

CHAPTER 37

HIGHLY TOXIC AND TOXIC MATERIALS

SECTION 3701 GENERAL

3701.1 Scope. The storage and use of highly toxic and toxic materials shall comply with this chapter. Compressed gases shall also comply with Chapter 30.

Exceptions:

1. Display and storage in Group M and storage in Group S occupancies complying with Section 2703.11.
2. Conditions involving pesticides or agricultural products as follows:
 - 2.1. Application and release of pesticide, agricultural products and materials intended for use in weed abatement, erosion control, soil amendment or similar applications when applied in accordance with the manufacturer's instruction and label directions.
 - 2.2. Transportation of pesticides in compliance with the Federal Hazardous Materials Transportation Act and regulations thereunder.
 - 2.3. Storage in dwellings or private garages of pesticides registered by the U.S. Environmental Protection Agency to be utilized in and around the home, garden, pool, spa and patio.

SECTION 3702 DEFINITIONS

3702.1 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

CONTAINMENT SYSTEM. A gas-tight recovery system comprised of equipment or devices which can be placed over a leak in a compressed gas container, thereby stopping or controlling the escape of gas from the leaking container.

CONTAINMENT VESSEL. A gas-tight recovery vessel designed so that a leaking compressed gas container can be placed within its confines thereby, encapsulating the leaking container.

EXCESS FLOW VALVE. A valve inserted into a compressed gas cylinder, portable tank or stationary tank that is designed to positively shut off the flow of gas in the event that its predetermined flow is exceeded.

HIGHLY TOXIC. A material which produces a lethal dose or lethal concentration which falls within any of the following categories:

1. A chemical that has a median lethal dose (LD_{50}) of 50 milligrams or less per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

2. A chemical that has a median lethal dose (LD_{50}) of 200 milligrams or less per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between 2 and 3 kilograms each.
3. A chemical that has a median lethal concentration (LC_{50}) in air of 200 parts per million by volume or less of gas or vapor, or 2 milligrams per liter or less of mist, fume or dust, when administered by continuous inhalation for one hour (or less if death occurs within 1 hour) to albino rats weighing between 200 and 300 grams each.

Mixtures of these materials with ordinary materials, such as water, might not warrant classification as highly toxic. While this system is basically simple in application, any hazard evaluation that is required for the precise categorization of this type of material shall be performed by experienced, technically competent persons.

OZONE-GAS GENERATOR. Equipment which causes the production of ozone.

REDUCED FLOW VALVE. A valve equipped with a restricted flow orifice and inserted into a compressed gas cylinder, portable tank or stationary tank that is designed to reduce the maximum flow from the valve under full-flow conditions. The maximum flow rate from the valve is determined with the valve allowed to flow to atmosphere with no other piping or fittings attached.

TOXIC. A chemical falling within any of the following categories:

1. A chemical that has a median lethal dose (LD_{50}) of more than 50 milligrams per kilogram, but not more than 500 milligrams per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.
2. A chemical that has a median lethal dose (LD_{50}) of more than 200 milligrams per kilogram but not more than 1,000 milligrams per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between 2 and 3 kilograms each.
3. A chemical that has a median lethal concentration (LC_{50}) in air of more than 200 parts per million but not more than 2,000 parts per million by volume of gas or vapor, or more than 2 milligrams per liter but not more than 20 milligrams per liter of mist, fume or dust, when administered by continuous inhalation for 1 hour (or less if death occurs within 1 hour) to albino rats weighing between 200 and 300 grams each.

SECTION 3703
HIGHLY TOXIC AND TOXIC SOLIDS AND LIQUIDS

3703.1 Indoor storage and use. The indoor storage and use of highly toxic and toxic materials shall comply with Sections 3703.1.1 through 3703.1.5.3.

3703.1.1 Quantities not exceeding the maximum allowable quantity per control area. The indoor storage or use of highly toxic and toxic solids or liquids in amounts not exceeding the maximum allowable quantity per control area indicated in Table 2703.1.1(2) shall be in accordance with Sections 2701, 2703 and 3701.

3703.1.2 Quantities exceeding the maximum allowable quantity per control area. The indoor storage or use of highly toxic and toxic solids or liquids in amounts exceeding the maximum allowable quantity per control area set forth in Table 2703.1.1(2) shall be in accordance with Sections 3701 through 3703.1.3 and Chapter 27.

3703.1.3 Treatment system—highly toxic liquids. Exhaust scrubbers or other systems for processing vapors of highly toxic liquids shall be provided where a spill or accidental release of such liquids can be expected to release highly toxic vapors at normal temperature and pressure. Treatment systems and other processing systems shall be installed in accordance with the *Mechanical Code of New York State*.

3703.1.4 Indoor storage. Indoor storage of highly toxic and toxic solids and liquids shall comply with Sections 3703.1.4.1 and 3703.1.4.2.

3703.1.4.1 Floors. In addition to the requirements set forth in Section 2704.12, floors of storage areas shall be of liquid-tight construction.

3703.1.4.2 Separation—highly toxic solids and liquids. In addition to the requirements set forth in Section 2703.9.8, highly toxic solids and liquids in storage shall be located in approved hazardous material storage cabinets or isolated from other hazardous material storage by construction in accordance with the *Building Code of New York State*.

3703.1.5 Indoor use. Indoor use of highly toxic and toxic solids and liquids shall comply with Sections 3703.1.5.1 through 3703.1.5.3.

3703.1.5.1 Liquid transfer. Highly toxic and toxic liquids shall be transferred in accordance with Section 2705.1.10.

3703.1.5.2 Exhaust ventilation for open systems. Mechanical exhaust ventilation shall be provided for highly toxic and toxic liquids used in open systems in accordance with Section 2705.2.1.1.

Exception: Liquids or solids that do not generate highly toxic or toxic fumes, mists or vapors.

3703.1.5.3 Exhaust ventilation for closed systems. Mechanical exhaust ventilation shall be provided for highly toxic and toxic liquids used in closed systems in accordance with Section 2705.2.2.2.

Exception: Liquids or solids that do not generate highly toxic or toxic fumes, mists or vapors.

3703.2 Outdoor storage and use. Outdoor storage and use of highly toxic and toxic materials shall comply with Sections 3703.2.1 through 3703.2.6.

3703.2.1 Quantities not exceeding the maximum allowable quantity per control area. The outdoor storage or use of highly toxic and toxic solids or liquids in amounts not exceeding the maximum allowable quantity per control area indicated in Table 2703.1.1(4) shall be in accordance with Sections 2701, 2703 and 3701.

3703.2.2 Quantities exceeding the maximum allowable quantity per control area. The outdoor storage or use of highly toxic and toxic solids or liquids in amounts exceeding the maximum allowable quantity per control area set forth in Table 2703.1.1(4) shall be in accordance with Sections 3701 and 3703.2 and Chapter 27.

3703.2.3 General outdoor requirements. The general requirements applicable to the outdoor storage of highly toxic or toxic solids and liquids shall be in accordance with Sections 3703.2.3.1 and 3703.2.3.2.

3703.2.3.1 Location. Outdoor storage or use of highly toxic or toxic solids and liquids shall not be located within 20 feet (6096 mm) of lot lines, public streets, public alleys, public ways, exit discharges or exterior wall openings. A 2-hour fire barrier wall without openings or penetrations extending not less than 30 inches (762 mm) above and to the sides of the storage is allowed in lieu of such distance. The wall shall either be an independent structure, or the exterior wall of the building adjacent to the storage area.

3703.2.3.2 Treatment system—highly toxic liquids. Exhaust scrubbers or other systems for processing vapors of highly toxic liquid shall be provided where a spill or accidental release of such liquids can be expected to release highly toxic vapors at normal temperature and pressure (NTP). Treatment systems and other processing systems shall be installed in accordance with the *Mechanical Code of New York State*.

3703.2.4 Outdoor storage piles. Outdoor storage piles of highly toxic and toxic solids and liquids shall be separated into piles not larger than 2,500 cubic feet (71 m³). Aisle widths between piles shall not be less than one-half the height of the pile or 10 feet (3048 mm), whichever is greater.

3703.2.5 Weather protection for highly toxic liquids and solids — outdoor storage or use. Where overhead weather protection is provided for outdoor storage or use of highly toxic liquids or solids, and the weather protection is attached to a building, the storage or use area shall either be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, or storage or use vessels shall be fire-resistance rated. Weather protection shall be provided in accordance with Section 2704.13 for storage and Section 2705.3.9 for use.

3703.2.6 Outdoor liquid transfer. Highly toxic and toxic liquids shall be transferred in accordance with Section 2705.1.10.

SECTION 3704**HIGHLY TOXIC AND TOXIC COMPRESSED GASES**

3704.1 General. The storage and use of highly toxic and toxic compressed gases shall comply with this section.

3704.1.1 Special limitations for indoor storage and use by occupancy. The indoor storage and use of highly toxic and toxic compressed gases in certain occupancies shall be subject to the limitations contained in Sections 3704.1.1.1 through 3704.1.1.3.

3704.1.1.1 Group A, E, I or U occupancies. Toxic and highly toxic compressed gases shall not be stored or used within Group A, E, I or U occupancies.

Exception: Cylinders not exceeding 20 cubic feet (0.566 m³) at normal temperature and pressure (NTP) are allowed within gas cabinets or fume hoods.

3704.1.1.2 Group R occupancies. Toxic and highly toxic compressed gases shall not be stored or used in Group R occupancies.

3704.1.1.3 Offices, retail sales and classrooms. Toxic and highly toxic compressed gases shall not be stored or used in offices, retail sales or classroom portions of Group B, F, M or S occupancies.

Exception: In classrooms of Group B occupancies, cylinders with a capacity not exceeding 20 cubic feet (0.566 m³) at NTP are allowed in gas cabinets or fume hoods.

3704.1.2 Gas cabinets. Gas cabinets containing highly toxic or toxic compressed gases shall comply with Section 2703.8.6 and the following requirements:

1. The average ventilation velocity at the face of gas cabinet access ports or windows shall not be less than 200 feet per minute (1.02 m/s) with a minimum of 150 feet per minute (0.76 m/s) at any point of the access port or window.
2. Gas cabinets shall be connected to an exhaust system.
3. Gas cabinets shall not be used as the sole means of exhaust for any room or area.
4. The maximum number of cylinders located in a single gas cabinet shall not exceed three, except that cabinets containing cylinders not over 1 pound (0.454 kg) net contents are allowed to contain up to 100 cylinders.
5. Gas cabinets required by Section 3704.2 or 3704.3 shall be equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1. Alternative fire-extinguishing systems shall not be used.

3704.1.3 Exhausted enclosures. Exhausted enclosures containing highly toxic or toxic compressed gases shall comply with Section 2703.8.5 and the following requirements:

1. The average ventilation velocity at the face of the enclosure shall not be less than 200 feet per minute (1.02 m/s) with a minimum of 150 feet per minute (0.76 m/s).
2. Exhausted enclosures shall be connected to an exhaust system.

3. Exhausted enclosures shall not be used as the sole means of exhaust for any room or area.
4. Exhausted enclosures required by Section 3704.2 or 3704.3 shall be equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1. Alternative fire-extinguishing systems shall not be used.

3704.2 Indoor storage and use. The indoor storage and use of highly toxic or toxic compressed gases shall be in accordance with Sections 3704.2.1 through 3704.2.2.10.3.

3704.2.1 Applicability. The applicability of regulations governing the indoor storage and use of highly toxic and toxic compressed gases shall be as set forth in Sections 3704.2.1.1 through 3704.2.1.3.

3704.2.1.1 Quantities not exceeding the maximum allowable quantity per control area. The indoor storage or use of highly toxic and toxic gases in amounts not exceeding the maximum allowable quantity per control area set forth in Table 2703.1.1(2) shall be in accordance with Sections 2701, 2703, 3701 and 3704.1.

3704.2.1.2 Quantities exceeding the maximum allowable quantity per control area. The indoor storage or use of highly toxic and toxic gases in amounts exceeding the maximum allowable quantity per control area set forth in Table 2703.1.1(2) shall be in accordance with Sections 3701, 3704.1, 3704.2 and Chapter 27.

3704.2.1.3 Ozone gas generators. The indoor use of ozone gas-generating equipment shall be in accordance with Section 3705.

3704.2.2 General indoor requirements. The general requirements applicable to the indoor storage and use of highly toxic and toxic compressed gases shall be in accordance with Sections 3704.2.2.1 through 3704.2.2.10.3.

3704.2.2.1 Cylinder and tank location. Cylinders shall be located within gas cabinets, exhausted enclosures or gas rooms. Portable and stationary tanks shall be located within gas rooms or exhausted enclosures.

3704.2.2.2 Ventilated areas. The room or area in which gas cabinets or exhausted enclosures are located shall be provided with exhaust ventilation. Gas cabinets or exhausted enclosures shall not be used as the sole means of exhaust for any room or area.

3704.2.2.3 Leaking cylinders and tanks. One or more gas cabinets or exhausted enclosures shall be provided to handle leaking cylinders, containers or tanks.

Exceptions:

1. Where cylinders, containers or tanks are located within gas cabinets or exhausted enclosures.
2. Where approved containment vessels or containment systems are provided in accordance with all of the following:
 - 2.1. Containment vessels or containment systems shall be capable of fully containing or terminating a release.

- 2.2. Trained personnel shall be available at an approved location.
- 2.3. Containment vessels or containment systems shall be capable of being transported to the leaking cylinder, container or tank.

3704.2.2.3.1 Location. Gas cabinets and exhausted enclosures shall be located in gas rooms and connected to an exhaust system.

3704.2.2.4 Local exhaust for portable tanks. A means of local exhaust shall be provided to capture leaks from portable tanks. The local exhaust shall consist of portable ducts or collection systems designed to be applied to the site of a leak in a valve or fitting on the tank. The local exhaust system shall be located in a gas room. Exhaust shall be directed to a treatment system in accordance with Section 3704.2.2.7.

3704.2.2.5 Piping and controls—stationary tanks. In addition to the requirements of Section 2703.2.2, piping and controls on stationary tanks shall comply with the following requirements:

- 1. Pressure relief devices shall be vented to a treatment system designed in accordance with Section 3704.2.2.7.

Exception: Pressure relief devices on outdoor tanks provided exclusively for relieving pressure due to fire exposure are not required to be vented to a treatment system provided that:

- 1. The material in the tank is not flammable.
 - 2. The tank is not located in a diked area with other tanks containing combustible materials.
 - 3. The tank is located not less than 30 feet (9144 mm) from combustible materials or structures or is shielded by a fire barrier complying with Section 3704.3.2.1.1.
- 2. Filling or dispensing connections shall be provided with a means of local exhaust. Such exhaust shall be designed to capture fumes and vapors. The exhaust shall be directed to a treatment system in accordance with Section 3704.2.2.7.
 - 3. Stationary tanks shall be provided with a means of excess flow control on all tank inlet or outlet connections.

Exceptions:

- 1. Inlet connections designed to prevent backflow.
- 2. Pressure relief devices.

3704.2.2.6 Gas rooms. Gas rooms shall comply with Section 2703.8.4 and both of the following requirements:

- 1. The exhaust ventilation from gas rooms shall be directed to an exhaust system.

- 2. Gas rooms shall be equipped with an approved automatic sprinkler system. Alternative fire-extinguishing systems shall not be used.

3704.2.2.7 Treatment systems. The exhaust ventilation from gas cabinets, exhausted enclosures and gas rooms, and local exhaust systems required in Sections 3704.2.2.4 and 3704.2.2.5 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 3704.2.2.7.1 through 3704.2.2.7.5 and Section 510 of the *Mechanical Code of New York State*.

Exceptions:

- 1. Highly toxic and toxic gases—storage. A treatment system is not required for cylinders, containers and tanks in storage when all of the following controls are provided:
 - 1.1. Valve outlets are equipped with gas-tight outlet plugs or caps.
 - 1.2. Handwheel-operated valves have handles secured to prevent movement.
 - 1.3. Approved containment vessels or containment systems are provided in accordance with Section 3704.2.2.3.
- 2. Toxic gases—use. Treatment systems are not required for toxic gases supplied by cylinders or portable tanks not exceeding 660 gallons (2 498 L) liquid capacity when the following are provided:
 - 2.1. A gas detection system with a sensing interval not exceeding 5 minutes.
 - 2.2. An approved automatic-closing fail-safe valve located immediately adjacent to cylinder valves. The fail-safe valve shall close when gas is detected at the permissible exposure limit (PEL) by a gas detection system monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room. The gas detection shall comply with Section 3704.2.2.10.

3704.2.2.7.1 Design. Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning or otherwise processing the contents of the largest single vessel of compressed gas. Where a total containment system is used, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.

3704.2.2.7.2 Performance. Treatment systems shall be designed to reduce the maximum allowable discharge concentrations of the gas to one-half immediate dangerous to life and health (IDLH) at the point of discharge to the atmosphere. Where more than one gas is emitted to the treatment system, the treatment

system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all compressed gases stored or used.

3704.2.2.7.3 Sizing. Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest vessel utilized. The entire contents of the largest compressed gas vessel shall be considered.

3704.2.2.7.4 Stationary tanks. Stationary tanks shall be labeled with the maximum rate of release for the compressed gas contained based on valves or fittings that are inserted directly into the tank. Where multiple valves or fittings are provided, the maximum flow rate of release for valves or fittings with the highest flow rate shall be indicated. Where liquefied compressed gases are in contact with valves or fittings, the liquid flow rate shall be utilized for computation purposes. Flow rates indicated on the label shall be converted to cubic feet per minute (ft³/min) (m³/s) of gas at normal temperature and pressure (NTP).

3704.2.2.7.5 Portable tanks and cylinders. The maximum flow rate of release for portable tanks and cylinders shall be calculated based on the total release from the cylinder or tank within the time specified in Table 3704.2.2.7.5. When portable tanks or cylinders are equipped with approved excess flow or reduced flow valves, the worst-case release shall be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or compressed gas supplier. Reduced flow and excess flow valves shall be permanently marked by the valve manufacturer to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under normal temperature and pressure.

**TABLE 3704.2.2.7.5
RATE OF RELEASE FOR CYLINDERS AND PORTABLE TANKS**

VESSEL TYPE	NONLIQUEFIED (minutes)	LIQUEFIED (minutes)
Containers	5	30
Portable tanks	40	240

3704.2.2.8 Emergency power. Emergency power in accordance with Chapter 27 of the *Building Code of New York State* shall be provided in lieu of standby power where any of the following systems are required:

1. Exhaust ventilation system.
2. Treatment system.
3. Gas detection system.
4. Smoke detection system.
5. Temperature control system.
6. Fire alarm system.
7. Emergency alarm system.

Exception: Emergency power is not required for mechanical exhaust ventilation, treatment systems and

temperature control systems where approved fail-safe engineered systems are installed.

3704.2.2.9 Automatic fire detection system—highly toxic compressed gases. An approved automatic fire detection system shall be installed in rooms or areas where highly toxic compressed gases are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907.

3704.2.2.10 Gas detection system. A gas detection system shall be provided to detect the presence of gas at or below the permissible exposure limit (PEL) or ceiling limit of the gas for which detection is provided. The system shall be capable of monitoring the discharge from the treatment system at or below one-half the IDLH limit.

Exception: A gas detection system is not required for toxic gases when the physiological warning properties for the gas are at a level below the accepted PEL for the gas.

3704.2.2.10.1 Alarms. The gas detection system shall initiate a local alarm and transmit a signal to a constantly attended control station when a short-term hazard condition is detected. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where gas is detected. The audible alarm shall be distinct from all other alarms.

Exception: Signal transmission to a constantly attended control station is not required where not more than one cylinder of highly toxic or toxic gas is stored.

3704.2.2.10.2 Shut off of gas supply. The gas-detection system shall automatically close the shutoff valve at the source on gas supply piping and tubing related to the system being monitored for whichever gas is detected.

Exception: Automatic shutdown is not required for reactors utilized for the production of highly toxic or toxic compressed gases where such reactors are:

1. Operated at pressures less than 15 pounds per square inch gauge (psig) (103.4 kPa).
2. Constantly attended.
3. Provided with readily accessible emergency shutoff valves.

3704.2.2.10.3 Valve closure. Automatic closure of shutoff valves shall be in accordance with the following:

1. When the gas-detection sampling point initiating the gas detection system alarm is within a gas cabinet or exhausted enclosure, the shutoff valve in the gas cabinet or exhausted enclosure for the specific gas detected shall automatically close.
2. Where the gas-detection sampling point initiating the gas detection system alarm is within a gas room and compressed gas containers are

not in gas cabinets or exhausted enclosures, the shutoff valves on all gas lines for the specific gas detected shall automatically close.

3. Where the gas-detection sampling point initiating the gas detection system alarm is within a piping distribution manifold enclosure, the shutoff valve for the compressed container of specific gas detected supplying the manifold shall automatically close.

Exception: When the gas-detection sampling point initiating the gas-detection system alarm is at a use location or within a gas valve enclosure of a branch line downstream of a piping distribution manifold, the shutoff valve in the gas valve enclosure for the branch line located in the piping distribution manifold enclosure shall automatically close.

3704.3 Outdoor storage and use. The outdoor storage and use of highly toxic and toxic compressed gases shall be in accordance with Sections 3704.3.1 through 3704.3.9.

3704.3.1 Applicability. The applicability of regulations governing the outdoor storage and use of highly toxic and toxic compressed gases shall be as set forth in Sections 3704.3.1.1 through 3704.3.1.3.

3704.3.1.1 Quantities not exceeding the maximum allowable quantity per control area. The outdoor storage or use of highly toxic and toxic gases in amounts not exceeding the maximum allowable quantity per control area set forth in Table 2703.1.1(4) shall be in accordance with Sections 2701, 2703 and 3701.

3704.3.1.2 Quantities exceeding the maximum allowable quantity per control area. The outdoor storage or use of highly toxic and toxic gases in amounts exceeding the maximum allowable quantity per control area set forth in Table 2703.1.1(4) shall be in accordance with Sections 3701 and 3704.3 and Chapter 27.

3704.3.1.3 Ozone gas generators. The outdoor use of ozone gas-generating equipment shall be in accordance with Section 3705.

3704.3.2 General outdoor requirements. The general requirements applicable to the outdoor storage and use of highly toxic and toxic compressed gases shall be in accordance with Sections 3704.3.2.1 through 3704.3.2.7.

3704.3.2.1 Location. Outdoor storage or use of highly toxic or toxic compressed gases shall be located in accordance with Sections 3704.3.2.1.1 through 3704.3.2.1.3.

Exception: Compressed gases located in gas cabinets complying with Sections 2703.8.5 and 3704.1.2 and located 5 feet (1524 mm) or more from buildings and 25 feet (7620 mm) or more from an exit discharge.

3704.3.2.1.1 Distance limitation to exposures. Outdoor storage or use of highly toxic or toxic compressed gases shall not be located within 75 feet (22 860 mm) of a lot line, public street, public alley, public way, exit discharge or building not associated with

the manufacture or distribution of such gases, unless all of the following conditions are met:

1. Storage is shielded by a 2-hour fire barrier which interrupts the line of sight between the storage and the exposure.
2. The 2-hour fire barrier shall be located at least 5 feet (1524 mm) from any exposure.
3. The 2-hour fire barrier shall not have more than two sides at approximately 90-degree (1.57 rad) directions, or three sides with connecting angles of approximately 135 degrees (2.36 rad).

3704.3.2.1.2 Openings in exposed buildings. Where the storage or use area is located closer than 75 feet (22 860 mm) to a building not associated with the manufacture or distribution of highly toxic or toxic compressed gases, openings into a building other than for piping are not allowed above the height of the top of the 2-hour fire barrier or within 50 feet (15 240 mm) horizontally from the storage area whether or not shielded by a fire barrier.

3704.3.2.1.3 Air intakes. The storage or use area shall not be located within 75 feet (22 860 mm) of air intakes.

3704.3.2.2 Leaking cylinders and tanks. The requirements of Section 3704.2.2.3 shall apply to outdoor cylinders and tanks. Gas cabinets and exhausted enclosures shall be located within or immediately adjacent to outdoor storage or use areas.

3704.3.2.3 Local exhaust for portable tanks. Local exhaust for outdoor portable tanks shall be provided in accordance with the requirements set forth in Section 3704.2.2.4.

3704.3.2.4 Piping and controls—stationary tanks. Piping and controls for outdoor stationary tanks shall be in accordance with the requirements set forth in Section 3704.2.2.5.

3704.3.2.5 Treatment systems. The treatment system requirements set forth in Section 3704.2.2.7 shall apply to highly toxic or toxic gases located outdoors.

3704.3.2.6 Emergency power. The requirements for emergency power set forth in Section 3704.2.2.8 shall apply to highly toxic or toxic gases located outdoors.

3704.3.2.7 Gas detection system. The gas detection system requirements set forth in Section 3704.2.2.10 shall apply to highly toxic or toxic gases located outdoors.

3704.3.3 Outdoor storage weather protection for portable tanks and cylinders. Weather protection in accordance with Section 2704.13 shall be provided for portable tanks and cylinders located outdoors and not within gas cabinets or exhausted enclosures. The storage area shall be equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1.

Exception: An automatic sprinkler system is not required when:

1. All materials under the weather protection structure, including hazardous materials and the containers in which they are stored, are noncombustible.
2. The weather protection structure is located not less than 30 feet (9144 mm) from combustible materials or structures or is separated from such materials or structures using a fire barrier complying with Section 3704.3.2.1.1.

3704.3.4 Outdoor use of cylinders, containers and portable tanks. Cylinders, containers and portable tanks in outdoor use shall be located in gas cabinets or exhausted enclosures.

SECTION 3705 OZONE GAS GENERATORS

3705.1 Scope. Ozone gas generators having a maximum ozone-generating capacity of 0.5 pound (0.23 kg) or more over a 24-hour period shall be in accordance with this section.

Exception: Ozone-generating equipment used in Group R-3 occupancies.

3705.2 Design. Ozone gas generators shall be designed, fabricated and tested in accordance with NEMA 250.

3705.3 Location. Ozone generators shall be located in approved cabinets or ozone generator rooms in accordance with Section 3705.3.1 or 3705.3.2.

Exception: An ozone gas generator within an approved pressure vessel when located outside of buildings.

3705.3.1 Cabinets. Ozone cabinets shall be constructed of approved materials and compatible with ozone. Cabinets shall display an approved sign stating: OZONE GAS GENERATOR—HIGHLY TOXIC—OXIDIZER.

Cabinets shall be braced for seismic activity in accordance with the *Building Code of New York State*.

Cabinets shall be mechanically ventilated in accordance with the *Mechanical Code of New York State* with a minimum of six air changes per hour.

The average velocity of ventilation at makeup air openings with cabinet doors closed shall not be less than 200 feet per minute (1.02 m/s).

3705.3.2 Ozone gas generator rooms. Ozone gas generator rooms shall be mechanically ventilated in accordance with the *Mechanical Code of New York State* with a minimum of six air changes per hour. Ozone gas generator rooms shall be equipped with a continuous gas detection system which will shut off the generator and sound a local alarm when concentrations above the permissible exposure limit occur.

Ozone gas-generator rooms shall not be normally occupied, and such rooms shall be kept free of combustible and hazardous material storage. Room access doors shall display an approved sign stating: OZONE GAS GENERATOR—HIGHLY TOXIC—OXIDIZER.

3705.4 Piping, valves and fittings. Piping, valves, fittings and related components used to convey ozone shall be in accordance with Sections 3705.4.1 through 3705.4.3.

3705.4.1 Piping. Piping shall be welded stainless steel piping or tubing.

Exceptions:

1. Double-walled piping.
2. Piping, valves, fittings and related components located in exhausted enclosures.

3705.4.2 Materials. Materials shall be compatible with ozone and shall be rated for the design operating pressures.

3705.4.3 Identification. Piping shall be identified with the following: OZONE GAS—HIGHLY TOXIC—OXIDIZER.

3705.5 Automatic shutdown. Ozone gas generators shall be designed to shut down automatically under the following conditions:

1. When the dissolved ozone concentration in the water being treated is above saturation when measured at the point where the water is exposed to the atmosphere.
2. When the process using generated ozone is shut down.
3. When the gas detection system detects ozone.
4. Failure of the ventilation system for the cabinet or ozone-generator room.
5. Failure of the gas-detection system.

3705.6 Manual shutdown. Manual shutdown controls shall be provided at the generator and, where in a room, within 10 feet (3048 mm) of the main exit or exit access door.

NEW YORK STATE CODE

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