STATE OF NEW YORK

5564

2021-2022 Regular Sessions

IN SENATE

March 11, 2021

Introduced by Sen. KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT in relation to implementing a moratorium on mining within certain special groundwater protection areas where either the department of environmental conservation or a county health department has issued a written determination to the owner or operator of the mine that operation of the mine has caused or is contributing to one or more exceedances of state or federal maximum contaminant level applicable to drinking water or groundwater resources; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. No person shall operate a mine within a special groundwater protection area, designated pursuant to subdivision 1 of section 55-0113 of the environmental conservation law, and permitted by the department of environmental conservation, where either the department of environmental conservation or a county health department has issued a written determination to the owner or operator of the mine that operation of the mine has caused or is contributing to one or more exceedances of state or federal maximum contaminant level applicable to drinking water or groundwater resources. Cessation of mining operations as required by this section shall commence within 24 hours of receipt by the mine owner or operator of such written determination.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed 3 years after such date.

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

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