



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Standards Division

Stephen Benjamin
Director

September 29, 2011

Mr. Mark Obenshain
UNC Bingham Facility
UNC Div. of Facilities Se
Campus Box 1815-104
Chapel Hill, NC 27599-1815

Dear Mr. Obenshain:

This letter is in reference to violations found during an inspection of your propane bulk plant at 1907 Orange Chapel Clover Garden Rd, Bingham on September 22, 2011. The inspection at this site found six violations of the LP-Gas Law, as specified in the LP-Gas Regulations and the *LP-Gas Code*. These are listed in order of importance on the attached sheet.

At least thirty days from the date of this letter we will conduct a follow-up inspection. Items found to still be in violation at the time of that inspection could result in assessing a civil penalty of up to \$500 per violation. This civil penalty, if assessed, will be for willful violation of GS § 119-58, Gasoline and Oil Inspection and Regulation, Liquefied Petroleum Gas, Unlawful Acts.

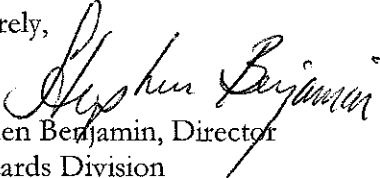
N.C.G.S. § 119-58. Unlawful acts. (a) It shall be an unlawful act for any person to:
(7) Violate any provisions of this Article or any rules adopted pursuant to this Article.

02 N.C.A.C Chapter 38, Section .0701, Adoption by Reference, where NFPA 58, the *LP-Gas Code*, is adopted with certain additions.

A copy of the inspection conducted on September 22, 2011 is enclosed. Please contact Wayne Joyce at 919-218-1304 if there are any questions or additional information you may need regarding your inspection. **Any requests for extensions to correct some items must be made prior to October 29, 2011 in writing (letter, fax, or email) to Richard Fredenburg (richard.fredenburg@ncagr.gov).**

If we can offer any assistance or information relative to these problems, please contact us.

Sincerely,


Stephen Benjamin, Director
Standards Division

cc: Richard Fredenburg

**BULK PLANT INSPECTION ITEMS SERIOUSNESS RANKING
(FAILURE ITEMS ONLY)**

Location: UNC Bingham Facility
Inspection Number: 28498
Inspection Date: September 22, 2011

CRITICAL

- 5c. Fire safety analysis (6.25.3)
- 3o. ESV has remote actuations & is operational (5.12.4/6.12.9)

MAJOR

- 1w. Tank or property identified as to owner/user (GS 119.58 (b))
- 5a. Operating procedures (14.2.1)
- 5b. Maintenance procedures (14.3.1)
- 9f. NO SMOKING sign on fence around plant (6.22.3)

MINOR

None noted

OTHER

None Noted

Violations Not Requiring Correction At This Time

None noted

Date 9-22-11 9-22-11

STANDARDS DIVISION

County Orange

L.P. Gas Inspection Report

Approved

1050 Mail Service Center Raleigh NC 27699-1050

Rejected X 6

Stephen Benjamin, Director (919) 733-3313

Site Name UNC Bingham Facility

Address 1907 Orange Chapel Clover Garden Rd Chapel Hill
File No. 2490

Number and Size of Tanks 2 @ 18,000
S/N 203485 / S/N 100471

BULK PLANT INSPECTION

Make repairs by 11-1-11, and return this entire report, duly signed, to this office

NOTE: Regulatory Cite - G.S. 19, Article 5 and 2 NCAC 38

Date ALL Repairs Completed

Inspector Wayne Joyce
Agent

Name of Service Person

I. TANKS

- a. Data Plate Legible (5.2.8.3)
- b. 250 PSI Working Pressure (5.2.4.2)
- c. Rotary Gage or Magnetic Quantity Gage (5.7.4.4)
- d. Pressure Gauge (5.7.4.4)
- e. Temperature Gauge (5.7.4.4)
- f. Contour Concrete Saddles or Welded Steel Saddle on Concrete Pier (6.6.3.1)
- g. Corrosion protection between tank & saddle (6.6.3.5)
- h. Paint (6.6.1.4)
- i. Relief Valves, proper (6.7.2.3)
- j. Relief Valve Risers, 7' (6.7.2.7)
- k. Relief Valve Riser Cover (6.7.2.4)
- l. Excess flow and back check valves located in container (5.7.8.1)
- m. Shutoff valves as close to container as practical (5.7.8.1 (E))
- n. Thermal and remote closure (6.11.3)
- o. Remote shutdown station and sign (6.11.4)(6.11.5)
- p. Leak free (6.14.1)
- q. Openings labeled LIQUID or VAPOR (5.7.8.5)
- r. Proper separation from buildings, property lines (6.3.1)
- s. 5 feet (or as req.) between tanks (6.3.1)
- t. 20 feet from other fuels greater than 660 gallons capacity (6.4.5.5)
- u. 6 feet horizontally from overhead power line of 600V or more (6.4.5.12)
- v. Protected from vehicular traffic (6.6.1.2)
- w. Tank or property identified as to owner/user. (GS 119.58 (b))

2. PIPING

- a. Proper material, schedule 40 or 80 (5.9.3.1) (6.9.3.5)
- b. Supported (6.9.3.10)
- c. Protected from vehicular traffic (6.6.1.2) (6.9.3.10)
- d. Protective coating if underground (6.9.3.14) (6.16.1) Painted if above ground (6.9.3.11)
- e. Leak free (6.14.1)
- f. Hydrostatic relief valve where liquid can be trapped (6.13)
- g. Caps on hydrostatic relief valves not pointed downward (6.7.2.4)
- h. Flexible connectors no more than 60", proper condition (6.9.6.2)

- i. Excess flow valve where pipe size decreases (5.7.8.1(H))
- j. Piping & valves on pump pressure -350 PSI min. (5.12.2)

3. TRANSFER POINTS

(Bulkhead, Rail Load, Bottle Fill)

- a. Located 10' minimum from tank (7.2.3.3)
- b. 25 feet from public ways (6.5.3)
- c. 25 feet from buildings, openings, pits, property lines, railroad tracks (6.5.3)
- d. 50 feet from outdoor public assembly (6.5.3)
- e. 5 feet from driveways (6.5.3)
- f. 20 feet from other fuels greater than 660 gallons capacity (6.4.5.5)
- g. 15 feet from non-Class I, Division 2, electrical wiring and fixture (6.2.2.2)
- h. 10 feet from containers other than those being filled -includes stored tanks (Table 6.5.3)
- i. Hoses 350 PSI-labeled, good condition (5.9.6.4)
- j. Bulkhead securely anchored (6.10.8)
- k. Bulkhead design protects plant piping (Reg. .0701 (1) (f)) (6.12.8)
- l. Automatic closure of ESVs (Reg. .0701(1)(f)) (6.12.6)
- m. Piping at bulkhead labeled &/or color coded (5.7.8.5)
- n. Back check, emergency shutoff valves (ESV) located behind bulkhead (6.12.8)
- o. ESV has remote actuations and is operational (5.12.4) (6.12.9) #2 ✓ 1x
- p. ESV thermal actuation (6.12.6) (5.12.4)
- q. ESV remote 25-100ft toward exit (6.12.10)
- r. Pump has remote cutoff switch (6.17.2.3 (D))
- s. Evidence of smoking within 25' (7.2.3.2(B))
- t. Source of ignition control (7.2.3.2)
- u. Piping designed to exclude debris (6.18.2.5)

4. TRUCKS IN BULK PLANT AREA

- a. Parked 10' minimum from tanks for loading/unloading (7.2.3.3)
- b. Chock blocks provided and used (9.4.8)
- c. Evidence of smoking in trucks (9.4.10)

5. PROCEDURES

- a. Operating procedures (14.2.1)
- b. Maintenance procedures (14.3.1)
- c. Fire safety analysis (6.25.3)

Manual

6. CYLINDER FILLING ROOM (in addition to 3)

- a. Excess Flow valve -pipe at hose (6.24.3.5)
- b. If built after 12/31/72 must comply with chapter 10 (6.18.2.2)
- c. Fire extinguisher-18 lbs dry chemical with B:C rating (6.25.4.2)

7. RAIL DELIVERY POINT (in addition to 3)

- a. Level (6.18.2.3 (A))
- b. Bumpers at end of siding (6.18.2.3 (C))
- c. Sign. TANK CAR CONNECTED (7.2.3.6 (1))
- d. Wheels chocked (7.2.3.6 (2))
- e. ESV at tank car end of hose or swivel type piping (or excess-flow for flow to car) (6.18.2.6) (7.2.3.7)

8. VAPORIZERS

- a. Make, Model, Approved (5.21)
- b. Location (6.21)

9. FIRE PROTECTION AND SECURITY

- a. Fence 6' industrial w/2 gates (6.18.4.2)
- b. Fire Extinguisher, 18 lb dry chemical with B:C rating (6.25.4.2)
- c. Combustibles, including dry weeds & grass, kept 10' from tanks and transfer points (6.4.5.2)
- d. Lighting (if night loading, unloading or operations are conducted) (6.18.5)
- e. Stored tanks kept at least 5' from Bulk Tank (6.3.1)
- f. NO SMOKING sign on fence around plant (6.22.3)
- g. ESV remote marked with sign (6.12.10 (1))
- h. Tanks stored outside fenced area must have openings plugged or capped. (5.7.7)
- i. Plant locked when unattended (6.18.4)

10. RISK MANAGEMENT PROGRAM (NCDENR Div. of Air Quality Chemical Accident Prevention Checklist) (40CFR Part 68, CAA Section 112(r))

- a. The quantity of LP-Gas stored at the facility is greater than 10,000 lbs.
- b. If propane, this facility qualifies for the Fuels Regulatory Relief Act.
- c. If required, the facility has a Risk Management Plan (RMP).

LP-Gas Inspection Report
Additional Remarks Page

STANDARDS DIVISION
1050 Mail Service Center, Raleigh, NC 27699-1050
Stephen Benjamin, Director
(919) 733-3313

This form is an attachment to LP-Gas Inspection Report:

LPG-1A #	_____
LPG-3A #	_____
LPG-4 #	_____
LPG-5 #	28498

dated 9-29-11

Additional remarks from the above LP-Gas Inspection Report are:

1W Tank / Property NOT identified as to ~~owner~~ owner / user
Provide contact info.

3-0 ONE internal Valve did NOT close on Tank S/N 203485

5A Provide correct operating procedures / Transfer procedures

5B Provide & fill out correct maintenance procedures

5c correct the following section of Fire Safety Analyzer Manual

<u>Form</u> 5.5 / 5.7, 6.2 / 9.4 / 9.5
#6 / #1 / #2
#7 / #3

9F Add some MORE NO SMOKING signs