

# STATE OF NEW YORK

10484

## IN ASSEMBLY

April 30, 2018

Introduced by M. of A. HYNDMAN -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to direct the metropolitan transportation authority to identify flammable or hazardous materials near above-ground and grade level tracks

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

1 Section 1. The metropolitan transportation authority, in consultation  
2 with the Long Island Rail Road and other relevant agencies, including  
3 but not limited to the New York city department of transportation and  
4 the state department of transportation, shall conduct a study to examine  
5 the industrial areas located under above-ground LIRR tracks and adjacent  
6 to grade level tracks to identify unsafe and flammable materials that  
7 are exposed to commuter operations.

8 § 2. For purposes of this act:

9 (a) "LIRR" shall mean the Long Island Rail Road; and

10 (b) "grade level" shall mean where a track intersects with a highway  
11 on the same level as the highway.

12 § 3. Such study shall include, but not be limited to:

13 (a) an inspection of the industrial areas located under above-ground  
14 LIRR tracks and adjacent to grade level tracks for the purpose of identifying materials that may be hazardous or flammable. The size of such  
15 area of inspection shall be determined by the metropolitan transportation authority;  
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17 (b) an analysis of potential methods for removal of the hazardous or  
18 flammable materials, if such materials are identified;

19 (c) an analysis of the cost and economic impact of removing such materials;  
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21 (d) recommendations on how to maintain areas below or adjacent to such  
22 tracks to keep them free from hazardous or flammable materials; and

23 (e) any other issues related to the safety of such areas as determined  
24 by the chairman of the metropolitan transportation authority.

25 § 4. All departments, divisions, bureaus, commissions, districts or  
26 agencies of the state or any political subdivisions thereof shall, at  
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EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 the request of the chairman of the metropolitan transportation authori-  
2 ty, provide the authority with facilities, assistance and data that will  
3 enable the authority to carry out its powers and duties under this act.

4 § 5. Within one hundred twenty days after the effective date of this  
5 act, the chairman of the metropolitan transportation authority shall  
6 submit a written report to the governor, temporary president of the  
7 senate, speaker of the assembly and mayor of the city of New York, with  
8 the findings and recommendations of the study conducted pursuant to this  
9 act.

10 § 6. This act shall take effect immediately.