Westchester gov.com

PETROLEUM BULK STORAGE INSPECTION REPORT

Facility:

277 North LLC
277 North Avenue Suite 200
New Rochelle, NY 10801

Date of Inspection: 5/22/2018

PBS No.: 3-502049

Vapor Recovery ID:

Tank ID	Location	Capacity	Product	Install Date
2	Underground	5000	#2 Oil	10/1/2007

An inspection was performed to determine compliance with Petroleum Bulk Storage regulations, Articles XXV and XXVI of the Westchester County Sanitary Code. Items identified below need immediate attention to bring your facility into compliance. You must submit documentation of compliance to the Department consisting of photos, receipts for work performed, test reports, required form submittals or copies of maintenance records.

Heating Oil Aboveground Tanks

No violations noted at this time

Comments: No Violations noted at this time

Receipt acknowledged by or on behalf of Respondent:

Signed:

Print:

Westchester County Department of Health Inspector:

James Byam
jcbc@westchestergov.com

Westchester County Department of Health Petroleum Bulk Storage (PBS) Inspection Form

DATE: 5/22/2018

DOH INSPECTOR: James Byam

PBS #: 3-502049 or ☐ Unregistered

FACILITY REP. NAME & TITLE

FACILITY NAME: 277 North LLC

CLASS A OPERATOR NAME & AUTH #:

FACILITY ADDRESS: 277 North Avenue Suite 200 New Rochelle, NY 10801

CLASS B OPERATOR NAME & AUTH #:

FACILITY PHONE NUMBER: (914) 712-0600 ext:1

Facility-Level Information

1. Is the inspection announced or unannounced?	☐ Announced ☒ Unannounced
2. Is the registration certificate posted at the facility?	☒ **Y** ☐ **N** ☐ **1** (no access)
3. Is the registration information current and accurate?	☒ **Y** ☐ **N** ☐ **1** (expired registration) ☐ **2** (unregistered facility) ☐ **3** (unregistered tank)

Tank-Specific Information Tank Registration #	2					
Applicable Subpart: **2** / **3** / **4**	3					
Product Stored/Tank Volume	5000 #2					
Date Installed	10/1/2007					
4. Are monitoring/observation wells marked and secured? **Y** / **N** / **X** (no wells)	X					
5. Have dispenser sumps been properly maintained? **Y** / **N** (accumulation of product) / **X** (no sump; not required) / **1** (accumulation of water/debris) / **2** (no access) / **3** (sump required but not present)	X					
6. For motor fuel tank systems with pressurized piping, are shear valves properly installed and operable? **Y** / **N** no shear valve / **X** (not pressurized piping) / **1** (inoperative valve) / **2** improperly installed /**3** no access	X					
7. Was the tank properly permanently closed or did it undergo a change-in-service? **Y** / **N** / **X** (active or out-of-service tank) / **1** (tank closed w/o notification)	X					
8. If the tank system is out-of-service, has it been out-of-service for more than 12 months? **Y** / **N** / **X** (active tank) / **1** (permanently closed tank system)	X					

COMPLIANCE WITH REGULATORY REQUIREMENTS WAS ASSESSED VIA THE FOLLOWING METHODS: FIELD OBSERVATION, RECORDS REVIEW, AND/OR INTERVIEW WITH FACILITY REPRESENTATIVE

9. Spills? (Include suspected releases from leak detection equipment and uninvestigated inventory discrepancies.) **Y / N**	N					
10. Have tank top sumps been properly maintained? **Y / N** (accumulation of product) / **X** (no sump) / **1** (accumulation of water/debris) / **2** (no access)	Y					
11. Have spill buckets been properly maintained? **Y / N** (accumulation of product) / **X** (no spill bucket) / **1** (accumulation of water/debris) / **2** (no access)	Y					
12. Is the fill port/tank color coded/marked to identify the product in the tank system? **Y / N / X** (day tank) / **1** (incorrectly color coded/marked)	Y					

Subpart 2 UST Systems – Leak Prevention ☒ **N/A**	X					
13. For Cat. 2 and 3 UST systems, does the UST system meet standards? **Y / X** (Cat. 1 UST system) If not, how is the tank system deficient? **1** (tank not corrosion-resistant) / **2** (no tank secondary containment) / **3** (no tank leak monitoring) / **4** (no overfill prevention) / **5** (piping not corrosion-resistant) / **6** (no piping leak monitoring) / **7** (no fill port label) / **8** (as-built plans/drawings missing or incomplete) / **9** (no secondary containment for Cat. 3 piping)	X annual FY 2000 3					
14. Is the spill prevention device (i.e., spill bucket) present and functional? **Y / N** (not present) / **X** (tank receives ≤25 gallons at one time) / **1** (not functional – holes/cracks present) / **2** (no access)	Y					
15. Is the overfill prevention device (i.e., automatic shut-off, high-level alarm, ball float valve) present? **Y / N / X** (tank receives ≤25 gallons at one time) / **1** (unable to verify)						
16. Is the overfill prevention device set to activate at an appropriate level? **Y / N / X** (tank receives ≤25 gallons at one time) / **1** (unable to verify)						
17. Is the overfill prevention device operational? **Y / X** (tank receives ≤25 gallons at one time) If not: **1** (automatic shut-off not operational – device tampered with/inoperable; gauging stick in drop tube) / **2** (high-level alarm not operational) / **3** (alarm not audible/visible to driver) Ball float is not operational because: **4** (Stage I vapor recovery is present) / **5** (piping system is suction) / **6** (drain valve on spill bucket broken/impaired by debris,causing drain valve to act as an emergency vent)						

COMPLIANCE WITH REGULATORY REQUIREMENTS WAS ASSESSED VIA THE FOLLOWING METHODS: FIELD OBSERVATION, RECORDS REVIEW, AND/OR INTERVIEW WITH FACILITY REPRESENTATIVE

18. Are metal tank system components in contact with soil (including fittings, connections, etc.) continuously protected from corrosion? **Y / X** (no metal tank system components) If not: **1** (metal piping components – i.e., swing joints, flex-connectors, etc. – are not isolated from the ground/cathodically protected) For Cat. 2/3 tanks and piping: **2** (tank or piping does not meet corrosion protection standards) For Cat. 1 tanks and piping: **3** (steel tank is not internally lined/retrofitted with cathodic protection) / **4** (metal piping is not retrofitted with cathodic protection)						
19. Is the cathodic protection system (for steel tank and piping systems) tested within the required time frame and does it provide continuous protection? **Y / X** (CP not required) If not: **1** (no CP test on either) / **2** (no CP test on tank) / **3** (no CP test on piping) / **4** (records not maintained) / **5** (minimum protection not provided/failed annual survey) / **6** (inadequate monitoring – not enough readings) / **7** (operator has not completed appropriate repair in response to test results)						

Subpart 2 UST Systems – Leak Prevention (continued) ☒N/A						
20. If an impressed current system is in use, has the system been operated continuously? **Y / X** (no impressed current system) If not: **1** (rectifier is not operational) / **2** (rectifier does not have electrical power 24/7) / **3** (clock shows that power has been turned off)						
21. Is the impressed current system inspected every 60 days? **Y / N / X** (no impressed current system) / **1** (at least 2 of last 3 readings not available)						
22. For lined Cat. 1 USTs, is the internal lining being inspected periodically (i.e., within 10 years after installation and every 5 years thereafter)? **Y / N** (no report) / **X** (UST not lined OR Cat. 2/3 UST OR lining installed w/ CP)/ **1** (lining was inspected and failed) / **2** (inspection procedure not acceptable)						
23. If cathodically protected tank or piping was structurally repaired, were CP systems tested/inspected within 6 months after repair? **Y / N / X** (no CP system/structural repair)						

COMPLIANCE WITH REGULATORY REQUIREMENTS WAS ASSESSED VIA THE FOLLOWING METHODS: FIELD OBSERVATION, RECORDS REVIEW, AND/OR INTERVIEW WITH FACILITY REPRESENTATIVE

24. Were structurally repaired tank and piping tested for tightness within 30 days after repair completion? (Tightness test not required when internal inspection is conducted after repair or if weekly leak detection method is in use.) **Y / N / X** (no structural repair)						
Subpart 2 UST Systems – Leak Detection ☒ **N/A**						
25. Is leak monitoring being performed? **Y / N / X** (single-walled, Cat. 1/2 piping is tested for tightness every 3 years/ annually OR exempt suction piping)/ **1** (inoperative system) / **2** (weekly leak detection records not maintained) / **3** (monthly operability records not maintained) / **4** (interstitial space on Cat. 2/3 tanks or Cat. 2/3 piping not monitored) / **5** (leak monitoring method is inappropriate)			TANK PIPING			
Specify method(s) of tank leak detection used: **A.** Automatic Tank Gauging (ATG) – *answer questions 26-28* **B.** Manual Tank Gauging (MTG) – *answer questions 29-31* **D.** Inventory Monitoring (REQUIRED FOR UST SYSTEMS STORING MOTOR FUEL/KEROSENE FOR RESALE) – *answer question 35* **E.** Groundwater or Vapor Monitoring – *answer questions 36-39* **F.** Interstitial Monitoring – *answer questions 40-41* **H.** Statistical Inventory Reconciliation (SIR) – *answer question 44*						
Specify SECOND method of pressurized piping leak detection used aside from ALLD: **G.** Automatic Line Leak Detector (ALLD) (REQUIRED) – *answer questions 42-43* **C.** Line Testing – *answer questions 32-34* **E.** Groundwater or Vapor Monitoring – *answer questions 36-39* **F.** Interstitial Monitoring – *answer questions 40-41* **H.** Statistical Inventory Reconciliation (SIR) – *answer question 44*	G /	G /	G /	G /	G /	G /
Specify method of suction piping leak detection used: **C.** Line Testing – *answer questions 32-34* **E.** Groundwater or Vapor Monitoring – *answer questions 36-39* **F.** Interstitial Monitoring – *answer questions 40-41* **H.** Statistical Inventory Reconciliation (SIR) – *answer question 44* **X.** Exempt Suction Piping (i.e., Safe/European Suction) / Siphon Bar (LD NOT REQUIRED)						

Subpart 2 UST Systems – Leak Detection (continued)							
A. Automatic Tank Gauging (ATG)							
26. Is the ATG (make & model) on the National Work Group on Leak Detection Evaluations (NWGLDE) list? **Y / N**							
27. Is the ATG set up properly to conduct leak tests? **Y / N / X** (unable to confirm)							
28. Did the ATG conduct leak tests while the tank contained the routinely highest level of product? **Y / N**							
B. Manual Tank Gauging (MTG)							
29. Is tank size appropriate for using MTG (≤1000 gal. only)?	**Y / N**						
30. Do records indicate that MTG is being conducted correctly?	**Y / N**						
31. Is MTG equipment capable of 1/8" measurement?	**Y / N**						
C. Line Testing							
32. Is line testing method on the National Work Group on Leak Detection Evaluations (NWGLDE) list? **Y / N**				PIPING			
33. Is line testing method being conducted according to the manufacturer's instructions? (Compare test report with NWGLDE specifications for the test method.) **Y / N**				PIPING			
34. Is line testing conducted within the appropriate time frame? **Y / 1** (test report not submitted) / **2** (pressurized piping not tested annually) / **3** (non-exempt suction piping not tested every 3 years)				PIPING			
D. Inventory Monitoring							
35. Does the facility have adequate inventory records for metered tanks storing motor fuel/kerosene that will be sold as part of a commercial transaction? **Y** If not, which items are deficient? **1** (no records) / **2** (no tank bottom water measurements) / **3** (equipment not capable of 1/8" measurement) / **4** (meter not calibrated) / **5** (no reconciliation of records) / **6** (improper reconciliation) / **7** (no investigation of discrepancy)							
E. Groundwater/Vapor Monitoring							
36. Is there a site assessment report indicating location and number of groundwater/vapor monitoring wells? **Y / N** *(answer '1' for questions 37-39)*				TANK PIPING			

COMPLIANCE WITH REGULATORY REQUIREMENTS WAS ASSESSED VIA THE FOLLOWING METHODS: FIELD OBSERVATION, RECORDS REVIEW, AND/OR INTERVIEW WITH FACILITY REPRESENTATIVE

37. Are wells properly designed and positioned? **Y / N / 1** (no report)			TANK			
			PIPING			
38. According to the site assessment report, is groundwater always detectable in the monitoring well (i.e., groundwater is never more than 20' from the ground surface)? **Y / N / X** (no groundwater monitoring wells) / **1** (no report)			TANK			
			PIPING			
39. Is the vapor monitoring well not affected by high groundwater levels? **Y / N / X** (no vapor monitoring wells) / **1** (no report)			TANK			
			PIPING			
F. Interstitial Monitoring						
40. Does secondary containment appear to have integrity? **Y / N**			TANK			
			PIPING			
41. Is the sensor properly positioned in the sump? **Y / N / X** (manual monitoring)			PIPING			

Subpart 2 UST Systems – Leak Detection (continued) ☒N/A						
G. Automatic Line Leak Detector (ALLD)						
42. Is the ALLD present and does it appear to be operational? **Y / N** (not present) / **1** (not operational) / **2** (no access)						
43. Has the annual functionality test of the ALLD been conducted, and are records available? **Y / N** (no test conducted) / **1** (no records)						
H. Statistical Inventory Reconciliation (SIR)						
44. Is the SIR method on the National Work Group on Leak Detection Evaluations (NWGLDE) list of leak detection methods? **Y / N**			TANK			
			PIPING			

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Subpart 2 UST Systems – Operator Training ☐ N/A						
45. Is there a designated Class A Operator and is that person properly authorized? **Y** / **N** / **1** (current authorized Class A Operator is not designated) / **2** (designated Class A Operator is not authorized) / **3** (records are missing/inadequate)						
46. Is there a designated Class B Operator and is that person properly authorized? **Y** / **N** / **1** (current authorized Class B Operator is not designated) / **2** (designated Class B Operator is not authorized) / **3** (records aremissing/inadequate)						
47. Is there a designated Class C Operator and is that person properly trained? **Y** / **N** / **1** (trained Class C Operator is not designated) / **2** (designated Class C Operator is not trained) / **3** (records are missing/inadequate)						

Subpart 2 UST Systems – Closure						
48. If the tank is permanently closed or underwent a change-in-service within the last 3 years, was a site assessment performed? **Y** / **N** / **X** (not applicable) / **1** (site assessment is inadequate)						

Subpart 3 UST Systems ☐N/A	2					
49. For Cat. 2 and 3 UST systems, does the UST system meet standards? **Y** / **X** (Cat. 1 UST system) If not, how is the tank system deficient? **1** (tank not corrosion-resistant) / **2** (no tank secondary containment) / **3** (no tank leak monitoring) / **4** (no overfill prevention) / **5** (piping not corrosion-resistant) / **6** (no piping leak monitoring) / **7** (no fill port label) / **8** (as-built plans/drawings missing or incomplete)	Y					
50. Is cathodic protection for steel tank and piping systems monitored annually? **Y** / **N** (no CP test on either) / **X** (CP not required) / **1** (no CP test on tank) / **2** (no CP test on piping) / **3** (records not maintained) / **4** (minimum protection not provided/failed annual survey) / **5** (inadequate monitoring – not enough readings) / **6** (operator has not completed appropriate repair in response to test results)	Y					

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51. Is leak monitoring being performed? **Y / N / X** (Cat. 1 tank or Cat. 1 piping is tested for tightness annually OR Cat. 1 tank stores No. 5/6 fuel oil) / **1** (inoperative system) / **2** (weekly leak detection records not maintained) / **3** (monthly operability records not maintained) / **4** (interstitial space on Cat. 2/3 tanks not monitored) / **5** (leak monitoring method is inappropriate)	Y		TANK			
			PIPING			
52. For Cat. 1 UST systems, has tightness testing been conducted within the last year? **Y / N** (no test on either tank or line) / **X** (exempt from tightness testing) / **1** (no tank test) / **2** (no line test) / **3** (test report not submitted)	X					

Subpart 4 AST Systems ☒N/A						
53. For Cat. 2 and 3 ASTs, does the AST meet standards? **Y / X** (Cat. 1 AST) If not, how is the tank deficient? **1** (tank not welded steel) / **2** (no surface coating) / **3** (tank resting on soil w/o cathodic protection) / **4** (tank on grade w/o impermeable barrier) / **5** (no leak monitoring between tank & barrier)						
54. Is the cathodic protection system being evaluated regularly? **Y / X** (no CP system required) / **1** (no annual survey) / **2** (no 60-day inspection for impressed current systems) / **3** (records not maintained) / **4** (minimum protection not provided/failed annual survey) / **5** (operator has not completed appropriate repair in response to test results)						
55. For ASTs ≥10,000 gallons (or ASTs <10,000 gallons within 500 feet of a sensitive receptor), is the secondary containment adequately designed and in good condition? **Y / N** (no secondary containment) / **X** (secondary containment not required) / **1** (secondary containment not maintained) / **2** (inadequate design)						
56. For ASTs <10,000 gallons that are using alternatives to secondary containment, are DER-25 issues addressed? **Y / N / X** (not required/applicable) / **1** (equipment not maintained)						
57. Are dike drain valves locked in a closed position? **Y / N** (unlocked) / **X** (no dike/discharge pipe) / **1** (no valve on discharge pipe)						
58. Does the AST have a gauge, high-level alarm, high-level liquid pump cut-off controller, or an equivalent device? **Y / N / 1** (inoperative)						
59. Is the tank marked with design & working capacities and tank ID number? **Y / N / 1** (incomplete label)						

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60. Is a solenoid or equivalent valve in place for gravity-fed motor fuel dispensers? **Y / N / X** (AST system not storing motor fuel OR dispensers not gravity-fed) / **1** (inoperative) / **2** (valve not adjacent to and downstream from the operating valve)						
61. Is a check valve in place for pump-filled ASTs with remote fills? **Y / N / X** (no remote fill) / **1** (inoperative)						
62. Is an operating valve in place on every line with gravity head? **Y / N / X** (no gravity head on line) / **1** (inoperative)						
63. Does the facility conduct monthly inspections for all AST systems? **Y / N / 1** (records not maintained)						
64. Does the facility conduct ten-year inspections for Cat. 1 AST systems? **Y / N / X** (not required per Part 613-4.3(a)(1)(iii) OR Cat. 2/3 AST system) / **1** (records not maintained)						
65. Does the facility conduct tightness testing at ten-year intervals for underground Cat. 1 piping? **Y / N / X** (Cat. 2/3 piping) / **1** (test report not submitted)						

		Gasoline Dispensing Sites/Product Dispensers	☐ N/A
Category	**Section**	**Violation**	**Qty**
Inspections	873.2602.12	Daily visual inspection of Stage 1/Stage II equipment not performed	
	873.2602	Facility not equipped with Stage 1 Vapor recovery system	
	873.2602.7.f	Dispenser not posted with operating instructions and or complaint #	
	873.2602.7.e.i	Fill cap not present	
	873.2602.7.e.i	Fill cap gasket missing	
Stage 1	873.26027.e.i	Fill cap doesn't seal properly (cap spins)	
	873.2602.7.e.ii	Poppet not present	
	873.2602.7.e.ii	Poppet defeated (has been tampered with)	
	873.2602.7.e.ii	Poppet doesn't make vapor tight seal (doesn't spring back when depressed)	
	873.2602.10	Drop tube installed improperly (more than 3" below top of fill port)	
Stage II	873.2602	Facility not equipped with State II vapor recovery system	
	873.2602.15	Stage II system not tested within last 5 years	
	873.2605.4	Stage II test report not submitted.	
	873.2605.4.a	Stage II test report not maintained on site	
Stage II Hoses	873.2602.11.b	Hose is crimped, crushed or flattened	
	873.2602.11.c	Hose has holes ¼" or more in diameter or tears/slits totaling more than 1"	
	873.2602.11.e	Hose is weathering so as to allow vapor loss	
	873.2602.11.f	Improper hose length allowing contact with pavement	
	873.2602.11.i	Retractor not automatically retracting, allowing contact with pavement	

	873.2602.11.j	Hose repaired using unapproved method	
Stage II Nozzles	873.2602.8	System defeated	
	873.2602.10	Boot not securely attached	
	873.2602.10	Missing boot faceplate	
	873.2602.11.g	Nozzle boot has tear/slit 1" or more in length or hole more than ¼" diameter	
	873.2602.11.h	Faceplate fails to seal or than 25% of circumference	
	873.2602.11.h	Flexible cone fails to seal more than 25% of circumference	
	873.2602.11.j	Nozzle repaired using unapproved method	
Containers			☐ N/A
	873.2506.a.2	☐ Not stored on impervious surface	
	873.2506.a.3	☐Not protected from traffic	
	873.2506.a.4	☐Not protected from weather	
	873.2506.a.6	☐Unprotected floor drain present	
	873.2506.a.7	☐Not labeled with product stored	
	873.2506.b.2	☐ Stacked more than 3 high	
	873.2506.b.3	☐Daily inspection not performed	
	873.2506.b.4	☐ Inventory log not maintained	
	873.2506.a.1	☐Poor housekeeping	

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