STATE OF NEW YORK

9370

IN SENATE

May 14, 2024

Introduced by Sen. HARCKHAM -- 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 permit modifications, suspensions, revocations, renewals, reissuances and recertifications

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

Section 1. Section 70-0115 of the environmental conservation law is amended by adding three new subdivisions 3, 4 and 5 to read as follows:

3. Any permit which does not expire pursuant to its terms and which has been in effect for more than five years shall expire on the date which is two years after the effectiveness of this subdivision, and any renewal thereof shall include an expiration date which is no later than five years after the expiration contemplated by this subdivision, unless another period for expiration of ten years or less is applicable under this chapter.

4. With respect to a permit that has been extended pursuant to subdivision two of section four hundred one of the state administrative procedure act by reason of the applicant making a timely and sufficient application, the department shall make a final determination on such application within eighteen months of the date the application is received.

5. Notwithstanding the provisions of subdivision two of section four hundred one of the state administrative procedure act, a permit that is denied or the terms of which are limited by the department as contemplated by such subdivision shall automatically be suspended on the date which is two years from the date on which the department made the determination regarding denial or limitation; provided, however, that a permit that was denied or limited as contemplated by such subdivision prior to the effectiveness of this subdivision shall not be suspended pursuant to this subdivision until the date which is two years after the effectiveness of this subdivision.

§ 2. This act shall take effect immediately.

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

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