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

6520

2013-2014 Regular Sessions

I N A S S E M B L Y

April 4, 2013

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

AN ACT to provide for the imposition of a suspension of the issuance of permits for the underground storage of natural gas or liquefied petroleum gas and requiring the department of environmental conservation to conduct an environmental quality review of such suspension

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

Section 1. There is hereby imposed a suspension of the issuance by the department of environmental conservation of permits for the underground storage of natural gas or liquefied petroleum gas, pursuant to title 13 of article 23 of the environmental conservation law.

S 2. The department of environmental conservation shall conduct a full environmental quality review, in accordance with article 8 of the environmental conservation law, of the impact of the suspension imposed by section one of this act. Such environmental quality review shall take into account the potential effects of the increased need for storage areas in the event the state authorizes high volume hydraulic fracturing and horizontal drilling for natural gas, as well as on-going drilling activities for natural gas. Such department initially shall produce and publish a scoping document detailing the findings of such review, which shall be subject to public review for not less than 60 days.

S 3. The department of environmental conservation shall provide statewide notice to the public of the availability of the draft environmental impact statement produced pursuant to the provisions of this act. Such notice shall advise the public of its right to comment upon and review such statement for a period of not less than 90 days, and the times, dates and locations of public hearings thereon to be held throughout the state.

S 4. Upon the conclusion of all public hearings upon the draft environmental impact statement, the department of environmental conservation

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

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shall consider all public comments on such statement and shall thereafter produce a final environmental impact statement. The final environmental impact statement shall be submitted to the governor and the legislature. Upon submission of such final statement, the governor and the legislature shall determine, by law, whether and when the suspension imposed by section one of this act should be repealed, and establish the conditions and requirements for the resumption of the underground storage of natural gas or liquified petroleum gas permit program.

S 5. This act shall take effect immediately.