S T A T E O F N E W Y O R K

3837

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the navigation law, in relation to the detection of petroleum discharges

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 3 of section 174 of the navigation law, as amended by chapter 35 of the laws of 1985, is amended to read as follows:

3. As a condition precedent to the issuance or [renewel] RENEWAL of a license, the department OF ENVIRONMENTAL CONSERVATION shall require satisfactory evidence that the applicant has implemented or is in the process of implementing state and federal plans and regulations for control AND PROMPT DETECTION of discharges of petroleum, and the containment and removal thereof when a discharge occurs.

S 2. Subdivision 9 of section 174 of the navigation law is amended by adding a new paragraph (e) to read as follows:

(E) THE EQUIPMENT USED AT THE FACILITY TO PROMPTLY DETECT DISCHARGES OF PETROLEUM.

S 3. Section 174 of the navigation law is amended by adding two new subdivisions 12 and 13 to read as follows:

12. WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SUBDIVISION, MAJOR FACILITIES MUST INSTALL EQUIPMENT TO PROMPTLY DETECT DISCHARGES OF PETROLEUM FROM A TANK AND ANY CONNECTED PIPELINES THAT ROUTINELY CONTAIN PETROLEUM.

13. AS USED IN THIS SECTION, THE TERM "PROMPT DETECTION" MEANS THE DETECTION OF A DISCHARGE WITHIN TWENTY-FOUR HOURS, OR SOONER AS PRESCRIBED BY THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, FROM THE ONSET OF SUCH DISCHARGE.

S 4. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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