

Appendix A Hazardous Materials Storage



Pursuant to the Fire Code of New York State and 19 NYCRR Part 1203, an Operating Permit is required for any activity involving the manufacture, storage, or handling of hazardous materials when:

1. The material is listed in any category found in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3), or 2703.1.1(4) of the Fire Code of New York State, and
2. The quantity of the hazardous material exceeds the threshold amount indicated in the applicable table.

This requirement applies to:

- Any structure or occupancy classified wholly or partially as Group H (High-Hazard)
- Any pre-existing, non-conforming use involving hazardous materials
- Any outdoor manufacturing, use, or storage of hazardous materials in excess of the stated thresholds
- Any physical or health hazard material quantities beyond those permitted in the referenced tables

Inspection and Compliance Requirements

An Operating Permit shall not be issued until a dedicated hazardous materials inspection has been conducted and the Village of Fonda NYS Building and Fire Code Enforcement Officer verifies full compliance with the Fire Code of New York State.

Compliance must include, but is not limited to:

- Chapter 27 of the Fire Code (Hazardous Materials General Provisions)
- Any applicable sections within Chapters 28–42, depending on the specific material and its use

A prior routine fire safety inspection is insufficient for issuing this type of permit.

Testing and Documentation

Where applicable, the applicant must provide documentation, reports, or certifications to demonstrate compliance. These may include:

- ☐ Verification of inspection and testing of all fire protection and emergency alarm systems
- ☐ Inspection reports for storage tanks, containers, or pressurized cylinders
- ☐ Completion of the Hazardous Materials Reporting Form (GML § 209-u)
 - Form available from the NYS Office of Fire Prevention and Control:
<http://www.dos.state.ny.us/fire/pdfs/forms/hm209u.pdf>
- ☐ Material Safety Data Sheets (MSDS) or Safety Data Sheets (SDS) for all regulated materials
- ☐ Affidavits or certifications of compliance with applicable State agencies, including:
 - New York State Department of Environmental Conservation (DEC)
 - New York State Department of Health (DOH)
 - New York State Department of Labor (DOL)