

558

2011-2012 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 5, 2011

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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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