

2741

2013-2014 Regular Sessions

I N A S S E M B L Y

January 17, 2013

Introduced by M. of A. CROUCH, MONTESANO, FINCH, CORWIN -- Multi-Sponsored by -- M. of A. BARCLAY, HAWLEY, OAKS -- 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 ASSEMBLY, 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.

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

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1 D. REQUIRE THAT ORIFICE METERS AND PIPING BE INSTALLED TO COMPLY WITH
2 AMERICAN GAS ASSOCIATION REPORT NO. 3, ORIFICE METERING OF NATURAL GAS
3 AND OTHER RELATED HYDROCARBON FLUIDS, THIRD EDITION, PART 2 SPECIFICA-
4 TION AND INSTALLATION REQUIREMENTS. FOR PURPOSES OF THIS SUBDIVISION,
5 "ORIFICE METER" MEANS A FLOW MEASURING DEVICE USED FOR CALCULATING THE
6 PRESSURE DROP, FLOW RATE AND BEHAVIOR OF THE GAS MOVING THROUGH THE
7 PIPE.

8 E. REQUIRE THAT TESTING AND CALIBRATION OF AN ORIFICE METER PROVIDED
9 BY GAS COMPANIES OR WELL OPERATORS SHALL BE CONDUCTED ON A MONTHLY BASIS
10 DURING THE INITIAL PRODUCTION STAGES AND ON A ROUTINE BASIS THEREAFTER,
11 THE FREQUENCY OF WHICH SHALL BE DEPENDENT ON THE DEGREE OF WEAR OF THE
12 ORIFICE AND/OR FLOW CHARACTERISTICS OF THE WELL AND COMPLIANCE WITH AGA
13 SPECIFICATIONS. FOR PURPOSES OF THIS PARAGRAPH "INITIAL PRODUCTION
14 STAGE" SHALL MEAN THE INITIAL THREE YEARS FOLLOWING INSTALLATION. THE
15 ORIFICE SHALL BE REPLACED IF THE DEGREE OF WEAR OF THE ORIFICE IS GREAT-
16 ER THAN TWO PERCENT.

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

23 S 2. This act shall take effect on the one hundred eightieth day after
24 it shall have become a law. Effective immediately, the addition, amend-
25 ment and/or repeal of any rule or regulation necessary for the implemen-
26 tation of this act on its effective date is authorized to be made on or
27 before such effective date.