

ASSEMBLY, No. 1702

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

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District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman ROBERT D. CLIFTON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

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District 31 (Hudson)

SYNOPSIS

Prohibits placement of certain intrastate natural gas pipelines within 100 feet of buildings.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/23/2017)

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

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

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

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

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19 2. a. A pipeline operator shall not install or operate an
20 intrastate natural gas pipeline with a maximum operating pressure
21 in excess of 250 pounds per square inch gauge within 100 feet of a
22 building that has been issued a certificate of occupancy, provided
23 that the building is in existence prior to, or under construction at the
24 date of execution of the pipeline right-of-way or easement
25 agreement, or at the date of filing with the Clerk of the Superior
26 Court of New Jersey of a complaint in a condemnation action.

27 b. A pipeline operator shall not replace or relocate an intrastate
28 natural gas pipeline with a maximum operating pressure in excess
29 of 250 pounds per square inch gauge to a location that is within 100
30 feet of a building that has been issued a certificate of occupancy
31 without prior approval from the board.

32 c. A pipeline operator shall be exempt from the requirements in
33 subsections a. and b. of this section if the following conditions are
34 met:

35 (1) at the time of initial installation or operation of the intrastate
36 natural gas pipeline, the intrastate natural gas pipeline was located
37 within 100 feet of a building that has been issued a certificate of
38 occupancy;

39 (2) the replacement or relocation of the intrastate natural gas
40 pipeline will not decrease the distance between the intrastate natural
41 gas pipeline and the building cited in paragraph (1) of this
42 subsection; and

43 (3) the replaced or relocated intrastate natural gas pipeline will
44 be at least 100 feet away from any building that has been issued a
45 certificate of occupancy not cited in paragraph (1) of this
46 subsection.

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48 3. This act shall take effect immediately.

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STATEMENT

This bill provides that a pipeline operator is not to install or operate an intrastate natural gas pipeline (pipeline) with a maximum operating pressure in excess of 250 pounds per square inch gauge (psig) within 100 feet of any building that has been issued a certificate of occupancy, provided that the building is in existence prior to, or under construction at the date of execution of the right-of-way or easement agreement, or at the date of filing with the Clerk of the Superior Court of New Jersey of a complaint in a condemnation action.

Under the bill, a pipeline operator is to not replace or relocate a pipeline with a maximum operating pressure in excess of 250 psig to a location that is within 100 feet of a building that has been issued a certificate of occupancy without prior approval from the board.

A pipeline operator is exempt from the requirements provided in this bill if the following conditions are met: (1) at the time of initial installation or operation of the pipeline, the pipeline was located within 100 feet of a building that has been issued a certificate of occupancy; (2) the replacement or relocation of the pipeline will not decrease the distance between the pipeline and the building; and (3) the replaced or relocated pipeline will be at least 100 feet away from any building that has been issued a certificate of occupancy.

This bill codifies N.J.A.C.14:7-1.4.