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

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Cal. No. 396

2013-2014 Regular Sessions

I N  A S S E M B L Y

June 17, 2013

Introduced by M. of A. CAMARA, CRESPO, ZEBROWSKI -- read once and referred to the Committee on Ways and Means -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the environmental conservation law, in relation to the criteria for siting and the transportation of liquefied natural and petroleum gas

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

Section 1. Subdivision 1 of section 23-1709 of the environmental conversation law, as amended by chapter 233 of the laws of 1979, is amended to read as follows:

1. The department shall, after investigation and opportunity for public comment, [within one year from the effective date of this section] NO LATER THAN DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, adopt, and file with the secretary of state, regulations establishing criteria for the siting of liquefied natural and petroleum gas facilities. Such siting criteria shall be designed to insure the maximum safety of the public from hazards associated with liquefied natural or petroleum gas storage, transportation and conversion. The department shall also within one year from such effective date adopt regulations prescribing the form and content of applications for environmental safety permits to construct a liquefied natural or petroleum gas facility.

S 2. Subdivision 2 of section 23-1713 of the environmental conservation law, as added by chapter 892 of the laws of 1976, is amended to read as follows:

2. The department of transportation in consultation with the department of environmental conservation shall establish criteria for the safe transportation of such liquefied natural and petroleum gas. Such criteria shall take into consideration the proximity of the route or routes to contiguous populations, the capability of municipal fire departments

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

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to protect communities and contiguous populations against fire cloud damage attendant upon vapor release of the gas from its cryogenic state due to accident or malfunction in equipment, and the risk of further accident related thereto and conflagration attendant upon its ignition. Such department's criteria shall be no less restrictive than existing federal regulations. Such department shall [within one year from the effective date of this section] NO LATER THAN DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, adopt regulations prescribing the forms and procedures to be followed, which shall include notice to all affected municipal police and fire departments, for the certification of routes to be used for the safe intrastate transportation of such liquefied natural and petroleum gas.

S 3. This act shall take effect immediately.