



## Petroleum Bulk Storage (PBS) Registration/Renewal Frequently Asked Questions (FAQs)

### **Question 1: Why did I get a registration renewal application?**

**Answer:** This facility's registration is due to expire and you are listed as the last known contact person to receive mailings for the facility. As a courtesy, the New York State Department of Environmental Conservation (NYSDEC) mails out renewal applications to the contact person approximately two to three months prior to the expiration of a facility's five-year registration. If you already submitted a renewal application before receiving this reminder, you can disregard this mailing.

### **Question 2: I am the new owner of an existing facility. How do I register the facility?**

**Answer:** Obtain a pre-printed transfer of ownership application by submitting a request to the appropriate NYSDEC office or sending an [email to NYSDEC](#), noting the site address and existing PBS facility identification number. Completely fill out the application form and submit it with the appropriate fee and a copy of the current deed page proving ownership to the NYSDEC regional office for the county where the facility is located. The application must be submitted within 30 days of the transfer of ownership (see 6 NYCRR 612.2(b)).

### **Question 3: Who should sign the registration application as the "owner" of the facility?**

**Answer:** In 2008, the law behind the petroleum bulk storage program (Environmental Conservation Law (ECL) Article 17 Title 10) was changed to make the owner of the property where the tanks are located the "facility owner." Previously, the law referred to the owner(s) of the tanks. Therefore, the owner of the property is the owner of the facility and should sign the registration application. The owner may authorize another individual, such as the tank owner or person responsible for operation of the facility, to act on the owner's behalf to complete the registration. In this case, the owner and the authorized individual should retain copies of this authorization and provide it to the NYSDEC upon request. The authorization does not need to be submitted with the registration application. The registration application form has been modified to accept information for both the facility (property) owner and for the tank owner(s).

### **Question 4: If the owner of the facility (property) and the owner(s) of the tanks are different, who is responsible for registering changes to the tanks or equipment?**

**Answer:** The facility owner is responsible for ensuring that all facility registration information is accurate and up to date. As discussed in Answer #3, the facility owner can authorize another individual to complete registration actions on their behalf but the owner is ultimately responsible and would be subject to enforcement actions if the registration is inaccurate or expires.

### **Question 5: I no longer own this facility (property). Why did I get a registration renewal application?**

**Answer:** The new owner should have registered the facility in their name soon (typically within 30 days) after acquiring the facility. If you no longer own the facility (the property where the tanks are located) but received the registration renewal application, NYSDEC apparently was not notified of the change in ownership. Please provide as much contact information for the current owner as possible (e.g., name, address, email address, phone number, etc.) and return the renewal package and current deed page (if available) to the NYSDEC office whose address is shown on the registration renewal application.

### **Question 6: Do I have to register tanks of used oil? Are these tanks subject to registration fees?**

**Answer:** All tanks storing used oil must be registered. The fees depend upon the total petroleum storage capacity of the facility, how it is used, and whether it is stored above ground or below ground. For more information, refer to the [Petroleum Bulk Storage Registration Worksheet \(PDF\)](#) (2 page, 32 KB). Additional information about used oil can be found on the [Used Oil page](#).

**Question 7: What are the fees for registration/renewal of my facility?**

**Answer:** Fees are required for initial registrations, renewals, and changes of ownership. No fee is required for substantial tank modifications or information corrections. PBS registration fees are based on the total storage capacity of the Facility. The fees cover a five-year period. Refer to the [PBS Registration worksheet \(PDF\)](#) (2 page, 32 KB) for guidance on how to calculate required fees. If you need assistance in determining which tank (s) must be registered, and what the fee should be, please call the NYSDEC office whose number is listed on your registration/ renewal form.

**Question 8: Who do I make the check/money order payable to? Can I pay the fee electronically or complete my registration on-line?**

**Answer:** Registration/renewal fees must be paid by check or money order payable to New York State Department of Environmental Conservation (or "NYSDEC"). Neither an electronic payment option nor on-line registration are available at this time but are in development.

**Question 9: How do I indicate permanently closed tanks on my registration renewal application?**

**Answer:** You must notify the appropriate NYSDEC regional office within 30 days prior to your intended tank closure date by submitting the form entitled, "Petroleum Bulk Storage (PBS) Notification for Tank Installation, Closing, Repair or Reconditioning." This form is available on [the Forms and Instructions for the Bulk Storage Program page](#). Once the closure is complete, you are responsible for submitting a PBS application to the NYSDEC with the complete tank information including the date the action was completed. Attach to the application a closure report documenting how the tank was closed in accordance with subdivision 613.9(b). When necessary, you must also include a site assessment confirming that there is no contamination from the tank or it has been remediated and approved by the NYSDEC. Underground tanks subject to federal regulation are required to comply with the requirements of 40 CFR Part 280 regarding tank closure and for investigations and remediation of releases of petroleum.

**Question 10: How do I add tanks on my registration renewal application?**

**Answer:** You must follow the same steps as described for the closure of tanks (see Question #9) that are applicable to the installation of new tanks (notify NYSDEC within 30 days prior to installation and complete the PBS application once the installation is complete).

**Question 11: I never received my renewal application. Why not?**

**Answer:** As a courtesy, NYSDEC sends renewals out approximately two to three months prior to the registration expiration date. If the expiration date is more than three months away, the renewal was not sent out yet. If the expiration date is within one month or has already passed, call the Registration and Permits Section at (518) 402 9543. We will check our files to make sure we have your correct address. If you have changed your address or the information we have is incorrect, you must supply NYSDEC with the correct mailing address, and the renewal application will be sent out accordingly.

**Question 12: I sent in my registration/renewal application but never received a registration certificate. Why not?**

**Answer:** Call the NYSDEC office listed on the registration renewal form, and request NYSDEC to check if we received your application. If the application was considered complete and processed over a week ago, or if your check has already been cashed, your mailing address will be verified and the certificate will be re-mailed. If your application was not received, we will ask you to verify that the application was mailed to the appropriate NYSDEC office address.

**Question 13: I received my renewal application and I need to make information corrections. Can I make the corrections right on the renewal form?**

**Answer:** Yes, by crossing out the incorrect information, writing in the correct information, and sending the form with the appropriate fee for renewing the registration to the NYSDEC regional office for the county where the facility is located.

**Question 14: We received the renewal, but we are no longer the contact for this facility. What do we need to do?**

**Answer:** Notify the NYSDEC that you are no longer the contact for the facility by returning the application package to NYSDEC with an explanatory note. If you know who the new contact person is, please provide their name, mailing address, email address, and phone number.

**Question 15: How can I check if the PBS registration information that the NYSDEC has for the facility is current and accurate?**

**Answer:** Query the [NYSDEC's online Bulk Storage Database](#), by entering the facility identification number or address.

**Question 16: I received a pre-printed renewal application form but noticed a newer version posted on the NYSDEC web site. Which form do I need to use?**

**Answer:** The NYSDEC will accept submittals of PBS applications on the previous revision (2009) received by February 28, 2013. After this, applications will be returned with a request to use the revised (December 2012) application form.

**Question 17: Facility owner information is blank on my pre-printed renewal application. Do I need to fill it in?**

**Answer:** Yes. Please list the person who owns the property where the tanks and associated equipment are located. Also, make sure that the information in Section C regarding the tank owner(s) is complete and accurate. If the tank owner changes, an information correction application should be submitted to the NYSDEC within 30 days of the change.

**Question 18: I operate a retail gasoline facility and store kerosene for resale/redistribution. However, the pre-printed renewal application lists the product type as "kerosene - onsite consumption." Why is this, and how do I correct this?**

**Answer:** The previous version (2009) of the PBS application had a single listing for each of the heating oils. On the revised application, this was expanded into two categories for each heating oil: heating oils (on-site consumption), and heating oils (resale/redistribution). This allows you and the NYSDEC to better determine which tanks are regulated, and what fees are applicable. In your case, you should revise the product to kerosene (resale/redistribution; code 2722) and submit this as an information correction. This concept applies to the other fuel oils also.

**Question 19: Our pre-printed PBS registration renewal application incorrectly lists our company as the Section A facility (property) owner. We own the tanks, but someone else owns the property. How do I correct this information on the PBS renewal application? Also, how do I correct this information for other PBS facilities that are not yet due for renewal?**

**Answer:** Whoever completes the application (see response to FAQ #3) will need to submit a PBS application for either **registration renewal**, an **information correction**, or **change-of-ownership** (see below to determine which transaction applies). Whenever the property is sold, a copy of the deed page showing the new owner and date acquired must be submitted with the application form. Call the appropriate NYSDEC office if you need a pre-printed application form.

**If the registration is due for renewal, the registration needs to be corrected to identify the property owner as the facility owner, but the ownership of the property has not changed since the last registration application was submitted**, submit a renewal application. Include the appropriate renewal fee when you submit your application. Mark the transaction type (on the left hand side of Section A) as "renewal" (box '5'). Fill in the property owner's information in Section A of the application (make sure property owner on the application matches the property owner on the deed) and fill in the tank owner information in Section C. Submission of the deed page is not required if facility (property) ownership has not changed since the last application was submitted.

**If the registration is otherwise up-to-date but the registration needs to be corrected to identify the property owner as the facility owner**, submit an information correction application. Mark the transaction type (on the left hand side of Section A) as "information correction" (box '4'). There is no fee for information corrections during the already-paid registration period. Fill in the facility (property) owner's information in Section A of the application (make sure property owner on the application matches the property owner on the deed) and fill in the tank owner information in Section C. Submission of the deed page is not required if property ownership has not changed since the last application was submitted.

**If the property owner HAS changed since the last registration application was submitted**, the new property owner must re-register with a change-of-ownership application and pay the required fee. Registrations are not transferrable from one property owner to the next. Mark the transaction type (on the left hand side of Section A) as "transfer of ownership" (box '2'). Fill in the facility (property) owner's information in Section A of the application (make sure property owner on the application matches the property owner on the deed) and fill in the tank owner information in Section C. Include a copy of the first page of the deed showing who owns the property and the date of ownership.

Finally, sign and return your complete application (which consists of Parts A, B and C, the registration fee (if applicable), and the deed page (if applicable), to the appropriate NYSDEC office for review and processing. In all cases, remember that signing the application certification (under penalty of perjury if knowingly incorrect) indicates that the information regarding facility (property) ownership is accurate.