

CEQR PROTOCOL AFFIDAVIT

*For Automotive Service Stations where the proposed action involves potential soil disturbance only. If your proposed action (see SOC Amendment) does not involve any potential soil disturbance, you need not complete this protocol affidavit.<sup>1</sup>*

**Re: BSA Cal. No.:**  
**Premises Affected:**

State of New York        )  
  S.S.:  
County of                    )

I, \_\_\_\_\_, being duly sworn, hereby depose and say:

- 1) I have conducted record searches and/or discussion with relevant officials of the New York State Department of Environmental Conservation (“NYS DEC”), and have determined that there have been no recorded petroleum spills on the subject property, or, if there have been recorded spills, that the NYS DEC has been appropriately notified regarding the proposed action before the BSA.
- 2) Any petroleum underground storage tanks (USTs) that are not used or will not be used under the proposed action have been or will be properly closed and/or filled as required under New York State Law.
- 3) I have verified that any active existing USTs in excess of 110 gallons that store petroleum (excluding fuel oils used consumptively on-site) have been upgraded or replaced to be in compliance with the Federal (EPA) UST regulations set forth in 40 CFR Part 280 (effective on December 22, 1998). If any new petroleum USTs are proposed to be installed on the subject site, they will be designed and constructed to be in compliance with the regulations set forth in 40 CFR Part 280.
- 4) I have conducted record searches and/or discussions with relevant officials of the New York City Fire Department (FDNY), and have determined that there are no recorded UST leaks at the premises, or, if there have been recorded UST leaks, that the FDNY has been appropriately notified regarding the proposed action before the BSA; further, that there are no pending violations at the subject premises, or, if violations are pending, I have submitted copies of such violations and information regarding their status to the BSA.

By:

Sworn to before me this \_  
day of \_\_\_\_\_, 20

Notary Public

<sup>1</sup> Examples of proposed actions that do not involve any potential soil disturbance would be the addition of new fuel dispensers to existing pump islands or non-load bearing partition changes within an accessory building. Examples of proposed actions that may potentially involve soil disturbance and therefore require the submission of a protocol affidavit include moving or adding pump islands, installation of a canopy over existing pump islands or new construction of a kiosk, lubricatorium, ect.