



Department of
Environmental
Conservation

New York State Report to the Regional Response Team

New York State Department of Environmental Conservation

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November 8, 2023 - Middlesex County Fire Academy, Sayreville, N.J.

New Regulatory Requirements for Spill Reporting (Revision of PBS code – NYCRR Part 613)

Who has to notify DEC on spills at PBS sites:

- (1) the facility owner;
- (2) the tank system owner;
- (3) the operator;
- (4) the carrier;
- (5) any contractor in a contractual relationship with the facility owner, tank system owner, or operator;
- (6) any other party and its contractors who have been retained as part of a business transaction relating to the facility;
- (7) any person who causes a spill at the facility.

Definition of a Petroleum Bulk Storage Facility:

- (i) one or more tank systems having a combined storage capacity of more than 1,100 gallons (including a major facility)
- (ii) an underground storage tank system having a storage capacity that is greater than 110 gallons.

Exempt: Operational tanks, temporary tanks, and other specialty tanks as described under Pt. 613-1.3 (Definitions)



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Con Edison Feeder Leak – 4,600 gals. – Feeder 38M04 – 1st Ave. & 59 St., Man. (3304343) 8-19-23



Con Edison discovered dielectric fluid (DF) loss on this feeder at their 40th St. Substation – Con Ed initiated search for leak in the feeder.

8/19/23 – They found DF in sewer manholes along 1st Ave between 59th and 60th Sts. – They did a barhole survey to detect tracer gas in the DF and found the leak in an 8” line – Final loss was 4,600 gals with a loss rate of 63 gph Clamp was placed on leak on 8/22/23.

Further remedial work will need to be done.

Con Edison Feeder Leak - 8,000+ Gals. Feeder 38M13 - Fulton St. Subway Station, Man. (2305307) 9-22-23

Friday afternoon 9-22-23 Con Ed reported DF loss from 38M13, which goes from Man. To Brooklyn – Con Ed initiated search – The following morning NYCT reported oil gushing into their subway station at Fulton St. in downtown Manhattan. NYCT diverted trains off this track to allow commutation over the weekend while Con Ed raced to repair the feeder, which had lost over 8,000 gal DF. Leak was secured that Saturday afternoon and Con Ed and NYCT worked jointly under DEC's supervision to clean up the tracks and the area above the tunnel.



Drill Rig Tips Over, Spilling Diesel – Hunts Point, Bronx (2306204) 10-19-23



On 10-20-23, DEC received a report of a drill rig tipping over on a construction site in the Bronx the previous day, spilling diesel into a drain trench and onto the adjacent soils. Driver was moving the track-mounted drill rig with the drive head high up on the tower, causing an imbalance, tilting the rig into an adjacent building. Cleanup was completed in two days. Material spilled was dyed diesel, because off-road construction vehicles are exempt from fuel taxes.



Steam Line Rupture – 14th St. Generating Station, Manhattan – Asbestos Release (23056000) 9/29/23

On 9/29/23, Con Ed had an underground steam line rupture under the portion of E. 14th St. in Manhattan that is part of their generating plant facility on the East River. The steam line was insulated with ACM, so they started doing air monitoring to determine the extent of asbestos fibers in the air. This was when there was a heavy storm event in the area (5"-7" of rainfall) so that helped abate any asbestos release. Air monitoring found little or no fibers present, outside the immediate area of the rupture hole in the street. Con Ed cleaned up the adjoining areas and repaired the line.



Storm Event Floods Apartment Basement, Floating Tank, Spilling Heating Oil – 404 E. 10th St., Man. (2305624) 9-29-23



The severe storm event of 9/29 – 9/30/23 resulted in some buildings having basement flooding. If there are heating oil tanks in the basement, they are vulnerable to being compromised by the flood waters, resulting in oil spilling in the basement, and those waters.

That's what happened at 404 E. 10th St. in Manhattan. A 1500 gallon above ground fuel tank had been compromised by a basement flood, causing a release of #2 fuel oil. Most of the water drained away, but a contractor vacuumed up the remaining water and oil, and placed ventilation to remove the fuel vapors. More work is being done to clean out the residue.



“Spills 101” training course from DEC R-2

- Course given to waterway advocacy groups, agencies
- Given to Newtown Creek and Bronx River Alliances
- FDNY – Part of HMT training and also taught to FD Marine units
- Fosters understanding of 3 levels of gov’t response ability

OIL SPILL IDENTIFICATION, NOTIFICATION, AND RESPONSE PROCEDURES ("OIL SPILL 101")

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Thank You

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