

STATE OF NEW YORK

5353

2025-2026 Regular Sessions

IN ASSEMBLY

February 13, 2025

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

AN ACT to amend the environmental conservation law, in relation to extending the moratorium on air permit issuance and renewal for electric generating facilities that utilize a carbon-based fuel and that provide behind-the-meter electric energy consumed or utilized by cryptocurrency mining operations that use proof-of-work authentication methods to validate blockchain transactions

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

Section 1. Section 19-0331 of the environmental conservation law, as added by chapter 628 of the laws of 2022, is amended to read as follows:
§ 19-0331. Moratorium on air permit issuance and renewal.

1. For the period commencing on [~~the effective date of this section~~
November twenty-second, two thousand twenty-two and ending [~~two years after such date~~
one year after the completion of the generic environmental impact statement required pursuant to chapter six hundred twenty-eight of the laws of two thousand twenty-two, the department, after consultation with the department of public service, shall not approve a new application for or issue a new permit pursuant to this article, or article seventy of this chapter, for an electric generating facility that utilizes a carbon-based fuel and that provides, in whole or in part, behind-the-meter electric energy consumed or utilized by cryptocurrency mining operations that use proof-of-work authentication methods to validate blockchain transactions.

2. For the period commencing on [~~the effective date of this section~~
November twenty-second, two thousand twenty-two and ending [~~two years after such date~~
one year after the completion of the generic environmental impact statement required pursuant to chapter six hundred twenty-eight of the laws of two thousand twenty-two, the department shall not approve an application to renew an existing permit or issue a

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

LBD06660-01-5

1 renewal permit pursuant to this article for an electric generating
2 facility that utilizes a carbon-based fuel and that provides, in whole
3 or in part, behind-the-meter electric energy consumed or utilized by a
4 cryptocurrency mining operation that uses proof-of-work authentication
5 methods to validate blockchain transactions if the renewal application
6 seeks to increase or will allow or result in an increase in the amount
7 of electric energy consumed or utilized by a cryptocurrency mining oper-
8 ation that uses proof-of-work authentication methods to validate block-
9 chain transactions.

10 3. No cryptocurrency mining operation that uses proof-of-work authen-
11 tication methods to validate blockchain transactions shall be approved
12 for connection to the grid if the public service commission or the New
13 York independent system operator determines that such a connection
14 presents a threat to grid reliability or rate affordability.

15 § 2. This act shall take effect immediately.