

RESOLUTION NO. 2015107

RE: REQUEST OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) TO COMPLETE A FULL ENVIRONMENTAL IMPACT STUDY, EXAMINE THE POTENTIAL IMPACTS OF A CRUDE OIL SPILL IN OR NEAR THE HUDSON RIVER

LEGISLATORS ROLISON, FLESLAND, BOLNER, BORCHERT, HORTON, PULVER, SAGLIANO, SURMAN, WEISS, JETER-JACKSON, MAC AVERY, FARLEY, TYNER, and JOHNSON offer the following and moves its adoption:

WHEREAS, Global Company LLC has recently proposed to expand their Albany terminal to handle Tar Sands crude oil; and

WHEREAS, as a result of the presence of terminals, such as Global Company LLC's in Albany, New York, crude oil is increasingly being transported via trains and barges to refineries by way of the Hudson River, including from the heavy tar sands oil fields of Alberta, Canada; and

WHEREAS, heavy, sinking oils from tar sands formations have been found to be much more viscous than typical crude oils, making the protection of our safety and environmental health, as well as spill response and mediation, more difficult and dangerous; and

WHEREAS, approximately two (2) crude oil trains per day travel through neighboring Ulster County and one (1) barge per day carrying in excess of four million (4,000,000) gallons of oil passes between Ulster and Dutchess counties by way of the Hudson River; and

WHEREAS, these practices have not existed without incident in our area, since December 2013 there have been at least four (4) oil train derailments in New York State, one of which was in the Town of Ulster, which neighbors Dutchess County just across the Hudson River; and

WHEREAS, oil train derailments throughout the United States and Canada have cost lives, severely damaged property, and hurt the economy and environment in the area of the incidents; and

WHEREAS, Global Partners LP, through its subsidiary Global Companies LLC, has proposed expanding its oil terminals in the Town of New Windsor which will increase its capacity by between 1.3 billion and 1.8 billion gallons of crude oil per year, and the expanded facility could double the number of trains and barges carrying crude oil that pass near Dutchess County; and

WHEREAS, Dutchess County's shoreline has a great number of private residences, businesses, and parks – which are home to both people and wildlife – that would be put in danger in the event of an oil spill; and

WHEREAS, it must be the chief concern of Dutchess County regarding these practices and the proposal to expand local terminals to make sure that the environment, economy, and way of life in Dutchess County is not adversely affected by further accidents; so now, therefore be it

RESOLVED, that the Dutchess County Legislature finds the transport of crude oils by rail and barge in our region to pose a significant risk to the people and environment of Dutchess County requiring additional resources be allocated for training and emergency planning related to a potential crude oil spill; and be it further

RESOLVED, that the Dutchess County Legislature requests that the New York State Department of Environmental Conservation (DEC) complete a full environmental impact study, examine the potential impacts of a crude oil spill in or near the Hudson River to our local property and resources, and take appropriate and necessary precautions to prevent a crude oil spill from a train or barge accident along or in the Hudson River that could do serious, long-lasting damage to our environment and water supply putting lives and property at risk before Global Company LLC's proposed expansion of crude oil terminals in Albany and New Windsor takes place; and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor Andrew Cuomo, Department of Environmental Conservation Commissioner Joseph Martens, New York State Senators Sue Serino and Terrence Murphy, and New York State Assembly Members Didi Barrett, Kevin Cahill, Kieran Lalor, and Frank Skartados.

CA-083-15  
3/19/15 G-0179  
Fiscal Impact: Statement Attached.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13<sup>th</sup> day of April 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of April 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ \_\_\_\_\_

Total Current Year Revenue \$ \_\_\_\_\_  
and Source

Source of County Funds (check one):  Existing Appropriations,  Contingency,  
 Transfer of Existing Appropriations,  Additional Appropriations,  Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \$0  
Over Five Years: \$0

### Additional Comments/Explanation:

New York State Department of Environmental Conservation (DEC) must conduct a full environmental impact study and take appropriate/necessary precautions to prevent a viscous crude oil spill from a train or barge accident along or in the Hudson River that could do serious, long-lasting damage to our environment and water supply putting lives and property at risk. Failure to do so will mandate county and local governments in the vicinity of these transportation modes to appropriate even more funds for training and emergency preparedness to deal with the potential disaster. We estimate that such training and preparedness efforts could cost the County over \$25,000 and local governments \$100,000 just for essential staff to attend a three hour training on crude oil material response and clean-up. It is likely that additional, more advanced training will be needed beyond this three hour training session driving up this cost estimate.

Prepared by: Laurie Colgan, Department of Emergency Response

# FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ \_\_\_\_\_

Total Current Year Revenue \$ \_\_\_\_\_  
and Source

Source of County Funds (check one):  Existing Appropriations,  Contingency,  
 Transfer of Existing Appropriations,  Additional Appropriations,  Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_  
Over Five Years: \_\_\_\_\_

Additional Comments/Explanation:

Prepared by: Eoin Wrafter

Prepared On: 02/11/2015