

10476

I N A S S E M B L Y

May 29, 2012

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

AN ACT to amend the environmental conservation law, in relation to
requiring the department of environmental conservation to promulgate
rules and regulations relating to gas flow meters at natural gas well
sites

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

1 Section 1. Section 23-0305 of the environmental conservation law is
2 amended by adding a new subdivision 15 to read as follows:
3 15. WITH RESPECT TO NATURAL GAS WELL SITES, THE DEPARTMENT SHALL
4 PROMULGATE RULES AND REGULATIONS THAT:
5 A. REQUIRE THAT ALL GAS WELLS CAPABLE OF PRODUCTION BE EQUIPPED WITH
6 AN ELECTRONIC FLOW METER ASSEMBLY FOR THE PURPOSE OF MONITORING SUCH
7 PRODUCTION, THE FLOW METER ASSEMBLY SHALL CONSIST OF A METER TUBE
8 CONTAINING TEST PORTS TO BE UTILIZED FOR MEASUREMENT AND TESTING OF
9 EXTRACTED GAS, SHUTOFF VALVES TO BE UTILIZED FOR THE PURPOSE OF SHUTTING
10 DOWN PORTIONS OF THE SYSTEM, AND A FLOW METERING ASSEMBLY, WHEREIN THE
11 ORIFICE IS CAPABLE OF BEING REMOVED WITHOUT SHUTTING OFF THE SYSTEM.
12 B. SHALL CAUSE TO BE COMPILED A LIST OF THIRD PARTY CONTRACTORS, FROM
13 WHICH THE GAS COMPANIES AND WELL OPERATORS SHALL SELECT FOR THIS
14 SERVICE, THAT HAVE BEEN APPROVED BY THE DEPARTMENT TO PROVIDE FOR THE
15 PURPOSE OF TESTING AND/OR CALIBRATING OF GAS FLOW METER ASSEMBLIES.
16 C. PROVIDE THAT ANY OWNER OR OPERATOR OF A NATURAL GAS WELL SITE MAY,
17 AT SUCH OWNER'S OR OPERATOR'S OWN COST, ENGAGE THE SERVICES OF A THIRD
18 PARTY CONTRACTOR FROM THE APPROVED LIST COMPILED PURSUANT TO PARAGRAPH B
19 OF THIS SUBDIVISION FOR THE PURPOSE OF CAUSING AN INDEPENDENT TEST OR
20 CALIBRATION TO BE CONDUCTED UPON THE GAS FLOW METER OR METERS CONNECTED
21 TO THE NATURAL GAS WELL SITE.
22 D. REQUIRE THAT ORIFICE METERS AND PIPING BE INSTALLED TO COMPLY WITH
23 AMERICAN GAS ASSOCIATION REPORT NO. 3, ORIFICE METERING OF NATURAL GAS
24 AND OTHER RELATED HYDROCARBON FLUIDS, THIRD EDITION, PART 2 SPECIFICA-
25 TION AND INSTALLATION REQUIREMENTS. FOR PURPOSES OF THIS SUBDIVISION,
26 "ORIFICE METER" MEANS A FLOW MEASURING DEVICE USED FOR CALCULATING THE

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

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1 PRESSURE DROP, FLOW RATE AND BEHAVIOR OF THE GAS MOVING THROUGH THE
2 PIPE.

3 E. REQUIRE THAT TESTING AND CALIBRATION OF AN ORIFICE METER PROVIDED
4 BY GAS COMPANIES OR WELL OPERATORS SHALL BE CONDUCTED ON A MONTHLY BASIS
5 DURING THE INITIAL PRODUCTION STAGES AND ON A ROUTINE BASIS THEREAFTER,
6 THE FREQUENCY OF WHICH SHALL BE DEPENDENT ON THE DEGREE OF WEAR OF THE
7 ORIFICE AND/OR FLOW CHARACTERISTICS OF THE WELL AND COMPLIANCE WITH AGA
8 SPECIFICATIONS. FOR PURPOSES OF THIS PARAGRAPH "INITIAL PRODUCTION
9 STAGE" SHALL MEAN THE INITIAL THREE YEARS FOLLOWING INSTALLATION. THE
10 ORIFICE SHALL BE REPLACED IF THE DEGREE OF WEAR OF THE ORIFICE IS NOT
11 GREATER THAN TWO PERCENT.

12 F. REQUIRE THAT COPIES OF ALL REPORTS AND RESULTS OF THE TESTS
13 CONDUCTED PURSUANT TO PARAGRAPH E OF THIS SUBDIVISION SHALL BE PROVIDED
14 TO THE COMMISSIONER, THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE
15 AND MARKETS, THE CHIEF INSPECTOR OR DIRECTOR OF THE LOCAL BUREAU OF
16 WEIGHTS AND MEASURES REPRESENTING THE GEOGRAPHIC AREA IN WHICH SUCH TEST
17 WAS CONDUCTED, AND THE ROYALTY OWNERS WHO HAVE AN INTEREST IN THE UNIT
18 SERVED BY THE WELL.

19 S 2. This act shall take effect on the one hundred eightieth day after
20 it shall have become a law; provided, however, that effective immediate-
21 ly, the addition, amendment and/or repeal of any rule or regulation
22 necessary for the implementation of this act on its effective date are
23 authorized and directed to be made and completed on or before such
24 effective date.