



The New York Water Environment Association, Inc.

The Water Quality Management Professionals

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Table 1¹

**“Active” New York Water-Related Legislative Proposals
(1/28/04)**

A218	<p>Lentol -- Requires operators of major facilities to implement plans and to install equipment for prompt detection of petroleum discharges Primary Law: Navigation Law SUMM: Amd S174, Nav L Requires the department of environmental conservation to require, as a condition precedent to the issuance or renewal of a major facility license, the submission of satisfactory evidence that the applicant has implemented, or is in the process of implementing, state and federal plans and regulations for the prompt detection of petroleum discharges; requires applicants for a major facility license to submit information, in form satisfactory to the commissioner, describing the equipment used at the facility to promptly detect petroleum discharges; requires major facilities to install equipment to promptly detect discharges of petroleum from a tank and any connected petroleum pipelines within one year of effective date; defines “prompt detection”. 01/07/04 Died In Senate 01/20/04 Passed Assembly 01/20/04 Delivered to Senate 01/20/04 Referred to Environmental Conservation</p>
A645	<p>Grannis -- Increases freshwater wetlands penalties Primary Law: Environmental Conservation Law SUMM: Amd S71-2303, En Con L Implements certain recommendations of the freshwater wetland advisory committee; increases maximum civil penalties for violations of regulations relating to freshwater wetlands from \$3,000 to \$10,000 and increases maximum criminal penalties from \$5,000 to \$10,000; permits court to order violator to restore adjacent lands to their previous condition. 03/31/03 Passed Assembly 01/07/04 Died in Senate 01/07/04 Returned to Assembly 01/07/04 Committed to rules</p>

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<p>A1250</p>	<p>Tonko (MS) -- Requires public hearing on certain projects affecting primary water supply aquifer areas to be held by the Department of Environmental Conservation or lead agency. Primary Law: Environmental Conservation Law SUMM: Amd S15-0514, En Con L Requires public hearing on projects requiring an environmental impact statement that affect primary water aquifer areas to be held by the Department of Environmental Conservation or, at the discretion of the Department, the lead agency. 03/03/03 Passed Assembly 01/26/04 Passed Assembly 01/26/04 Delivered to Senate 01/26/04 Referred to Environmental Conservation</p>
<p>A3647</p>	<p>Englebright (MS) -- Requires landowners to be notified of a petroleum discharge Primary Law: Navigation Law SUMM: Amd S175, Nav L Provides that upon notification of a petroleum discharge, the Department of Environmental Conservation shall notify landowners or tenants adjacent to or neighboring the site of the discharge whose property or drinking water supply may be potentially impacted by such discharge. 03/03/03 Passed Assembly 01/07/04 Died in Senate 01/07/04 Returned to Assembly 01/07/04 Committed to rules</p>
<p>A3884</p>	<p>DiNapoli (MS) -- Enacts the oil spill prevention enhancement act Primary Law: Navigation Law SUMM: Amd SS172, 174, 174-a, 177 & 177-b & 192, Nav L; add Art 23 Title 25 SS23-2501 - 23-2503, En Con L Enacts the oil spill prevention enhancement act to regulate the operation of petroleum bearing vessels on the navigable waters of the state; expands public service commission's authority to regulate liquid petroleum pipeline safety; requires the filling of a habitat protection plan for every major facility which engages in the transfer of petroleum and wishes to obtain a license. 06/12/03 Passed Assembly 01/07/04 Died in Senate 01/07/04 Returned to Assembly 01/07/04 Committed to rules</p>
<p>A3922A S1696</p>	<p>DiNapoli (MS) -- Bigger Better Bottle Bill. Relates to returnable beverage containers; repealer Primary Law: Environmental Conservation Law SUMM: Add SS27-1012 & 54-0704, amd SS27-1003, 27-1009 & 27-1013, rpld & add SS27-1005 & 27-1007, rpld S27-1011 sub 2, En Con L; amd S92-s, St Fin L Provides for the mandatory acceptance of empty beverage containers; allows the commissioner of environmental conservation to approve state assistance payments from deposits of beverage container refund values.</p>

	<p>02/10/03 Referred To Environmental Conservation 06/02/03 Amend And Recommit To Environmental Conservation 06/02/03 Print Number 3922a 06/10/03 Reported Referred To Codes 06/17/03 Reported Referred To Ways And Means 01/07/04 Referred To Environmental Conservation</p>
<p>A4081</p>	<p>DiNapoli (MS) -- Relates to promoting the reuse of reclaimed wastewater Primary Law: Environmental Conservation Law SUMM : Add Art 15 Title 6 SS15-0601 - 15-0605, amd S3-0301, En Con L Relates to promoting the reuse of reclaimed wastewater; requires the department of environmental conservation to develop and promulgate rules and regulations related to the permitted uses of reclaimed wastewater and operational requirements; requires a wastewater treatment facility to submit a study assessing the feasibility of utilizing reclaimed wastewater along with such facility's permit application or permit renewal application. 04/28/03 Passed Assembly 04/28/03 Referred To Environmental Conservation 04/29/03 Substituted For S893 04/29/03 3rd Reading Cal.125 06/19/03 Committed To Rules 01/07/04 Died In Senate 01/07/04 Returned To Assembly 01/07/04 Committed To Rules</p>
<p>A4106A</p>	<p>DiNapoli (MS) -- Authorizes the environmental facilities corporation to provide loans at zero percent interest to municipalities from the water pollution control revolving fund Primary Law: Public Authorities Law SUMM : Amd S1285-j, Pub Auth L Authorizes the environmental facilities corporation to provide loans at zero percent interest to municipalities from the water pollution control revolving fund for the purpose of acquiring interests in land for open space and watershed protection pursuant to a management program, plan or project. 06/09/03 Passed Assembly 01/07/04 Died In Senate 01/07/04 Returned To Assembly 01/07/04 Committed To Rules</p>
<p>A5659A</p>	<p>Smith -- Provides for the management of ballast water from shipping vessels in an effort to prevent introduction of nonindigenous species Primary Law: Environmental Conservation Law SUMM : Add Art 17 Title 21 SS17-2101 - 17-2111, En Con L Provides for the management of ballast water from shipping vessels in an effort to prevent introduction of nonindigenous species; regulates release of ballast water, and provides penalties for violations. 06/16/03 Passed Assembly 01/07/04 Died In Senate 01/07/04 Returned To Assembly 01/07/04 Committed To Rules</p>

<p>A5932</p>	<p>Brodsky (MS) -- Enacts "The Mercury-Free Water Resources and Mercury Reduction Management Strategy Act of 2003" Primary Law: Environmental Conservation Law SUMM : Add Art 15 Title 31 SS15-3101 - 15-3111, Art 27 Title 19 SS27-1901 - 27-1941, S71-2728, En Con L; amd S16, Ag & Mkts L; add S3238, Ins L Enacts "The Mercury Free Water Resources and Mercury Reduction Management Strategy Act of 2003"; provides for: disclosure of mercury content, phase-out of mercury-added products, disposal prohibition, labelling, source separation, collection, requirements for sewage treatment plants, point source release containment traps, ban on sale or distribution of certain mercury products, replacement of manometers and gas pressure regulators (agriculture dept. to handle for dairy industry), regulates dental use and bans health insurance discrimination therein, requires lamp recycling; adds all mercury-added products to state universal waste rules; provides for a state advisory committee on mercury pollution; provides for penalties for violations. 03/04/03 Referred To Environmental Conservation 01/07/04 Referred To Environmental Conservation</p>
<p>A8677</p>	<p>Rules (Magee) -- Establishes a linked deposit program where the New York state environmental facilities corporation invests moneys from the water pollution control fund Primary Law: Environmental Conservation Law SUMM : Amd SS17-1909 & 3-0301, En Con L; amd S1285-j, Pub Auth L; add Art 16 SS235 - 243, St Fin L; amd S16, Ag & Mkts L; amd SS234 & 235, add SS378-e & 380-m, Bank L; add S104-a, Exec L Establishes a linked deposit program where the New York state environmental facilities corporation invests moneys from the water pollution control revolving fund with participating lenders at reduced rates of return who would then make low-interest loans to eligible borrowers for water pollution control projects; enhances state and local efforts in reducing point-source and non-point source water pollution. 06/16/03 Passed Assembly 01/07/04 Died In Senate 01/07/04 Returned To Assembly 01/07/04 Committed To Rules</p>
<p>S893 A04081 DiNapoli (MS)</p>	<p>MARCELLINO -- Relates to promoting the reuse of reclaimed wastewater Primary Law: Environmental Conservation Law SUMM : Add Art 15 Title 6 SS15-0601 - 15-0605, amd S3-0301, En Con L Relates to promoting the reuse of reclaimed wastewater; requires the department of environmental conservation to develop and promulgate rules and regulations related to the permitted uses of reclaimed wastewater and operational requirements; requires a wastewater treatment facility to submit a study assessing the feasibility of utilizing reclaimed wastewater along with such facility's permit application or permit renewal application. 04/28/03 Passed Assembly 04/28/03 Referred To Environmental Conservation 04/29/03 Substituted For S893</p>

	<p>04/29/03 3rd Reading Cal.125 06/19/03 Committed To Rules 01/07/04 Died In Senate 01/07/04 Returned To Assembly 01/07/04 Committed To Rules 01/07/04 Referred To Environmental Conservation</p>
<p>S1966</p>	<p>LARKIN -- Provides for minimization and limitation of siting and expansion of solid waste facilities in proximity to aquifers and other public water supplies Primary Law: Environmental Conservation Law SUMM : Amd SS27-0703 & 27-0707, En Con L Provides for minimization and limitation of siting and expansion of solid waste facilities in proximity to aquifers and other public water supplies; requires the department of environmental conservation to accept and consider comments and objections from affected municipalities; requires consideration of possible over-concentration and local land use laws and plans. 06/18/03 Passed Senate 01/07/04 Died In Assembly 01/07/04 Returned To Senate 01/07/04 Referred To Environmental Conservation</p>
<p>S2059</p>	<p>FARLEY -- Repeals the Champlain Basin Compact, the Mid-Atlantic States Air Pollution Control Compact and the Delaware River Basin Water Commission Compact Primary Law: Environmental Conservation Law SUMM : Rpld Art 21 Titles 11, 15 & 17, amd SS1-0303, 3-0307 & 71-0501, En Con L Repeals the Champlain Basin Compact, the Mid-Atlantic States Air Pollution Control Compact and the Delaware River Basin Water Commission Compact; makes conforming changes. 06/04/03 Passed Senate 01/07/04 Died In Assembly 01/07/04 Referred To Environmental Conservation 01/13/04 Ordered To Third Reading Cal.62 01/21/04 Passed Senate 01/21/04 Delivered To Assembly 01/21/04 Referred To Environmental Conservation</p>
<p>S2666</p>	<p>PADAVAN -- Prohibits the discharge of used oil into sewerage systems Primary Law: Environmental Conservation Law SUMM : Amd SS17-0501 & 23-2308, En Con L Prohibits the discharge of used oil into sewerage systems; imposes a penalty of \$500 per day per violation. 03/04/03 Referred To Environmental Conservation 05/01/03 Advanced To Third Reading 06/19/03 Committed To Rules 01/07/04 Referred To Environmental Conservation</p>

S5506	<p>MARCELLINO -- Establishes a water pollution control linked deposit program and a drinking water linked deposit program Primary Law: Environmental Conservation Law SUMM : Amd SS17-1909 & 3-0301, En Con L; amd SS1285-j & 1285-m, Pub Auth L; amd SS1160 & 1161, Pub Health L; add Art 16 SS235 - 243, St Fin L; amd S16, Ag & Mkts L; add SS5-d, 378-e & 380-m, amd SS234 & 235, Bank L Establishes a water pollution control linked deposit program and a drinking water linked deposit program; creates a new article 16 in the state finance law; directs the New York state environmental facilities corporation to invest moneys from the water pollution control revolving fund and/or drinking water revolving fund with participating lenders at reduced rates of return who would then make low-interest linked loans to eligible borrowers for water pollution control and/or drinking water projects; makes related provisions. Governor's Program 06/18/03 Passed Senate 01/07/04 Died In Assembly 01/07/04 Returned To Senate 01/07/04 Referred To Environmental Conservation</p>
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