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§ 259.1 Scope

This Part prescribes minimum safety standards for all LNG facilities within the State of New York, except those facilities subject to the jurisdiction of the Federal Energy Regulatory Commission, or otherwise exempted under *49 CFR 193.2001(b)*.

§ 259.2 Compliance with standard code

All LNG facilities within the State of New York shall, except as otherwise provided in this Part, conform to title 49, Code of Federal Regulations, part 193, Liquefied Natural Gas Facilities; Federal Safety Standards (as described in Section 10.2 of the Title).

§ 259.3 Notification of proposed construction

(a) Initial report. At least 90 days prior to the start of construction or reconstruction of any LNG facility, each gas corporation shall file with the Office of Gas and Water of the Department of Public Service, a letter of intent, together with the design data and the specifications for the proposed facility. The Office of Gas and Water staff shall also be promptly notified of any significant change affecting the initial filing, which may occur after submission of the initial filing.

(b) Final report. Before any LNG facility is placed in operation, a report shall be filed with the Office of Gas and Water of the Department of Public Service certifying that the facility has been constructed and tested in accordance with the requirements of this Part. A summary of the results of all tests shall accompany the final report.

§ 259.4 Procedures

Each gas corporation shall file with the Office of Gas and Water of the Department of Public Service its written procedures established in compliance with 49 CFR parts 193.2503, 2509, 2513 and 2605. Revisions to these written procedures shall also be submitted to the Office of Gas and Water.

§ 259.5 Reports of accidents or leaks

(a) Each gas corporation shall report all accidents that may involve LNG facilities as a causal factor that involves injury or death to any person, any damage to the property of others, significant damage to plant property, or would cause public concern if reported by the communications media. All such accidents shall be immediately reported by telephone to the Office of Gas and Water of the Department of Public Service through its emergency notification system. A written report of the accident shall be submitted to the Office of Gas and Water within 30 days. This report shall detail, in chronological sequence, all events related to the accident, including a description of the accident itself, the cause, and the type of response by the gas corporation to the accident as well as all proposed remedial action to be taken to prevent recurrence.

(b) Each corporation shall immediately report all unplanned spills or leaks that:

(1) require taking any segment of pipeline or process area out of service;

(2) result in ignition injury or death;

(3) cause failure of a structural support; or

(4) in the judgment of the operator, could cause public concern because of coverage by the news media.

(c) Each gas corporation shall file with the Office of Gas and Water and the municipality within which its LNG facilities are located, the names, addresses, and telephone numbers of responsible corporate officials who may be contacted in the event of an emergency. Said filing is required by January 31st of each year. In the event of any changes during the year, immediate notification shall be given to the Office of Gas and Water and the affected municipality.

§ 259.6 Internal shutoff valves

Notwithstanding section 259.1 of this Part, any LNG tank temporarily taken out of service and purged to atmosphere shall be fitted with an internal shutoff valve meeting the requirements of NFPA 59A Section 6.3.3.3 (as described in Section 10.3 of this Title) prior to being put back into service.