



NASSAU COUNTY DEPARTMENT OF HEALTH

Updated November 28, 2022

To: All Nassau County Certified Tank Installers and Tank Testers

**Re: Nassau County Department of Health
Petroleum Bulk Storage Program:
Functionality & Tightness Test Policy**

Please allow this correspondence to serve as the most up-to-date version of the Nassau County Department of Health (NCDOH) policy regarding functionality and tightness testing. Please forward this information to all pertinent personnel within your organization.

1. Tester Requirements:

- a. Tank System Tightness Tests that are submitted to this office for compliance purposes must be performed by individuals that are NCDOH Certified Tank Testers. This certification involves completing an authorized training in an acceptable tank testing technique(s) and by passing a NCDOH examination.
 - b. Tank System Functionality Tests that are submitted to this office for compliance must be performed by entities (companies, organizations, municipalities, etc.) that are NCDOH Certified Tank Installers. This certification involves having a current employee complete authorized tank manufacturer training in tank system installations, authorized manufacturer training in electronic monitoring systems typically associated with petroleum bulk storage facilities and by passing a NCDOH examination. Any refresher training must have been received within five years of the certification renewal.
2. As of January 1, 2017, all double-walled underground storage tanks (USTs) containing non-heating oil petroleum product such as gasoline, diesel, kerosene and waste oil must have a functionality test conducted biennially. The items included in a complete functionality test are reflected in the NCDOH Petroleum Bulk Storage Tank System Functionality Test form. These items include, but are not limited to, all leak detection equipment (interstitial sensors, dispenser sump sensors and piping leak-detection sensors in the tank-top sumps), product-level probes, electronic panels and annunciators, mechanical overfills, emergency stop systems, dispenser shear/impact valves, etc. In addition to those items, **the annual Line Leak Detector test for pressurized piping systems MUST be performed at the same time as the functionality test** and the results must be reflected on the NCDOH Automatic Line Leak Detector Performance Test form. If the tank system is not equipped with a Line Leak Detector (a Suction Piping System, for example), it must be noted on the report form. **If a Pressurized Piping System is not**



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equipped with a Line Leak Detector, then the system automatically fails the evaluation. Unless specifically arranged otherwise, all companies must use the NCDOH forms for compliance. All items on these forms must be filled out for the results to be accepted by this Department.

- a. Functionality Test Form:
<https://www.nassaucountyny.gov/DocumentCenter/View/20030>
- b. Annual Automatic Line Leak Detector Performance Test Form:
<https://www.nassaucountyny.gov/DocumentCenter/View/20021>

PLEASE NOTE: Routine Tank Tightness Tests of double-walled USTs are not required for compliance.

PLEASE NOTE: Underground Oil-Water Separators fall under NCPHO Article XV regulation and are subject to biennial functionality testing.

3. All tank system functionality and tank system tightness tests that are to be submitted to NCDOH for facility compliance **must** be scheduled with this office at least seven days ahead of time. Upon processing the request, a corresponding confirmation number will be issued back to the testing company. This number must be reflected on the subsequent report that is submitted to this office (On the NCDOH functionality testing form, there is a section for “Work Order Number” or “Confirmation Number”). The NCDOH Test Schedule Request form must be used to set up such appointments and should be directly e-mailed to mmarrano@nassaucountyny.gov AND petroleumstorage@nassaucountyny.gov. If you do not receive a response within 24 hours, please contact the Petroleum Bulk Storage unit directly at (516) 227-9691. You must include the NCDOH Facility ID#, the proper Tank #s, capacities and contents on the form for the request to be processed. All tests must overlap the workday of NCDOH staff (8:00AM-3:45PM) in order to accommodate field inspections of the tests.

PLEASE NOTE: This office will no longer be accepting faxed copies of the NCDOH Test Schedule Request Form.

PLEASE NOTE: Any testing that is not completed at the scheduled date/time may not be accepted by this office for compliance. Any changes to a scheduled test must be approved by this office and, if necessary, a new confirmation # will be issued.

PLEASE NOTE: If a NCDOH inspector is not present at a facility by the scheduled date/time of a test then the evaluation can commence without the presence of a NCDOH inspector. NCDOH will attempt to observe approximately 50% of all tests.

PLEASE NOTE: All re-tests from previous failures **MUST** be scheduled with this office and issued a confirmation number for the job.

PLEASE NOTE: Any testing that is not meant for facility compliance with Article XV of the Nassau County Public Health Ordinance (NCPHO), such as testing for insurance purposes, **DOES NOT** need to be scheduled with this office.

4. Pre-Tests - While this office does not discourage contractors from conducting a “pre-test” evaluation of a facility’s tank system(s) in order to identify potential problems, please be

aware that this office expects that full functionality tests will be performed at days and times that have been scheduled with us. In other words, if a tank(s) passes a “pre-test” a few days before the scheduled functionality test, that DOES NOT mean that those results can be used to represent the functionality test on an upcoming scheduled day. This office WILL NOT accept such results for compliance.

5. Annual Facility Walkthroughs – This office will not accept the results of an annual facility walkthrough in lieu of a functionality test for compliance UNLESS the walkthrough meets the requirements for a NCDOH Functionality Test for compliance AND the walkthrough is scheduled with a Department and associated with a confirmation # as per this policy.
6. If one of your clients fails a tank system functionality or tightness test the following procedure must be followed regarding the reporting of such results and the submission of related reports and fees.
 - a. If the item(s) that failed the evaluation can be addressed, repaired and retested within fifteen (15) days of the initial test date, then a single report that documents the initial failure, a description of the repair work and the results of the retest can be submitted together as one report. In this scenario, one set of report verification/processing fees can be submitted to this office and, assuming the retest results show a “passed” evaluation, the results will be entered into the NCDOH database as a “passed” test.
 - b. If it will take longer than fifteen (15) days from the initial test date to repair and retest the failed item(s) then the failed test report must be submitted to this office along with all associated fees within the requisite 30-day period. The results of the retest would then need to be submitted under a separate cover with a separate set of processing fees.

PLEASE NOTE: **All** functionality/tightness test failures, including tests that are completed for purposes other than compliance with Article XV of the NCPHO, **MUST** be reported to this office immediately by phone and/or e-mail. Tightness Test failures must also be reported to NYS Department of Environmental Conservation immediately.

PLEASE NOTE: All re-tests **MUST** be scheduled with this office and issued a confirmation number.

PLEASE NOTE: Only the items of the functionality test that failed must be retested. While these retests will not require all functionality test items to be evaluated again, the test verification fees that are to be submitted with the results are the same as a complete functionality test.

PLEASE NOTE: Any general maintenance issues, such as an improper sensor location or liquid in a sump must be resolved before a functionality test can be certified as “passed”. If such issues cannot be addressed at the time of the test, then the tank system will fail the evaluation.

PLEASE NOTE: If any required tank system equipment, such as high-level alarms, shear valves or emergency stops, are not present at the time of the evaluation then

the missing equipment must be noted in the comments on the final report that is submitted to NCDOH.

7. All regulated facilities that apply for an extension of the mandatory date of removal for remaining single-walled USTs must have tightness and functionality tests performed annually until such tanks are permanently closed. Please contact this office for a listing of the items required for a functionality test of a single-walled UST.
8. The administrative fees that must be submitted with the testing results are \$185 per tank per facility per day with a maximum of \$555 per facility per day (if both a functionality and a tightness test is to be conducted, the fee will double). While submitting separate checks for each test result is preferred and reduces administrative errors, if your company would like to submit multiple test results to this office at once, a single check covering the fees for all such results can be submitted. Please include the details as to how the payment should be applied. Please note that if there are any errors on these combined checks, none of the associated test results will be able to be processed until the error is resolved. This office will now accept credit card payments via VISA or MASTERCARD. Credit card payments will only be accepted after the completed test reports have been received by NCDOH. All credit card payments can be made over the telephone or in-person.

PLEASE NOTE: All Fire Districts/Departments and Nassau County Municipal facilities are fee-exempt.

9. All test results and associated fees must be forwarded to this Department no later than 30 days after the test date.
10. Submission of Reports and Fees: As of **December 15, 2022** this Department will no longer be accepting hard-copy reports of Functionality and Tightness Testing. The procedure for the submission of reports and payments will be as follows:
 - a. Digital copies of the testing reports will need to be e-mailed to mmarrano@nassaucountyny.gov AND petroleumstorage@nassaucountyny.gov. Each report will need to be submitted as a single document – please do not send individual pages as individual attachments as such submissions will be rejected.
 - b. Payments can continue to be submitted either via check or credit card (Visa/Mastercard). If you are submitting a check, please be sure to include the test confirmation #, NCDOH Facility ID# and Facility address on the check memo or attached note. If you are submitting a single check to cover multiple tests, please detail how the payment should be distributed (i.e., \$555 for Facility ID #12345 at 123 Main St., Farmingdale and \$185 for Facility ID #67891 at 456 Smith St., Floral Park, etc.) on an attached note/transmission letter. If you intend to pay by credit card, please include the name and phone number of the contact person at your company that should be called for credit card information in the body of the e-mail that contains the attached test report(s).

This office will endeavor to contact all entities involved in the work discussed in this letter in a timely manner as the policy is amended. If there are any questions regarding this policy or anything related to tank testing in general, please contact this office at any time at (516) 227-9691.

Petroleum Bulk Storage Program
Office of Toxic & Hazardous Materials Regulation