STATE OF NEW YORK

8042--A

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 leak prone and increase safety reporting relating to gas pipeline leaks

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

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

§ 66-x. Gas pipeline modernization and consumer protection. 1. As used in this section:

(a) "gas pipeline facility" means a gas distribution facility or a gas utility; and

(b) "leak prone" means posing a high risk of leaking, or being no longer fit for service, because of inferior materials, poor construction practices, lack of maintenance, or age.

2. Each operator of a gas pipeline facility shall:

(a) provide the commission with an inventory of all gas piping or equipment within the operator's service area that is leaking or leak prone;

(b) repair, rehabilitate, or replace any portion of leaking gas piping to cease such leak within the timeframes established by the commission pursuant to subdivision three of this section; and

(c) replace leak prone pipe within the timeframes established by the commission pursuant to subdivision three of this section.

3. The commission shall:

(a) set standards for designating piping as leaking or leak prone;

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

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(b) develop prioritized timelines requiring an operator of gas pipeline facilities to repair, rehabilitate, or replace all leaking gas piping or equipment within an operator's service area, including non-hazardous leaks and leaks identified as part of an integrity management plan developed under this section if applicable;

(c) develop prioritized timelines requiring an operator of a gas pipeline facility to repair, rehabilitate, or replace identified leak prone piping or equipment;

(d) adopt a cost-recovery program that includes (i) replacement plans with targets and benchmarks for leaking and leak prone infrastructure, (ii) consideration of the economic, safety, and environmental benefits of reduced gas leakage, including consideration of reduced operation and maintenance costs and reduced costs attributable to reductions in lost or unaccounted-for natural gas, and (iii) reporting on the reductions in lost or unaccounted-for gas as a result of pipeline replacements required by this section;

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

(f) adopt limits on cost recovery for the lost and unaccounted-for gas;

(g) require use of best available technology to detect gas leaks; and

(h) adopt a standard for identifying the environmental risks caused by gas leaks in the gas pipeline distribution system.

4. No later than one year after the effective date of this section, the commission shall:

(a) after notice and opportunity to comment, issue rules identifying best practices for identifying and classifying leaking and leak prone pipeline infrastructure for repair, rehabilitation, or replacement, as necessary to comply with this section; and

(b) establish and publish forms that adopt a standard definition and methodology for calculating and reporting unaccounted-for gas, including, when possible, information on the causes of unaccounted-for gas and the quantities associated with each cause, for use by applicable state agencies to standardize data collected on unaccounted-for gas.

5. Operators of gas pipeline facilities in cities with a population of one million or more shall establish a database of pipeline infrastructure that includes its age and state of repair and shall share this information with the coordinated building inspection data analysis system.

6. The commission shall prescribe such rules and regulations as it may deem necessary to carry into effect the provisions of this section.

§ 2. Section 66-u of the public service law is amended by adding a new subdivision 4 to read as follows:

4. The commission shall, no later than July first of each year, provide a gas safety report to the governor, the temporary president of the senate, the speaker of the assembly, the chairperson of the senate committee on energy and telecommunications, and the chairperson of the assembly committee on energy. The commission's gas safety report shall summarize:

(a) the amount of remaining pipeline replacement work for gas corporation;

(b) the amount of annual pipeline replacement work that the department has authorized for each gas corporation for the current year and subsequent two years;

(c) the extent to which the annual authorizations described in paragraph (b) of this subdivision have been revised as a result of any ruling by the commission since the time of the last report;

(d) the amount of pipeline replacement work performed by each gas corporation in the prior calendar year;

(e) the adequacy of field personnel that each gas company has allocated toward pipeline replacement work, including the quality of any training or certifications associated with this work;

(f) any penalties, fines, or violations imposed by the department on a gas corporation for failing to complete that corporation's pipeline replacement work during the prior calendar year; and

(g) the extent to which any of the findings in the report required by this subdivision or in the report described in subdivision one of this section, or actions taken by the commission pursuant to subdivision three of this section, materially change the scope or schedule for replacing the remaining pipelines described in paragraph (a) of this subdivision.

§ 3. This act shall take effect immediately.