by a general partner or the proprietor, respectively. For a municipal, state or other public facility, the application must be signed by a principal or executive officer, ranking elected official or other duly authorized employee.

**SIGNATURE AND DATE** - Enter the name, title, and signature of the owner or duly authorized officer, along with the date the application was prepared.

## **INSTRUCTIONS FOR COMPLETING "SECTION B" OF MAJOR PETROLEUM FACILITY LICENSE APPLICATION**

**GENERAL INSTRUCTIONS** - Enter all the information. Provide detail for each regulated tank (one complete line per tank; use additional forms as required). An Environmental Compliance Report must be enclosed. Enter one choice per block. Make only one entry per column, except for tank external protection, tank secondary containment, tank leak detection, tank overflow prevention, piping external protection, and piping leak detection columns, where you may indicate a primary and secondary choice. **Refer to the Key at the bottom of "Section B" of the application form to indicate your responses.**

**(Column 1) ACTION** - Enter the type of action from the following choices:

- |                                   |  |
|-----------------------------------|--|
| 1. Initial Listing.....           | Initial registration, renewal, or change of ownership of a facility.   |
| 2. Add Tank.....                  | Installing a new tank at a facility.   |
| 3. Close/Remove Tank.....         | Permanently closing a tank (per 6 NYCRR section 613.9(b)), or conversion to non-regulated substance/use.   |
| 4. Information Correction.....    | Information changes that have occurred since the initial application or last renewal for any tank. Indicate the tank number and correct the information in the appropriate spaces. |
| 5. Modify/Repair/Reline Tank..... | Reconditioning a tank (6 NYCRR section 614.6 - underground tanks and 614.12 - aboveground tanks), i.e. permanent repair and/or relining.   |

**(Column 2) TANK MODEL, PIPING MODEL, and TANK NUMBER** - A tank number is required for each tank. Enter the number of the tank, using the tank numbering system at the facility. If none exists, establish one (e.g. 001, 002, etc.). Any combination of letters and numbers is acceptable, except "000" or duplicate tank numbers at the same facility. For Tank Model and Piping Model, there is a chart at the end of these instructions that lists some commonly used tank models and piping models for which the model description defines the related equipment. Therefore, for a given tank, if the tank model appears on the chart and you enter the tank model code (use code 101 through 108 for underground tanks, code 201 through 205 for aboveground tanks) in column 2 of the application form, you will not have to enter the related information in shaded columns 8, 10 and 11 for that tank. Similarly, for a given tank, if the piping model appears on the chart and you enter the piping model code (A through G) in column 2 of the application form, you will not have to enter the related information in shaded columns 17, 18 and 19 for that tank.

**(Column 3) TANK LOCATION** - Specify the location of the tank from the following choices:

- |   |  |
|---|--|
| 1. Aboveground - contact with soil.....                   | Tank bottom rests on soil, allowing no visual inspection.                      |
| 2. Aboveground - contact with impervious barrier.....     | Tank bottom rests on impervious barrier, allowing visual inspection for leaks. |
| 3. Aboveground on saddles, legs, stilts, rack or cradle.. | Tank bottom rests above grade or pad, allowing visual inspection.              |
| 4. Aboveground with 10% or more below ground.....         | Aboveground less than 90% above grade, partially buried.                       |
| 5. Underground.....                                       | Completely covered with earth or vaulted with no access.                       |
| 6. Underground, vaulted with access.....                  | Tank in subterranean vault, accessible for inspection.                         |

**(Column 4) STATUS** - Specify the status of the tank. If a tank is permanently out of service (Status 3 or 4), it must be closed pursuant to 6 NYCRR section 613.9(b). If not closed as such, it may be considered temporarily out-of-service (Status 2). See section 613.9 for further closure details. Status 5 refers to a product stored in the tank that is no longer regulated under the definition of petroleum in Article 12 of the Navigation Law.

**(Column 5) INSTALLATION OR PERMANENT CLOSURE DATE** - For Action 1, 2, 4 or 5, enter the month, day, and year the tank was completely installed. If installed prior to 1986 and exact date is unknown, enter 00/00/0000. For Action 3 (Closure), enter the month, day, and year the tank was permanently closed or converted to non-regulated substance/use.

**(Column 6) CAPACITY** - Specify the total design or maximum capacity of the tank in gallons.

**(Column 7) PRODUCT STORED** - Specify the type of petroleum product stored in the tank. See Article 12 of the Navigation Law for definition of petroleum. Also see explanation under TYPE OF MAJOR FACILITY in SECTION "A" OF THESE INSTRUCTIONS. (An example of product type 2642 is used oil that feeds a boiler or furnace. An example of product type 0022 is used oil that will be hauled away by a waste hauler.)

**(Column 8) TANK TYPE** - Specify tank type. If tank type is unknown, or tank is coated or painted steel, enter 01. Tank Type 08 (Equivalent Technology) may require a variance before installation (6 NYCRR section 614.1(e); contact NYSDEC regional office for more information). (Tank Type requirements for new underground and aboveground tanks are specified in 6 NYCRR section 614.2(a)(1) and 614.8(a)(1), respectively.) If you entered a tank model code in column 2, skip column 8.

**(Column 9) TANK INTERNAL PROTECTION** - Specify the type of protection provided for the tank to prevent internal corrosion. (Refer to 6 NYCRR sections 614.12 and 614.6 for aboveground and underground tank requirements, respectively.)

**(Column 10) TANK EXTERNAL PROTECTION** - Specify the type(s) of protection provided for the tank to prevent external corrosion. (Refer to 6 NYCRR sections 614.9(b) and 614.3(e) for aboveground and underground tank requirements, respectively.) If you entered a tank model code in column 2, skip column 10.

**(Column 11) TANK SECONDARY CONTAINMENT** - Specify type(s) of secondary containment system. For the two available entries of this category, select the supporting structure used for secondary containment as the first entry and, if different, enter the means of obtaining impermeability as the second entry. (Refer to 6 NYCRR section 613.3(c)(6) for secondary containment requirements for aboveground tanks. For new underground storage tanks, see 6 NYCRR section 614.4.) If you entered a tank model code in column 2, skip column 11.

**(Column 12) TANK LEAK DETECTION** - Specify leak detection method(s) used. (Refer to 6 NYCRR section 614.11 and 614.5 for leak monitoring system requirements for new aboveground tanks and new underground tanks, respectively.)

**(Column 13) TANK OVERFILL PREVENTION** - Specify the type(s) of overflow prevention equipment used. (Refer to 6 NYCRR section 614.14(g)(1) on overflow prevention requirements for new underground tanks. See section 613.3(c) on additional overflow requirements for new and existing aboveground tanks.)

**(Column 14) TANK SPILL PREVENTION** - Specify type of spill prevention equipment used.

**(Column 15) TANK DISPENSER METHOD** - Specify method/pump used to remove product from tank.

**(Column 16) PIPING LOCATION** - Specify piping location.

- |   |  |
|---|--|
| 01. Aboveground.....                      | Piping is elevated and not in contact with surface (soil, concrete, asphalt, etc.).                      |
| 02. Underground/On-ground.....            | Piping completely covered with earth or resting in contact with surface (soil, concrete, asphalt, etc.). |
| 03. Aboveground/Underground Combination.. | Piping system contains both aboveground and underground piping.  |

**(Column 17) PIPING TYPE** - Specify piping type. (Refer to 6 NYCRR section 614.14(a) for piping requirements for new underground piping systems.) If you entered a piping model code in column 2, skip column 17.

**INSTRUCTIONS FOR COMPLETING "SECTION B" OF MAJOR PETROLEUM FACILITY LICENSE APPLICATION (continued)**

**(Column 18) PIPING EXTERNAL PROTECTION** - Specify the type(s) of protection provided for the pipe to prevent external corrosion. If you entered a piping model code in column 2, skip column 18.

**(Column 19) PIPING SECONDARY CONTAINMENT** - Specify the type of secondary containment system. If you entered a piping model code in column 2, skip column 19.

**(Column 20) PIPING LEAK DETECTION** - Specify leak detection method used (Refer to 6 NYCRR section 614.14(g)(3).)

**(Column 21) LAST TEST OR INSPECTION DATE** - For underground tanks, enter the month, day, and year of the most recent tightness test performed per 6 NYCRR section 613.5(a). This entry does not satisfy the requirement for notification of test results. Calculations, along with the test report, must be submitted to NYSDEC if they have not already been. For aboveground tanks, enter the month, day, and year of the most recent 10-year inspection performed per 6 NYCRR section 613.6(b). Note that not all underground and aboveground tanks require testing or inspections. (Refer to 6 NYCRR section 613.5(a) and 613.6(b), respectively.)

**Tank and Piping Model Chart** (For use in Section B, Column 2)

This chart lists some commonly used tank models and piping models for which the model description defines the related equipment. Therefore, for a given tank, if the tank model appears on the chart and you enter the tank model code (use code 101 through 108 for underground tanks, codes 201 through 205 for aboveground tanks) in column 2 of the registration form, you will not have to enter the related information in shaded columns 8, 10 and 11 for that tank. Similarly, for a given tank, if the piping model appears on the chart and you enter the piping model code (A through G) in column 2 of the registration form, you will not have to enter the related information in shaded columns 17, 18 and 19 for that tank.

Code	Model Description	Examples of Model Names or Manufacturers
<b>Underground Tanks</b>		
101	STI-P3 single wall tank (cathodically protected steel tank with no secondary containment)	Highland Tank, Mohawk Metals, Lancaster Tank, Modern Welding
102	STI-P3 double wall tank (cathodically protected double wall steel tank)	Highland Tank, Mohawk Metals, Lancaster Tank, Modern Welding
103	FRP single wall tank (Fiberglass tank with no secondary containment)	Owens Corning, Fluid Containment, Containment Solutions, Xerxes
104	FRP double wall tank (Fiberglass double wall tank)	Owens Corning, Fluid Containment, Containment Solutions, Xerxes
105	Fiberglass clad steel single wall tank (no secondary containment)	Buffalo Tank, Highland Tank
106	Fiberglass clad steel double wall tank	Buffalo Tank
107	Jacketed steel tank (steel tank with secondary containment of plastic or FRP)	Total Containment Jacketed tank, Elutron tank, Permatank, Modern Welding Glasteel II
108	ACT 100U double wall steel tank (steel tank with urethane cladding)	Titan, Euro-Tank, HT-Fibre-Thane
<b>Aboveground Tanks</b>		
201	Steel tank in a steel dike	Highland Tank and others
202	Concrete encased steel tank	ConVault
203	Double wall tank (does not meet requirement for secondary containment)	
204	Modified double wall tank (meets requirements for secondary containment because containment is provided for all spill scenarios including spills from the top of the tank such as overfills)	SuperSafe Tank, Armor Cast, FitFueler Tank, Highland OP Tank
205	Plastic tank (used oil only)	Kosmo Igloo
<b>Piping</b>		
A	Cathodically protected single wall steel pipe	
B	Steel pipe inside of plastic pipe	
C	FRP single wall pipe	Ameron, A O Smith
D	FRP double wall pipe	Ameron, A O Smith
E	Flex pipe	APT-Poly-Tech, Bufflex II, Perma-Flexx, GeoFlex-S, GeoFlex-D, Enviroflex, Omniflex
F	Copper pipe	
G	Copper pipe inside of plastic pipe	

## INSTRUCTIONS FOR COMPLETING "SECTION C" OF MAJOR PETROLEUM FACILITY LICENSE APPLICATION

Answer Questions 1-6 for **INITIAL AND CHANGE OF OWNERSHIP APPLICATIONS ONLY**, by checking the appropriate box. Supply any additional information that is required.

- (1) Spill Prevention Control and Countermeasure (SPCC) Plan means a plan which has been prepared for the purpose of complying with 40 Code of Federal Regulations, Part 112 (40 CFR 112) and which does comply with the requirements of 40 CFR 112. If "Yes" is checked, attach a copy of SPCC Plan. If "No" is checked, as part of the application for a license, all major facilities must submit a cleanup or removal plan conforming to the requirements of 6 NYCRR Section 610.4(a)(3) and a spill prevention and containment plan conforming to 6 NYCRR Section 610.4(a)(4). These plans must address groundwater as well as surface water.
- (2) An Operations Manual means a manual prepared for the purpose of complying with 33 Code of Federal Regulations, part 154.300 *et seq.* (33 CFR 154.300 *et seq.*), and which does comply with the requirements of 33 CFR 154.300 *et seq.*, as it presently exists, or as amended. If "Yes" is checked, attach a copy of the Operations Manual.
- (3) If some plan other than an SPCC Plan or an Operations Manual is submitted as the **prevention plan**, please refer to and review the NYSDEC Regulations, 6 NYCRR Section 610.4(a)(4) which describe the information that must be contained in a prevention plan.
- (4) According to Article 12 of the Navigation Law, a **cleanup and removal plan** shall contain, but is not limited to, an inventory of the following:
  - (i) The storage and transfer capacity of the facility;
  - (ii) The containment and removal equipment, including, but not limited to, vehicles, vessels, pumps, skimmers, booms, chemicals, and communication devices, to which the facility has access through direct ownership or by contract or membership in a discharge cleanup organization recognized by the Department of Environmental Conservation as well as the time lapse following a discharge which precedes such access;
  - (iii) The trained personnel which are required and available to operate such containment and removal equipment and the time lapse following a discharge which precedes such availability;
  - (iv) All equipment and trained personnel used or employed in a capacity at the facility to prevent discharges of petroleum;
  - (v) The terms of agreement and operation plan of any discharge cleanup organization to which the owner or operator of the facility belongs;
  - (vi) The type and amount of petroleum transferred, refined, processed or stored at the facility.

Most of this information may already be contained on the application questionnaire or in the plan(s) submitted. If the required information is contained in an existing plan which has been submitted, indicate where the information is located in the plan. Required information not found in a submitted plan or on the application questionnaire should be submitted with the application on a separate sheet referenced to the question.

- (5) Check "Yes" if your spill prevention plan and your clean-up and removal plan are fully implemented, otherwise check "No". If "No" is checked, indicate date when implementation will be completed and on a separate sheet indicate the parts of the plans that are implemented and the equipment you have in use for the prevention of oil spills and the equipment available to you on short notice for the containment and removal of oil spills.
- (6) If this facility has been the source of spills or discharges during the past five years, please attach a statement providing the following information for each spill or discharge:
  - < cause of spill
  - < amount and type of product spilled
  - < environmental damages caused by spill
  - < corrective actions taken to prevent a similar event from recurring

Answer Questions 7-9 for **RENEWAL APPLICATIONS ONLY**, by checking the appropriate box. Supply any additional information that is required.

- (7) If this facility has been the source of spills or discharges during the past year, please attach a statement providing the following information for each spill or discharge:
  - < cause of spill
  - < amount and type of product spilled
  - < environmental damages caused by spill
  - < corrective actions taken to prevent a similar event from recurring
- (8) Please submit complete description of changes, altered site plan, etc., and an explanation of how these changes will affect daily and/or emergency operations in the event of a spill.
- (9) Check "Yes" if your spill prevention plan and your clean-up and removal plan has been amended or otherwise changed within the last year, and submit the revised plans with your application. SPCC Plans must be reviewed and updated every **three** years. If the three year review of the plan reveals no amendment is needed, then an engineering certificate is not required. Please submit your updated and/or amended SPCC Plan and any other plans that have been updated or amended since being submitted for initial licensing.

**INSTRUCTIONS FOR COMPLETING "SECTION C" OF MAJOR PETROLEUM FACILITY LICENSE APPLICATION (continued)**

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Answer Questions 10-16 for **ALL APPLICATIONS** by checking the appropriate box. Supply any additional information that is required.

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- (10) If the Coast Guard and/or the U.S. Environmental Protection Agency has had occasion to inspect your facility and has cited your company for violation(s) and you have not corrected the violation(s), check "Yes" and attach an explanation identifying the violation(s) and explaining why corrective actions have not been taken or are not fully complete. Otherwise, check "No".
- (11) If a general site plan of your facility is included as part of the submitted plans, check "Yes", and indicate the Plan and page number where the General Site Plan is located. Otherwise, please submit a general site plan.
- (12) If a description of your facility's ability to prevent contamination of groundwater as a result of a spill or discharge is included in the submitted plan, check "Yes" and indicate page number where this information can be found. Otherwise, attach a description of what precautions, if any, have been taken to prevent petroleum products from reaching groundwater during a spill or discharge.
- (13) If you are a member of a discharge clean-up organization or cooperative, check "Yes" and enter name and address of organization, and supply a copy of the agreement. Otherwise, check "No".
- (14) If you contract for discharge clean-up services, check "Yes" and enter name and address of contractor. Otherwise check "No".
- (15) If you dispose of waste petroleum and/or petroleum contaminated materials off site, check "Yes" and enter name and address of the disposal service(s) and the location (state, county, town and street address) of the disposal site(s) used. Otherwise, check "No" and attach explanation of how such wastes are handled.
- (16) On-shore Major Petroleum Storage Facilities must comply with 6 NYCRR Parts 613 and 614 as provided by 6 NYCRR Part 610. Check "Yes" if your facility and plans are in compliance with the requirements and schedules of 6 NYCRR Parts 613 and 614. Otherwise, check "No", enter the date when compliance is anticipated and submit a schedule for implementation to comply with 6 NYCRR Parts 613 and 614.

**MAILING INSTRUCTIONS**

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**For VESSELS**, please mail the completed application with attachments to:

New York State Department of Environmental Conservation (NYSDEC)  
Division of Environmental Remediation, Bureau of Technical Support  
625 Broadway, 11<sup>th</sup> Floor, Albany, New York 12233-7020  
Attention: Spill Prevention and Bulk Storage Section

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**For ON-SHORE FACILITIES**, please mail the completed application with attachments to the appropriate **NYSDEC regional office**. Initial and change of ownership applications must be accompanied by a new or recertified SPCC Plan with the current owner name.

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