STATE OF NEW YORK

2029

2017-2018 Regular Sessions

IN ASSEMBLY

January 17, 2017

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 Assembly, do enact as follows:

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

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

2. The commissioner shall share information provided by a major facility with the state emergency management office and shall provide information to any municipal emergency response agency upon request.

3. The commissioner must post information collected under this section on a quarterly basis on the department's internet web site provided that the information published by the commissioner may be aggregated on a statewide basis by route through the state, by week, and by type of 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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the department including, but not limited to, place of origin, modes of transport, number of railroad cars delivering crude oil, and number and volume of spills during transport and delivery.

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

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