

# ASSEMBLY, No. 4258

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MARCH 2, 2015

**Sponsored by:**

**Assemblyman TIM EUSTACE**

**District 38 (Bergen and Passaic)**

**Assemblyman VINCENT MAZZEO**

**District 2 (Atlantic)**

**Co-Sponsored by:**

**Assemblyman Gusciora and Assemblywoman Caride**

**SYNOPSIS**

Clarifies liability for discharges of hazardous substances from drilling platforms that enter NJ waters.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/15/2015)**

1 AN ACT concerning liability for discharges that enter State waters,  
2 and supplementing P.L.1976, c.141 (C.58:10-23.11 et seq.).

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. Any person who discharges a hazardous substance from  
8 a drilling platform, or is in any way responsible for a hazardous  
9 substance that is discharged from a drilling platform, into the waters  
10 outside the jurisdiction of the State, that enters the waters of the  
11 State, shall be liable, strictly, jointly and severally, without regard  
12 to fault, for:

13 (1) cleanup and removal costs;

14 (2) damages for injury to, destruction of, loss of, or loss of use  
15 of natural resources, including costs of assessing the damage;

16 (3) damages for injury to, or economic losses resulting from,  
17 destruction of real or personal property; and

18 (4) damages for loss of profits or impairment of earning  
19 capacity due to the injury, destruction, or loss of real or personal  
20 property, or natural resources.

21 b. Nothing in this section shall limit the liability pursuant to  
22 any other State law, or rule or regulation, or federal law of any  
23 person who discharges a hazardous substance, or is in any way  
24 responsible for a hazardous substance that is discharged, that enters  
25 the waters of the State.

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27 2. This act shall take effect immediately.

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30 STATEMENT

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32 This bill provides that any person who discharges a hazardous  
33 substance from a drilling platform, or is in any way responsible for  
34 a hazardous substance that is discharged from a drilling platform,  
35 into the waters outside the jurisdiction of the State, that enters the  
36 waters of the State, shall be liable, strictly, jointly and severally,  
37 without regard to fault: for cleanup and removal costs; damages for  
38 injury to, destruction of, loss of, or loss of use of natural resources,  
39 including costs of assessing the damage; damages for injury to, or  
40 economic losses resulting from, destruction of real or personal  
41 property; and damages for loss of profits or impairment of earning  
42 capacity due to the injury, destruction, or loss of real or personal  
43 property, or natural resources. In addition, this bill provides that  
44 the liability imposed pursuant to this bill would not in any way limit  
45 liability that otherwise may be imposed under any other State or  
46 federal law.