



BUILDINGS BULLETIN 2018-005

Operational

Supersedes: None

Issuer: Gus Sirakis, P.E.
Assistant Commissioner for Technical Affairs and Code Development

Issuance Date: June 12, 2018

Purpose: This bulletin clarifies the filing and inspection process for outdoor generators with integrated diesel fuel storage of limited size.

Related Code

| | | | | |
|--------------------|-----------------|--------|----------|------------|
| Section(s): | AC 28-116.4 | MC 811 | MC 107.2 | BC 1704.16 |
| | AC 28-116.2.4.2 | | | BC 704.17 |
| | | | | BC 1704.31 |

Subject(s): Generator, belly tank, fuel storage, outdoor fuel storage, UL 142, fuel burning equipment, certificate of compliance; B16A Certificate of Approval

A. Background

Section AC 28-116.4.1 of the Administrative Code mandates that fuel burning and fuel-oil storage equipment not be operated until the Department issues a certificate of compliance.

This bulletin clarifies that the Department will no longer inspect outdoor generator installations with integral fuel oil tanks with a capacity of 135 gallons or less, and are listed and labeled to UL 142; nor will the Department issue a B16A Certificate of Approval form for such installations, when applications are filed in accordance with this bulletin.

B. Scope

This bulletin applies only to diesel fired generators installed outdoors with integral fuel oil tanks that are listed and labeled to UL 142 "Aboveground Tanks for Flammable and Combustible Liquids", and have a tank capacity of 135 gallons or less. This bulletin shall not apply to rooftop installations, and is limited to one installation per site.

C. Filing Process

1. Work Type

Where the scope of a project comprises the installation of an outdoor diesel-fired generator with an integral fuel oil tank that is listed and labeled to UL 142 with a tank capacity of 135 gallons or fewer, the applicant must file the work as an MH work type, and a separate Fuel Storage (FS) work type is not required. Such application shall be filed as a Directive 14(D14).

2. Work Approval Application

The applicant of record shall provide the department with the equipment specifications on signed and sealed plans upon submission of the work application (PW1).

The applicant of record shall certify on the plans that the proposed fuel storage tank meets the conditions set forth in this Buildings Bulletin, and that the installation shall be conducted in accordance with the manufacturer's instructions and the requirements of the NYC Construction Code and the NYC Zoning Resolution.

3. Special Inspections and Final Inspection

The applicant of record shall indicate all required special inspections on the submitted construction documents, including but not limited to Mechanical Systems pursuant to section BC 1704.16; Fuel-Oil Storage and Fuel-Oil Piping Systems pursuant to section BC 1704.17; and Emergency and Standby Power Systems (Generators) pursuant to section BC 1704.31 when the system carries emergency and standby loads. During the course of construction, all required special inspections shall be performed by an approved inspection agency acceptable to the applicant of record.

In accordance with Administrative Code section AC 28-116.2.4.2, an approved inspection agency acceptable to the applicant of record shall perform a final inspection of the completed work. All defects noted shall be corrected. Such final inspection shall be documented, and results of the inspection shall be reported to the department on a TR-1 form.

Upon completion of work, the final TR-1 form certifying that the equipment has been inspected and installed in conformance with the approved plans shall be submitted to the Department. Upon submission of a satisfactory report of final inspection and required plans, the applicant of record shall provide the owner an affidavit which will serve as the certificate of compliance required prior to operation pursuant to the Administrative Code section 28-116.4.1 when the conditions detailed below are met. The affidavit shall indicate "Generator complying with BB 2018-005" in the section for use and operation, and shall indicate that the fuel storage tank meets the conditions below and has been installed in accordance with the manufacturer's requirements, and the requirements of the NYC Construction Codes, including but not limited to the emergency and standby generator discharge opening termination requirements of section MC 811.2. The applicant can then request a letter of completion as defined in section AC 28-116.4.

4. Certificate of Compliance for Outdoor Generators with Integrated Fuel Storage

For diesel-fired generators located outside buildings, inspection by the Department's Boiler Division is not required, provided the following conditions are met:

- 1) The generator's engine and fuel storage are integrated by the manufacturer into a single generator set;
- 2) The fuel storage tank is manufactured in accordance with and certified by the manufacturer to be compliant with the requirements of UL 142 for fuel storage tanks, and is listed and labeled;
- 3) The generator set and integrated fuel storage tank are located on grade outside the building;
- 4) The capacity of the fuel storage tank does not exceed 135 gallons; and
- 5) The emergency and standby generator discharge opening termination complies with section MC 811.2.

D. FDNY Permit Application Process:

Diesel-fired generator(s) may not be operated until a permit for the storage of fuel oil has been obtained from the New York City Fire Department. Pursuant to 29 NYC Administrative Code §105.3.9.1, a Fire Department permit shall not be issued unless proof is submitted to the Fire Department that such work has been approved by the Commissioner of Buildings. The owner shall submit to the Fire Department approved plans along with the Letter of Completion obtained from the Department of Buildings.

All submissions shall be sent to:

District Office Headquarters at (718) 999-2457/2458 to schedule an inspection; **and**
Districtofficeheadquarters@fdny.nyc.gov

Such documentation shall be kept on the premises at all times and shall be readily available for inspection by any representative of the Fire Department.