

S T A T E   O F   N E W   Y O R K

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3776--A

2009-2010 Regular Sessions

I N   S E N A T E

March 31, 2009

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Introduced by Sen. THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the navigation law, in relation to notification of petroleum discharge

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     Section 1. Section 175 of the navigation law, as amended by chapter 35  
2 of the laws of 1985, is amended to read as follows:  
3     S 175. Notification by persons responsible for discharge. 1. Any  
4 person responsible for causing a discharge shall immediately notify the  
5 department pursuant to rules and regulations established by the depart-  
6 ment, but in no case later than two hours after the discharge. Failure  
7 to so notify shall make persons liable to the penalty provisions of  
8 section [192] ONE HUNDRED NINETY-TWO of this article. Notwithstanding  
9 the provisions of any other law, such notification to the department  
10 shall be deemed to fulfill the notification requirements of any other  
11 state or local law.  
12     2. UPON NOTIFICATION OF A DISCHARGE, PURSUANT TO SUBDIVISION ONE OF  
13 THIS SECTION, THE DEPARTMENT SHALL IMMEDIATELY NOTIFY THE EXECUTIVE  
14 OFFICERS OF THE COUNTY AND THE CITY, TOWN OR VILLAGE WHERE THE SPILL  
15 OCCURRED, THE SUPERINTENDENT OF THE SCHOOL DISTRICT WHERE THE SPILL  
16 OCCURRED, ALL LANDOWNERS OR TENANTS ADJACENT TO THE SITE OF THE  
17 DISCHARGE AND/OR ANY NEARBY LANDOWNERS OR TENANTS WHOSE PROPERTY OR  
18 DRINKING WATER SUPPLY MAY BE POTENTIALLY IMPACTED BY SUCH DISCHARGE.  
19     S 2. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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