

ASSEMBLY, No. 1713

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman ROBERT D. CLIFTON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires BPU to hold public hearings on certain proposed intrastate natural gas pipelines; requires pipeline operator to provide written notice to property owners located within blast area of certain proposed intrastate natural gas pipelines.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/19/2016)

1 AN ACT concerning the construction of certain intrastate natural gas
2 pipelines and supplementing Title 48 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. As used in P.L. , c. (C.) (pending before the
8 Legislature as this bill):

9 “Blast area” means the area that may be influenced or affected if
10 a natural gas pipeline explodes.

11 “Board” and “gas public utility” shall have the same meaning as
12 provided in section 3 of P.L.1999, c.23 (C.48:3-51).

13 “Natural gas pipeline utility” shall have the same meaning as
14 provided in section 2 of P.L.1952, c.166 (C.48:10-3).

15 “Natural gas pipeline” shall have the same meaning as “pipeline”
16 as provided in 49 C.F.R. s.192.3.

17 “Pipeline operator” means a person who owns, operates,
18 manages, or controls an intrastate natural gas pipeline, including a
19 gas public utility or a natural gas pipeline utility.

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21 2. a. Notwithstanding any law, rule, regulation, or order to the
22 contrary, the board shall hold at least one public hearing in each
23 municipality that will be affected by the construction or
24 replacement of an intrastate natural gas pipeline with a maximum
25 operating pressure in excess of 250 pounds per square inch gauge.
26 Each public hearing shall be held at least 90 days prior to the
27 board’s final decision on whether to approve the proposed
28 construction or replacement of an intrastate natural gas pipeline and
29 shall begin after 6:30 PM, Eastern Standard Time, on a weekday.
30 The public shall be allotted at least 90 minutes to speak.

31 b. Notwithstanding any law, rule, regulation, or order to the
32 contrary, a pipeline operator proposing to construct or replace an
33 intrastate natural gas pipeline with a maximum operating pressure
34 in excess of 250 pounds per square inch gauge shall provide written
35 notice at least 30 days in advance of the public hearings scheduled
36 pursuant to subsection a. of this section concerning the construction
37 or replacement of the intrastate natural gas pipeline to all property
38 owners located within the blast area of the proposed natural gas
39 pipeline, as determined by the board. The written notice shall be
40 delivered to each property owner located in the blast area by mail
41 via the United States Postal Service or other hard copy delivery
42 service.

43 c. A pipeline operator shall certify to the board in its application
44 to construct or replace an intrastate natural gas pipeline, as
45 described in subsection a. of this section, that the pipeline
46 operator’s determination of the size of the blast area comports with
47 expert knowledge, current studies, and State, federal, and industry
48 safety standards.

1 3. This act shall take effect immediately.

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STATEMENT

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6 The bill requires the New Jersey Board of Public Utilities
7 (board) to hold at least one public hearing in each municipality that
8 will be affected by the construction or replacement of an intrastate
9 natural gas pipeline with a maximum operating pressure in excess
10 of 250 pounds per square inch gauge. Each public hearing is to be
11 held at least 90 days prior to the board’s final decision on whether
12 to approve the proposed construction or replacement of an intrastate
13 natural gas pipeline, and is to begin after 6:30 PM, Eastern Standard
14 Time, on a weekday. The public is to be allotted at least 90 minutes
15 to speak.

16 The bill requires a pipeline operator proposing to construct or
17 replace an intrastate natural gas pipeline with a maximum operating
18 pressure in excess of 250 pounds per square inch gauge to provide
19 written notice at least 30 days in advance of the scheduled public
20 hearings concerning the construction or replacement of the
21 intrastate natural gas pipeline to all property owners located within
22 the blast area of the proposed natural gas pipeline. The bill defines
23 “blast area” to mean the area that may be influenced or affected if a
24 natural gas pipeline explodes.

25 Under the bill, a pipeline operator is to certify to the board in its
26 application to construct or replace an intrastate natural gas pipeline
27 that the pipeline operator’s determination of the size of the blast
28 area comports with expert knowledge, current studies, and State,
29 federal, and industry safety standards.