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

5132

2015-2016 Regular Sessions

I N S E N A T E

May 4, 2015

Introduced by Sen. O'MARA -- (at request of the Department of Environmental Conservation) -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the water quality standards for coliform; and to repeal certain provisions of such law relating thereto

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

Section 1. Subparagraphs 1, 2, 4 and 7 of paragraph c of subdivision 5 of section 17-0301 of the environmental conservation law are REPEALED and subparagraphs 3, 5 and 6 are renumbered subparagraphs 1, 2 and 3.

S 2. The opening paragraph and subparagraphs 1 and 3 of paragraph c of subdivision 5 of section 17-0301 of the environmental conservation law, subparagraphs 1 and 3 as renumbered by section one of this act, are amended to read as follows:

[Organisms of the coliform group or any other organisms] PATHOGENS OR INDICATORS FOR PATHOGENS from wastes of animal or human origin shall not exceed the [following prescribed] standards for usage of the classified waters of the state[:].

(1) [Sources of water] SURFACE WATERS USED for bathing, fishing, boating, and any other usages except shellfishing for market purposes in tidal salt waters[: For such sources the monthly median coliform value for one hundred ml of sample shall not exceed two thousand four hundred from a minimum of five examinations and provided that not more than twenty percent of the samples shall exceed a coliform value of five thousand for one hundred ml of sample and provided further that surface waters] receiving treated sewage discharges which pass through residential communities where there is a potential exposure of population to the surface waters shall be protected by the requirement that all [effluents] EFFLUENT from sewage treatment plants THAT ARE REQUIRED TO PROVIDE A MINIMUM OF EFFECTIVE SECONDARY TREATMENT shall be adequately

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

LBD09611-01-5

disinfected prior to discharge into the surface waters [in order that the monthly median coliform value for one hundred ml of sample shall not exceed two thousand four hundred from a minimum of five examinations and provided that not more than twenty percent of the samples shall exceed a coliform value of five thousand for one hundred ml of sample] SUCH THAT THE WATER QUALITY STANDARDS FOR COLIFORM THAT APPLY TO THE RECEIVING WATER ARE ALSO MET IN THE EFFLUENT. SHOULD A STANDARD REPLACING COLIFORM BE ADOPTED FOR PATHOGENS OR INDICATORS OF PATHOGENS FOR SUCH WATERS, EFFLUENT FROM SEWAGE TREATMENT PLANTS THAT ARE REQUIRED TO PROVIDE A MINIMUM OF EFFECTIVE SECONDARY TREATMENT SHALL BE ADEQUATELY DISINFECTED PRIOR TO DISCHARGE INTO THE SURFACE WATER SUCH THAT WATER QUALITY STANDARDS THAT APPLY TO THE RECEIVING WATER ARE MET.

(3) When the [above prescribed] standards are exceeded the commissioner shall make an investigation to determine the source or sources of pollution. When it shall appear to the commissioner after investigation, that there has been a violation of any of the provisions of titles 1 to 11, inclusive, and title 19 of this article he OR SHE shall take further proceedings as provided in section 17-0905.

S 3. This act shall take effect immediately.