S T A T E O F N E W Y O R K

3885

2011-2012 Regular Sessions

I N A S S E M B L Y

January 28, 2011

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Environmental Conservation

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:

Section 1. Section 175 of the navigation law, as amended by chapter 35 of the laws of 1985, is amended to read as follows:

S 175. Notification by persons responsible for discharge. 1. Any person responsible for causing a discharge shall immediately notify the department pursuant to rules and regulations established by the department, but in no case later than two hours after the discharge. Failure to so notify shall make persons liable to the penalty provisions of section [192] ONE HUNDRED NINETY-TWO of this article. Notwithstanding the provisions of any other law, such notification to the department shall be deemed to fulfill the notification requirements of any other state or local law.

2. UPON NOTIFICATION OF A DISCHARGE, PURSUANT TO SUBDIVISION ONE OF THIS SECTION, THE DEPARTMENT SHALL IMMEDIATELY NOTIFY THE MUNICIPAL CHIEF EXECUTIVE, ALL LANDOWNERS OR TENANTS ADJACENT TO THE SITE OF THE DISCHARGE AND/OR ANY NEARBY LANDOWNERS OR TENANTS WHOSE PROPERTY OR DRINKING WATER SUPPLY MAY BE POTENTIALLY IMPACTED BY SUCH DISCHARGE.

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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