

# STATE OF NEW YORK

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2029

2017-2018 Regular Sessions

## IN ASSEMBLY

January 17, 2017

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Introduced by M. of A. FAHY, ENGLEBRIGHT, LIFTON, ROSENTHAL, COLTON,  
OTIS, GALEF, GOTTFRIED -- read once and referred to the Committee on  
Environmental Conservation

AN ACT to amend the navigation law, in relation to notice of crude oil  
shipments to major facilities

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The navigation law is amended by adding a new section 174-c  
2 to read as follows:

3 § 174-c. Notice of crude oil shipments to major facilities. 1. A major  
4 facility that receives crude oil from a railroad car must provide  
5 advance notice to the commissioner as provided in this section. The  
6 advance notice must, at a minimum, include the route to be taken to the  
7 facility within the state, if known, and the scheduled time, location,  
8 volume, region per bill of lading, and gravity as measured by standards  
9 developed by the American petroleum institute, of crude oil received.  
10 Each week, a facility that provides advance notice under this section  
11 must provide the required information regarding the scheduled arrival of  
12 railroad cars carrying crude oil to be received by the facility in the  
13 succeeding seven-day period in a manner specified by the department. A  
14 major facility is not required to provide advance notice when there is  
15 no receipt of crude oil from a railroad car scheduled for a seven-day  
16 period.

17 2. The commissioner shall share information provided by a major facil-  
18 ity with the state emergency management office and shall provide infor-  
19 mation to any municipal emergency response agency upon request.

20 3. The commissioner must post information collected under this section  
21 on a quarterly basis on the department's internet web site provided that  
22 the information published by the commissioner may be aggregated on a  
23 statewide basis by route through the state, by week, and by type of  
24 crude oil. The report may also include other information available to

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

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1 the department including, but not limited to, place of origin, modes of  
2 transport, number of railroad cars delivering crude oil, and number and  
3 volume of spills during transport and delivery.

4 4. A facility providing advance notice under this section is not  
5 responsible for meeting advance notice timeframe requirements under  
6 subdivision one of this section in the event that the schedule of  
7 arrivals of railroad cars carrying crude oil changes during a seven-day  
8 period; provided, however that any such arrivals must be included in the  
9 following week's notice.

10 § 2. This act shall take effect on the ninetieth day after it shall  
11 have become a law.