

STATE OF NEW YORK

8450

IN SENATE

May 8, 2018

Introduced by Sen. O'MARA -- 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 authorizing the department of environmental conservation to temporarily waive fuel and fuel additive requirements in extreme and unusual circumstances

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 19-0301 of the environmental
2 conservation law is amended by adding a new paragraph f to read as
3 follows:

4 f. Temporarily waive specific requirements of this section, or estab-
5 lish temporary alternative requirements respecting the use of a fuel or
6 fuel additive if the department determines that:

7 (1) extreme and unusual fuel or fuel additive supply circumstances
8 exist which prevent the distribution of an adequate supply of the fuel
9 or fuel additive to consumers; and

10 (2) such extreme and unusual fuel or fuel additive supply circum-
11 stances are the result of a natural disaster, or another event that
12 could not have been reasonably foreseen.

13 A temporary fuel and fuel additive supply circumstance waiver pursuant
14 to this paragraph shall (i) be effective for a defined period of time
15 that permits a transitional period after the termination of the tempo-
16 rary waiver to permit wholesalers and retailers to blend down their
17 wholesale and retail inventory; and (ii) apply to all persons in the
18 motor fuel distribution system.

19 § 2. This act shall take effect immediately.

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

LBD15748-01-8