

22 Keep Gas Stations Open During Blackouts

I. Summary

Issue:

During blackouts, most service stations are unable to sell gas because the pumps rely on electricity. In the days following Superstorm Sandy, about half of NYC's service stations were not operational, delaying recovery efforts and disrupting work and life for hundreds of thousands of residents and businesses.

Recommendation:

Unless New York State passes an equivalent law, NYC should require all fuel stations to either have a backup generator or be "generator ready."

II. Proposed Legislation, Rule or Study

Amendments to the New York City Building Code:

1. Add a new section to Chapter 4 of Section 406.5 as follows:

406.5.4 Standby power systems. A standby power system complying with Section 2702 shall be provided to power the following loads:

1. All pumps used to deliver motor fuel from storage tanks;
2. Sufficient lighting as to allow for normal operation of the facility at all times;
3. All fire and safety systems required by law;
4. All communication systems;
5. Payment processing facilities sufficient for normal business processes.
Where a generator is used as the standby power system, the fuel source shall be one of the motor fuels dispensed from storage tanks at the facility.

Exception: Standby power systems are not required at facilities that provide for rapid connection to non-stationary standby generation complying with section 2702.4, provided that the facility is capable of powering all loads listed in section 406.5.4.

Require Retroactive Application:

Motor fuel-dispensing facilities shall retroactively comply with section 406.5.4 of the New York City Building Code according to the following schedule:

1. Facilities with more than twelve pumps, by January 1, 2015;
2. Facilities with six to twelve pumps, by January 1, 2017;
3. All facilities, by January 1, 2019.

III. Supporting Information

Expanded Issue and Benefits:

In the days following Superstorm Sandy, roughly half of New York City's service stations were without power and were unable sell gasoline because fuel dispenser pumps require electricity. Even when gas was available, this contributed to fuel shortages and hours-long waits for gas. The issue is especially important in less dense areas of New York City where residents and businesses are dependent on automobiles for almost all transportation, because longer trips are required and there are relatively few public transportation options.

On February 20, 2013, New York State Governor Andrew Cuomo recommended the state adopt the following provisions:

1. All gas stations within a half-mile of highway exits and hurricane evacuation routes will be required to have a transfer switch installed by March 1, 2014, and to deploy and install a generator within 24 hours of losing power during a fuel supply or energy emergency. A transfer switch means a station is pre-wired to hook up a backup generator to power the pumps and other critical equipment. This requirement applies to approximately one-third of all gas stations in the state.
2. In addition, gas station chains with 10 or more stations under common ownership in any region of the state will be required to install a transfer switch for an additional 50% of their stations by March 1, 2016, and must deploy and install a generator to these stations within 48 hours of losing power during a fuel supply or energy emergency. This requirement applies to an additional approximately 15% of gas stations.
3. As of March 1, 2014, all newly constructed gas stations or gas stations that have major renovations will be required to have a transfer switch or backup generator installed.

If the state adopts the above, the recommendations of this proposal will not be required.

Cost:

Service stations would incur the cost installing the transfer switch. However, presumably the cost will be amortized over time because service stations will remain operational during blackouts. The state may choose to ameliorate costs by making a pool of backup generators available for use by service stations during blackouts.

No cost estimation was performed for this proposal.

Implementation:

This proposal references another Task Force proposal ("Add Hookups for Temporary Generators & Boilers") that details the required electrical wiring to allow for rapid connection to portable generation (proposed section 2702.4). Similar language should be incorporated into section 406.5.4.

22 KEEP GAS STATIONS OPEN DURING BLACKOUTS

The technology to add quick connections and a transfer switch to an electric service is widely available and implemented. Generators will have to be rented during blackouts unless they are made available by the state.

Note: On March 29, 2013, New York State Governor Andrew M. Cuomo signed a new law that requires approximately half of all downstate gas stations in New York City, Long Island and Westchester and Rockland counties to have back-up power in the event of an emergency.

1. Stations within a half-mile of a highway exit or hurricane evacuation route in these downstate areas will need to be wired with a transfer switch by April 1, 2014. They must deploy and install a generator within 24 hours of losing power in an emergency.
2. In addition, 30 percent of all retail outlets that are part of a chain further than half-mile from highway exits and evacuation routes in these downstate areas will be required to install a transfer switch by August 1, 2015. They must deploy and install a generator within 48 hours of losing power.
3. All newly constructed gas stations in New York City, Long Island, Westchester and Rockland counties for which a building permit is issued on or after April 1, 2014 will be required to have wiring to deploy a generator or have a back-up generator installed.
4. Gas stations selling less than 75,000 gallons of fuel per month are exempt.

Information for gas station owners and motorists is available at nysandyhelp.ny.gov/fuel-ny. The site also includes information about NYSERDA grants available to gas station owners to defray the costs of adding alternate power sources.

Sources:

1. "Gas Station Back-Up Power Program", NYSERDA.
<http://www.nyserda.ny.gov/About/Statewide-Initiatives/Gas-Station-Back-Up-Power-Program.aspx>. Last visited June 7, 2013.
2. "Alternate generated power source at retail gasoline outlets", New York State, Section 192-h of Article 16 of the Agriculture and Markets Law, Weights and Measures.
<http://nysandyhelp.ny.gov/sites/default/files/documents/Article-16-192-h.pdf>. Last visited June 7, 2013.