

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision 3 of section 174 of the navigation law, as
2 amended by chapter 35 of the laws of 1985, is amended to read as
3 follows:
4 3. As a condition precedent to the issuance or [renewal] RENEWAL of a
5 license, the department OF ENVIRONMENTAL CONSERVATION shall require
6 satisfactory evidence that the applicant has implemented or is in the
7 process of implementing state and federal plans and regulations for
8 control AND PROMPT DETECTION of discharges of petroleum, and the
9 containment and removal thereof when a discharge occurs.
10 S 2. Subdivision 9 of section 174 of the navigation law is amended by
11 adding a new paragraph (e) to read as follows:
12 (E) THE EQUIPMENT USED AT THE FACILITY TO PROMPTLY DETECT DISCHARGES
13 OF PETROLEUM.
14 S 3. Section 174 of the navigation law is amended by adding two new
15 subdivisions 12 and 13 to read as follows:
16 12. WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SUBDIVISION, MAJOR
17 FACILITIES MUST INSTALL EQUIPMENT TO PROMPTLY DETECT DISCHARGES OF
18 PETROLEUM FROM A TANK AND ANY CONNECTED PIPELINES THAT ROUTINELY CONTAIN
19 PETROLEUM.
20 13. AS USED IN THIS SECTION, THE TERM "PROMPT DETECTION" MEANS THE
21 DETECTION OF A DISCHARGE WITHIN TWENTY-FOUR HOURS, OR SOONER AS
22 PRESCRIBED BY THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, FROM THE
23 ONSET OF SUCH DISCHARGE.
24 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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