

STATE OF NEW YORK

2289

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. REYES, DICKENS, COLTON, GOTTFRIED, ENGLEBRIGHT, DeSTEFANO, McDONOUGH, PICHARDO, GLICK, NIOU, PERRY, RODRIGUEZ, SEAWRIGHT, BARRON, SIMON, JACOBSON -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to requiring gas pipeline facilities to accelerate the repair, rehabilitation, and replacement of equipment or pipelines that are leaking or at a high risk of leaking

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

1 Section 1. The public service law is amended by adding a new section
2 66-q to read as follows:

3 § 66-q. Pipeline modernization and consumer protection. 1. As used in
4 this section, "gas pipeline facility" means (a) a distribution facility,
5 and (b) a gas utility.

6 2. Each operator of a gas pipeline facility shall accelerate the
7 repair, rehabilitation, and replacement of gas piping or equipment that
8 is:

9 (a) leaking; or

10 (b) may pose high risks of leaking, or may no longer be fit for
11 service, because of: (i) inferior materials, (ii) poor construction
12 practices, (iii) lack of maintenance, or (iv) age.

13 3. In complying with subdivision two of this section, the commission
14 shall: (a) develop prioritized timelines to repair all leaks based on
15 the severity of the leak, including non-hazardous leaks, or replace
16 identified leaking or high-risk piping or equipment, including leaks
17 identified as part of an integrity management plan developed under this
18 section if applicable;

19 (b) adopt a cost-recovery program that includes (i) replacement plans
20 with targets and benchmarks for leaking or high-risk infrastructure
21 replacement, (ii) consideration of the economic, safety, and environ-

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

LBD00068-01-1

1 mental benefits of reduced gas leakage, including consideration of
2 reduced operation and maintenance costs and reduced costs attributable
3 to lost or unaccounted-for natural gas, and (iii) reporting on the
4 reductions in lost or unaccounted-for gas as a result of pipeline
5 replacements;

6 (c) adopt a standard definition and methodology for calculating and
7 reporting unaccounted-for gas to improve data quality;

8 (d) adopt limits on cost recovery for the lost and unaccounted-for
9 gas; and

10 (e) require use of best available technology to detect gas leaks.

11 4. No later than one year after the effective date of this section,
12 the commission shall, after notice and opportunity to comment, issue
13 non-binding guidelines identifying best practices for identifying and
14 classifying high-risk pipeline infrastructure and leaks for repair or
15 replacement.

16 5. Notwithstanding any other provision of law to the contrary, no
17 later than one year after the effective date of this section, the
18 commission shall establish and publish forms that adopt a standard defi-
19 inition and methodology for calculating and reporting unaccounted-for
20 gas, including, when possible, information on the causes of unaccount-
21 ed-for gas and the quantities associated with each cause, for use by
22 applicable state agencies to standardize the data collected on unac-
23 counted-for gas.

24 6. Operators of gas pipeline facilities in cities with a population of
25 one million or more shall establish a database of pipeline infrastruc-
26 ture that includes its age and state of repair and shall share this
27 information with the coordinated building inspection data analysis
28 system.

29 § 2. This act shall take effect immediately.