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

5411

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sen. COMRIE -- 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 and the administrative code of the city of New York, in relation to establishing a computerized database containing information relating to the storage and handling of hazardous substances and emergency responses to the release of hazardous substances

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

Section 1. Section 3-0301 of the environmental conservation law is amended by adding a new subdivision 6 to read as follows:

6. A. THE COMMISSIONER SHALL MAINTAIN A COMPUTERIZED DATA SYSTEM WHICH SHALL CONTAIN INFORMATION RELATING TO THE STORAGE AND HANDLING OF HAZARDOUS SUBSTANCES AND EMERGENCY RESPONSES TO THE RELEASE OF HAZARDOUS SUBSTANCES BY ANY AGENCY OR RESPONSIBLE PERSON. THIS SYSTEM SHALL HAVE ACCESS TO INFORMATION STORED ON OTHER COMPUTERIZED DATA SYSTEMS MAINTAINED BY AGENCIES, WHICH INFORMATION SHALL COLLECTIVELY INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(1) THE DATE AND TIME OF ALL NOTIFICATIONS RECEIVED BY THE COMMISSIONER PURSUANT TO THIS CHAPTER AND ALL RELEVANT RULES OF THE DEPARTMENT AND THE INFORMATION CONTAINED IN SUCH NOTIFICATIONS;

(2) THE DATE AND TIME OF NOTIFICATIONS RECEIVED BY THE POLICE AND FIRE DEPARTMENTS, THE EMERGENCY MEDICAL SERVICE, THE DEPARTMENT OF TRANSPORTATION AND ANY OTHER AGENCY WITH RESPECT TO THE TRANSPORT AND RELEASE OF HAZARDOUS SUBSTANCES AND THE INFORMATION CONTAINED IN SUCH NOTIFICATION;

(3) THE DATE, TIME AND LOCATION OF ALL RESPONSE MEASURES, UNDERTAKEN OR ORDERED TO BE UNDERTAKEN PURSUANT TO THIS CHAPTER, A DESCRIPTION OF SUCH RESPONSE MEASURES, THE HAZARDOUS SUBSTANCE OR SUBSTANCES RELEASED AND THE QUANTITY OF EACH HAZARDOUS SUBSTANCE RELEASED;

(4) THE LOCATION OF ALL PIPELINES WITHIN THE CITY WHICH TRANSPORT OR ARE INTENDED TO TRANSPORT ANY HAZARDOUS SUBSTANCE, PETROLEUM OR ANY

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

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PETROLEUM PRODUCT AND FOR EACH SUCH PIPELINE THE LOCATION OF EVERY VALVE OR OTHER CONTROL DEVICE WHICH MAY BE USED TO INTERRUPT THE TRANSPORT OF SUCH MATERIAL AND THE OWNER OR OPERATOR OF SUCH PIPELINE;

(5) THE INFORMATION REQUIRED TO BE REPORTED PURSUANT TO ARTICLE FORTY OF THIS CHAPTER; AND

(6) THE INVENTORY DATABASE COMPILED BY THE COMMISSIONER PURSUANT TO ARTICLE FORTY OF THIS CHAPTER.

B. ALL OF THE INFORMATION REQUIRED BY PARAGRAPH A OF THIS SUBDIVISION SHALL BE MADE AVAILABLE ON-LINE IN READ-ONLY FORM TO PERSONNEL FROM ANY AGENCY, MEMBERS OF THE LEGISLATURE AND LEGISLATIVE STAFF AND SHALL BE MADE AVAILABLE TO MEMBERS OF THE PUBLIC.

S 2. The administrative code of the city of New York is amended by adding a new section 24-613 to read as follows:

S 24-613 COMPUTERIZED DATABASE. A. THE COMMISSIONER SHALL MAINTAIN A COMPUTERIZED DATA SYSTEM WHICH SHALL CONTAIN INFORMATION RELATING TO THE STORAGE AND HANDLING OF HAZARDOUS SUBSTANCES AND EMERGENCY RESPONSES TO THE RELEASE OF HAZARDOUS SUBSTANCES BY ANY AGENCY OR RESPONSIBLE PERSON. THIS SYSTEM SHALL HAVE ACCESS TO INFORMATION STORED ON OTHER COMPUTERIZED DATA SYSTEMS MAINTAINED BY AGENCIES, WHICH INFORMATION SHALL COLLECTIVELY INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(1) THE DATE AND TIME OF ALL NOTIFICATIONS RECEIVED BY THE COMMISSIONER PURSUANT TO THIS CHAPTER AND ALL RELEVANT RULES OF THE DEPARTMENT AND THE INFORMATION CONTAINED IN SUCH NOTIFICATIONS;

(2) THE DATE AND TIME OF NOTIFICATIONS RECEIVED BY THE POLICE AND FIRE DEPARTMENTS, THE EMERGENCY MEDICAL SERVICE, THE DEPARTMENT OF TRANSPORTATION AND ANY OTHER AGENCY WITH RESPECT TO THE TRANSPORT AND RELEASE OF HAZARDOUS SUBSTANCES AND THE INFORMATION CONTAINED IN SUCH NOTIFICATION;

(3) THE DATE, TIME AND LOCATION OF ALL RESPONSE MEASURES, UNDERTAKEN OR ORDERED TO BE UNDERTAKEN PURSUANT TO THIS CHAPTER, A DESCRIPTION OF SUCH RESPONSE MEASURES, THE HAZARDOUS SUBSTANCE OR SUBSTANCES RELEASED AND THE QUANTITY OF EACH HAZARDOUS SUBSTANCE RELEASED;

(4) THE LOCATION OF ALL PIPELINES WITHIN THE CITY WHICH TRANSPORT OR ARE INTENDED TO TRANSPORT ANY HAZARDOUS SUBSTANCE, PETROLEUM OR ANY PETROLEUM PRODUCT AND FOR EACH SUCH PIPELINE THE LOCATION OF EVERY VALVE OR OTHER CONTROL DEVICE WHICH MAY BE USED TO INTERRUPT THE TRANSPORT OF SUCH MATERIAL AND THE OWNER OR OPERATOR OF SUCH PIPELINE;

(5) THE INFORMATION REQUIRED TO BE REPORTED PURSUANT TO SECTION 24-706 OF THIS TITLE; AND

(6) THE CITYWIDE FACILITY INVENTORY DATABASE COMPILED BY THE COMMISSIONER PURSUANT TO SECTION 24-707 OF THIS TITLE.

B. ALL OF THE INFORMATION REQUIRED BY SUBDIVISION A OF THIS SECTION SHALL BE MADE AVAILABLE ON-LINE IN READ-ONLY FORM TO PERSONNEL FROM ANY AGENCY, MEMBERS OF THE COUNCIL AND COUNCIL STAFF AND SHALL BE MADE AVAILABLE TO MEMBERS OF THE PUBLIC.

S 3. This act shall take effect on the ninetieth day after is shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.