

# STATE OF NEW YORK

8617

## IN ASSEMBLY

January 12, 2024

Introduced by M. of A. FAHY -- 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:

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 shall provide  
5 advance notice to the commissioner as provided in this section. The  
6 advance notice shall, 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 shall provide the required information regarding the scheduled arrival  
12 of railroad cars carrying crude oil to be received by the facility in  
13 the succeeding seven-day period in a manner specified by the department.  
14 A major facility shall not be required to provide advance notice when  
15 there is no receipt of crude oil from a railroad car scheduled for a  
16 seven-day 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 shall post information collected under this  
21 section on a quarterly basis on the department's internet web site  
22 provided that such information published by the commissioner may be  
23 aggregated on a statewide basis by route through the state, by week, and  
24 by type of crude oil. The report may also include other information  
25 available to the department including, but not limited to, place of  
26 origin, modes of transport, number of railroad cars delivering crude  
27 oil, and number and volume of spills during transport and delivery.

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

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

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