STATE OF NEW YORK

5705

2023-2024 Regular Sessions

IN ASSEMBLY

March 22, 2023

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

AN ACT to amend the environmental conservation law and the navigation law, in relation to prohibiting the discharge of bilge water into waters of the state

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

Section 1. Section 17-0105 of the environmental conservation law is amended by adding a new subdivision 24 to read as follows:

24. "Oily bilge water" or "bilge water" means the mixture of water, oily fluids, lubricants and grease, cleaning fluids and other wastes that accumulate in the lowest part of a vessel from a variety of sources, including engines and other parts of the propulsion system, piping, and other mechanical and operational sources found throughout the machinery spaces of a vessel.

§ 2. The environmental conservation law is amended by adding a new section 17-0508 to read as follows:

§ 17-0508. Prohibition against discharge of bilge water.

1. It shall be unlawful for any person, directly or indirectly, to place, throw, deposit, or otherwise discharge into the waters of this state any bilge water as defined in subdivision twenty-four of section 17-0105 of title one of this article from any vessel, watercraft, marina or mooring.

2. For the purposes of this section "waters of the state" means all of the waterways, or bodies of water located within New York state or that part of any body of water which is adjacent to New York state over which the state has territorial jurisdictions on which watercraft may be used or operated.

3. Severability. The provisions of this section shall be severable and if any portion thereof or the applicability thereof to any person or

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

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circumstance is held invalid, the remainder of this section and the application thereof shall not be affected thereby.

§ 3. Subdivision 1 of section 33-c of the navigation law is amended by adding a new paragraph (k) to read as follows:

(k) The term "oily bilge water" or "bilge water" means the mixture of water, oily fluids, lubricants and grease, cleaning fluids and other wastes that accumulate in the lowest part of a vessel from a variety of sources, including engines and other parts of the propulsion system, piping, and other mechanical and operational sources found throughout the machinery spaces of a vessel.

§ 4. Subdivision 2 of section 33-c of the navigation law is amended by adding a new paragraph (c) to read as follows:

(c) No person, whether engaged in commerce or otherwise, shall place, throw, deposit, or discharge, or cause to be placed, thrown, deposited, or discharged any bilge water into the waters of this state, from any vessel, watercraft, marina or mooring.

§ 5. This act shall take effect immediately.