November **9**, 2026

The Honorable Kathy Hochul
Governor of the State of New York
NYS Capitol Building
Albany, NY 12224

Re: Russian diesel shipments approaching New York Harbor

Dear Governor Hochul:

On behalf of Greenpeace USA, I am writing to respectfully urge you to join New Jersey Governor Mikie Sherrill in keeping Russian diesel out of New York Harbor. On October 9, following an agreement between President Trump and President Putin, the Treasury Department issued General License 135, which temporarily permits imports of Russian diesel into the United States.[1] This license conflicts with the Ending Importation of Russian Oil Act, which Congress enacted in April 2022 in response to Russia's invasion of Ukraine.[2] The first tanker sent under the deal, the Agioi Fanendes, is now approaching the East Coast with about 40,000 metric tons of Russian diesel loaded at the Baltic port of Primorsk.[3] We ask that you state publicly that these shipments are not welcome in New York and take steps to ensure that neither this cargo nor future shipments are received at, or carried through, New York's ports and waters.

As of November 9 at 13:00 UTC, Greenpeace's public tanker tracker showed the Agioi Fanendes at 470 nautical miles east of New York.[4] At its current speed of 6 knots, it could reach New York Harbor in 3 days. The ship first broadcast New York as its destination. It now signals only "for orders," meaning its discharge port has not been confirmed, but it continues on a course toward the Northeast coast.[5] Nor is it likely to be the last such ship: the President has said that 500,000 tons of Russian diesel would follow in November and one million tons after that.[6]

New York Harbor is one of the largest petroleum products hubs on the East Coast,[7] and our review places it among the ports able to receive fully laden ocean-going diesel tankers.[8] The harbor's deepest fuel berths are on the New Jersey side, but any tanker bound for them must pass through New York waters on its approach.[9] A tanker too deep for a given berth may instead transfer its cargo to barges within the harbor, and barges can deliver fuel to terminals on Staten Island, including Kinder Morgan's Arthur Kill terminal.[10] New York therefore has a direct stake wherever in the harbor these cargoes are unloaded.

These shipments also carry environmental and public safety risks for New York beyond those ordinarily present for diesel fuel. Moving and discharging a laden tanker in a crowded harbor brings the risk of collision, fire or spill. Diesel is toxic to fish and wildlife, and the narrow waterways around Staten Island border homes, wetlands and nesting islands that New York has worked for decades to restore.[11] The 1990 pipeline spill in the Arthur Kill, which released more than half a million gallons of heating oil, showed how difficult a fuel spill in these waters is to contain.[12] The freighters often

associated with the Russian “Shadow Fleet” are typically older ships, many of which are operating past their traditional lifespans and/or are often registered with flag states that fail to meet their international obligations.[13]

Across the harbor, New Jersey Governor Mikie Sherrill has already taken steps to keep these shipments out of her state. On November 2, she stated publicly that Russian diesel should not come to New Jersey, and she sent a letter to the state’s port and terminal operators putting them on notice that purchasing or unloading it would likely violate the Ending Importation of Russian Oil Act, which Congress passed with bipartisan support in 2022.[14] Her letter warns that businesses and individuals could face serious civil and criminal penalties, including penalties up to the value of the cargo under federal customs law.[15] She has also urged operators to turn away any tanker carrying Russian fuel and pledged to use every available legal and regulatory tool to keep New Jersey’s facilities from being used for these imports.[16]

We share the concerns Governor Sherrill raised. A temporary Treasury license does not change the law Congress enacted,[17] and every purchase sends revenue to the Russian government while its war against Ukraine continues. As Governor Sherrill has also noted, these imports are unlikely to bring meaningful relief to families paying high fuel prices.[18]

Governor Sherrill’s action appears to have had an impact. Since her letter, no American buyer or receiving terminal has been identified for these cargoes, and two of the three tankers originally bound for the U.S. have changed course.[19] Because New York and New Jersey share one harbor, however, a cargo turned away from New Jersey terminals could still be directed to New York’s side. Similar steps in New York would help close the entire harbor to these cargoes, and your leadership would carry great weight with operators and with governors in other port states.

We therefore respectfully urge you to consider mirroring New Jersey’s approach by:

1. Stating publicly that Russian diesel shipments are not welcome at New York’s ports.
2. Sending notice letters to port authorities and terminal operators in New York, including on Staten Island, advising them of the legal risks of receiving, storing or handling Russian diesel and urging them to turn such cargoes away.
3. Directing the Department of Environmental Conservation and other state agencies to use all available legal, regulatory and spill-prevention authority to protect New York’s waters and shoreline communities.
4. Coordinating with Governor Sherrill on a joint approach across the harbor our two states share.

We are grateful for your leadership and recognize the many demands on your office. We would welcome the opportunity to brief your staff and share the port analysis behind this letter. Please contact my staffer, Mr. Charlie Cray, at charlie.cray@greenpeace.org or (202) 497-3673.

Respectfully

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Greenpeace USA
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[1]Reuters, “New Jersey governor warns ports against accepting Russian diesel,” via U.S. News & World Report, Nov. 3, 2026 (license granted to supply Russian diesel), https://www.usnews.com/news/top-news/articles/2026-11-03/new-jersey-governor-warns-ports-against-accepting-russian-diesel; “Sherrill warns NJ port operators against accepting Russian diesel shipments,” NJ Today, Nov. 4, 2026 (text of General License No. 135), https://njtoday.news/2026/11/04/sherrill-warns-nj-port-operators-against-accepting-russian-diesel-shipments/; “Importing Russian Diesel Violates Federal Law,” Deltia’s Gaming, Nov. 2026 (GL 135 issued Oct. 9), https://deltiasgaming.com/importing-russian-diesel-violates-federal-law-gov-mikie-sherrill-to-new-jerseys-port-and-terminal-operators/; accessed Nov. 7, 2026.

[2]Ending Importation of Russian Oil Act, H.R. 6968, Pub. L. No. 117-109 (signed Apr. 8, 2022), https://projects.propublica.org/represent/bills/117/hr6968. The conflict with GL 135 is the legal position set out in Gov. Sherrill’s Nov. 2, 2026 letter (quoted in “Sherrill Warns New Jersey Terminals to Turn Away Russian Diesel,” Morristown Minute, Nov. 2026, https://morristownminute.org/sherrill-warns-new-jersey-terminals-to-turn-away-russian-diesel/) and in “Trump’s plan to buy Russian diesel would violate federal law,” Reason, Oct. 14, 2026, https://reason.com/2026/10/14/trumps-plan-to-buy-russian-diesel-would-violate-federal-law/. The Treasury Department considers the arrangement lawful. accessed Nov. 7, 2026.

[3]“First tanker carrying Russian diesel to U.S. heads for New York after Trump-Putin deal,” The Insider, Oct. 24, 2026 (citing Reuters/LSEG data), https://theins.press/en/news/298678; Windward, “Russian Diesel Cargoes Fail to Reach US as Sanctions Loom,” Nov. 3, 2026 (still sailing for the northeast U.S. coast), https://windward.ai/blog/only-one-russian-diesel-tanker-still-appears-bound-for-the-us/; accessed Nov. 7, 2026.

[4]Greenpeace, US Diesel Tanker Tracker (interactive map of tankers carrying Russian diesel, based on AIS ship-tracking data), https://maps.greenpeace.org/maps/gpuk/us-diesel-tanker-tracker/; accessed [DATE]. Position, speed and transit time to be completed from the tracker at the time of sending (Agioi Fanendes, IMO 9798375).

[5]“Tanker with Russian diesel heads to New York under Trump deal,” Gulf News (AFP, citing Kpler AIS data), Oct. 2026, https://gulfnews.com/world/americas/tanker-with-russian-diesel-heads-to-new-york-under-trump-deal-2-1.500721325; Sen. Richard Blumenthal, “Blumenthal Demands Shipping Companies Recall Tankers Carrying Illegal Russian Diesel,” press release, Oct. 2026 (declared destination Port of New York and New Jersey as of Oct. 24), https://www.blumenthal.senate.gov/newsroom/press/release/blumenthal-demands-shipping-companies-recall-tankers-carrying-illegal-russian-diesel; “New Jersey Governor Warns Ports Against Handling Russian Diesel,” gCaptain, Nov. 2026 (changed to “for orders”), https://gcaptain.com/new-jersey-governor-warns-ports-against-handling-russian-diesel/; Windward, Nov. 3, 2026 (n. 3). Note: the ship’s manager, EASTMED, told Reuters the destination had not been determined as New York (Devdiscourse/Reuters, Oct. 2026, https://www.devdiscourse.com/article/international/3999098-exclusive-first-russian-diesel-from-putin-trump-deal-heading-for-us-data-shows). accessed Nov. 7, 2026.

[6]“Governor warns port operators could face penalties if they accept Russian diesel,” Straight Arrow News, Nov. 2026, https://san.com/cc/governor-warns-port-operators-could-face-penalties-if-they-accept-russian-diesel/; accessed Nov. 7, 2026.

[7]U.S. Energy Information Administration, “New York State Profile and Energy Estimates: Profile Analysis” (describing New York Harbor, with terminals on both the New York and New Jersey shorelines, as the largest petroleum products hub in the Northeast), https://www.eia.gov/state/analysis.php?sid=NY, as reproduced in EPA Docket EPA-HQ-OAR-2023-0072, https://downloads.regulations.gov/EPA-HQ-OAR-2023-0072-9133/attachment_12.pdf; accessed Nov. 7, 2026. Confirm wording on the live EIA page before sending.

[8]Greenpeace USA, “Tier 1 Ports Able to Receive Ocean-Going Diesel Tankers: East and Gulf Coasts,” internal analysis, updated Nov. 7, 2026 (based on U.S. Army Corps of Engineers channel data, Moran Shipping and Sandy Hook Pilots berth guidance, and terminal specifications).

[9]Greenpeace USA Tier 1 analysis (n. 8) (IMTT Bayonne, 47 ft, the only harbor berth clearly able to take a fully laden MR tanker; other Tier 1 berths are also in New Jersey). Approach routing through the Lower Bay and the Narrows is based on the geography of New York Harbor; see NOAA nautical charts for New York Harbor.

[10]Moran Shipping, New York/New Jersey terminal information, Kinder Morgan Staten Island (dock maximum draft 32.1 ft; slack-water berthing only), http://nynj.ports.moranshipping.com/Pages/Terminal%20Information.aspx?PID=1&TID=26; N.Y. State Department of Environmental Conservation, Air Permit, Facility DEC ID 2640500073 (petroleum warehousing facility with marine loading dock), https://extapps.dec.ny.gov/data/dar/afs/permits/264050007300060_r2.pdf; accessed Nov. 7, 2026. Transfer of cargo to barges (lightering) is standard practice for tankers too deep for a berth; see Tier 1 analysis (n. 8), criteria note.

[11]The first two sentences of this paragraph and the statement that diesel is toxic to fish and wildlife are Greenpeace USA’s general assessment and are not drawn from a specific cited source. On the wetlands and nesting islands: NOAA Damage Assessment, Remediation, and Restoration Program, “Exxon Bayway” (response on the Prall’s Island bird sanctuary), https://darrp.noaa.gov/node/339; U.S. Geological Survey, “Exxon Bayway Refinery Pipeline Heating Oil Spill” (about 111 acres of tidal salt marsh restored or enhanced and over 80 acres acquired), https://www.cerc.usgs.gov/orda_docs/CaseDetails?ID=938; accessed Nov. 7, 2026.

[12]NOAA Office of Response and Restoration (567,000 gallons of heating oil leaked into the Arthur Kill, Jan. 1–2, 1990), https://response.restoration.noaa.gov/node?page=40; NOAA IncidentNews, “Exxon Bayway Refinery; Arthur Kill, New York” (containment-focused response), https://incidentnews.noaa.gov/incident/6740; USGS (n. 11) (No. 2 fuel oil is a distillate similar to diesel); accessed Nov. 7, 2026.

[13]Price Cap Coalition (G7, European Union, and Australia), “Advisory for the Maritime Oil Industry and Related Sectors: Best Practices in Response to Recent Developments in the Maritime Oil Trade,” Oct. 12, 2023, pp. 2–3 (“shadow fleet” vessels are typically older ships, many operating past their traditional lifespans; often registered with flag states that fail to meet their

international obligations; may fabricate or neglect required surveys or inspections and lack regulatory certificates; ownership often concealed through complex corporate arrangements; may rely on unknown, untested, sporadic, or fraudulent insurance), https://finance.ec.europa.eu/system/files/2023-10/price-cap-coalition-advisory-maritime-safety_en.pdf; accessed Nov. 9, 2026.

[14]State of New Jersey, Office of the Governor, "Governor Sherrill Puts Port and Terminal Operators on Notice Against Accepting Donald Trump's Illegal Russian Diesel," press release with full text of the Nov. 2, 2026 letter to the Port and Terminal Operators of New Jersey, Nov. 2, 2026, https://www.nj.gov/governor/news/2026/approved/20261102a.shtml. See also NJ Today, Nov. 4, 2026 (n. 1); "Sherrill Tells New Jersey Port Operators Russian Diesel Cargo Could Bring Civil and Criminal Penalties," Community News, Nov. 2026 (public statement: operators are on notice not to help bring illegal Russian diesel into New Jersey), https://communitynews.org/sections/news/sherrill-tells-new-jersey-port-operators-russian-diesel-cargo-could-bring-civil/. On bipartisan passage (House 414–17 and 413–9; Senate 100–0): ProPublica (n. 2); "Congress votes to ban Russian oil," PBS NewsHour/AP, Apr. 7, 2022, https://www.pbs.org/newshour/politics/congress-votes-to-ban-russian-oil; accessed Nov. 7, 2026.

[15]Deltia's Gaming (n. 1) (letters to a dozen operators; "harsh penalties, both civil and criminal"; penalty equal to the value of the goods); "Trump's Russian diesel deal won't cut costs. NJ must say no," opinion, via Yahoo News, Nov. 2026 (quoting the letter's citation of federal customs law), https://www.yahoo.com/news/politics/articles/trumps-russian-diesel-deal-wont-174843800.html; accessed Nov. 7, 2026.

[16]NJ Today, Nov. 4, 2026 (n. 1).

[17]Gov. Sherrill's Nov. 2, 2026 letter, as quoted in Morristown Minute (n. 2) and in the Yahoo News opinion piece (n. 15) (the Act gives no blanket authority to waive the sanctions through licenses).

[18]Reuters, "New Jersey governor warns ports against accepting Russian diesel," via Investing.com, Nov. 3, 2026 (Sherrill: the imports help finance Putin's war against Ukraine instead of lowering costs), https://investing.com/news/commodities-news/new-jersey-governor-warns-ports-against-accepting-russian-diesel-4996274; accessed Nov. 7, 2026.

[19]"Trump's Deal! A Serious Problem with the Acceptance of Russian Diesel in the US," Fakti.bg, Nov. 2026 (no American buyer or terminal identified for the Agioi Fanendes cargo), https://fakti.bg/en/world/1097536-trumps-deal-a-serious-problem-with-the-acceptance-of-russian-diesel-in-the-us; Morristown Minute (n. 2) (Kinder Morgan received no notice of a shipment); "Two tankers carrying Russian diesel have turned away from the US," Kyiv Post, Nov. 5, 2026, https://www.kyivpost.com/post/89197 (two tankers changed course); accessed Nov. 7, 2026.