



# Senate

General Assembly

**File No. 635**

January Session, 2019

Senate Bill No. 585

*Senate, April 11, 2019*

The Committee on Environment reported through SEN. COHEN of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING AIR QUALITY MONITORING IN TOWNS NEAR THE CRICKET VALLEY ENERGY CENTER.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) The Department of  
2 Energy and Environmental Protection shall provide technical  
3 assistance and support to any municipality that purchases, leases or is  
4 provided the use of air monitoring equipment for the purpose of  
5 establishing an air quality baseline in such municipality and  
6 determining any effect on such baseline by the Cricket Valley Energy  
7 Center in the state of New York. Such technical assistance and support  
8 shall include, but not be limited to, the provision of information on  
9 best practices for the establishment of such baseline, guidance on the  
10 siting and placement of such air quality monitors, information  
11 concerning the maintenance and practices required to assure the  
12 accuracy of such monitors, proposed schedules for data retrieval from  
13 such monitors during the calendar year and review of and conclusion  
14 from the results of such data retrieval.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section

**ENV**      *Joint Favorable*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill requires the Department of Energy and Environmental Protection (DEEP) to provide technical assistance and support to any municipality that purchases or uses air monitoring equipment to: (1) establish a baseline air quality standard measurement in the region and (2) determine any effect of the Cricket Valley Energy Center in New York.<sup>1</sup>

This requirement is not anticipated to result in a fiscal impact as air monitoring equipment is already installed at the privately-operated Kent School and is being used for baseline air quality measurements. Additionally, DEEP currently has 88 staff in the Air Management Department that can provide technical assistance.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

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<sup>1</sup> The Cricket Valley Energy Center is a natural gas-fired power plant currently under construction in Dover, New York.

**OLR Bill Analysis****SB 585*****AN ACT CONCERNING AIR QUALITY MONITORING IN TOWNS NEAR THE CRICKET VALLEY ENERGY CENTER.*****SUMMARY**

This bill requires the Department of Energy and Environmental Protection (DEEP) to provide technical assistance and support to any municipality that purchases, leases, or is provided the use of air monitoring equipment to (1) establish an air quality baseline in the municipality and (2) determine any effect of the Cricket Valley Energy Center in New York on the baseline. The Cricket Valley Energy Center is a natural gas-fired power plant currently under construction in Dover, New York.

Under the bill, DEEP's assistance and support must include the following:

1. best practices for establishing the baseline,
2. guidance on siting and placing air quality monitors,
3. how to maintain and use the monitors to assure accuracy,
4. proposed schedules for retrieving monitor data during the calendar year, and
5. a review of and conclusion from the data results.

EFFECTIVE DATE: October 1, 2019

**COMMITTEE ACTION**

Environment Committee

Joint Favorable

Yea 29 Nay 0 (03/25/2019)