

STATE OF NEW YORK

8480

2019-2020 Regular Sessions

IN ASSEMBLY

July 17, 2019

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to requiring air and soil quality monitoring for certain projects

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

1 Section 1. The environmental conservation law is amended by adding a
2 new section 3-0323 to read as follows:

3 § 3-0323. Air and soil quality monitoring required for certain projects.

4 1. For purposes of this section, the following terms shall have the
5 following meanings:

6 (a) "development project" means a project undertaken for the purpose
7 of improvement or development of real property, including, but not
8 limited to, street, road and sewer improvements and maintenance;

9 (b) "mass transportation project" means the construction or recon-
10 struction of any rapid transit, railroad, omnibus, marine transportation
11 or other mass transportation facility; and

12 (c) "park project" means a project undertaken by a municipality, state
13 agency, public benefit corporation, public authority, or not-for-profit
14 corporation for the acquisition, development or improvement of parks,
15 preserves, beaches, shorefronts, recreational sites and facilities
16 including construction of structures, roads and parking facilities.

17 2. The department shall conduct air quality and soil quality analyses
18 of the area surrounding any development project, mass transportation
19 project or park project within a city having a population of one million
20 or more which includes the demolition of an existing building or the
21 movement of four hundred five cubic feet of soil, which analysis shall,
22 be conducted in a manner that is protective of human health and at a
23 minimum include, federal criteria pollutants including particulate
24 matter of 2.5 microns or smaller and other emissions as the commissioner
25 may specify.

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

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1 3. The department shall post the results of such air quality and soil
2 quality analyses daily at the site of such development project, mass
3 transportation project or park project.

4 § 2. This act shall take effect on the ninetieth day after it shall
5 have become a law. Effective immediately, the addition, amendment and/or
6 repeal of any rule or regulation necessary for the implementation of
7 this act on its effective date are authorized to be made and completed
8 on or before such effective date.