S T A T E O F N E W Y O R K

4998

2013-2014 Regular Sessions

I N S E N A T E

May 3, 2013

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to special assessments on hazardous wastes generated and hazardous waste program fees

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph c of subdivision 3 of section 27-0923 of the environmental conservation law, as amended by section 5 of part I of chapter 577 of the laws of 2004, is amended to read as follows:

c. For the purpose of this section, generation of hazardous waste shall not include retrieval or creation of hazardous waste which must be disposed of under an order of or agreement with the department pursuant to title thirteen or title fourteen of this article or under a contract with the department pursuant to title five of article fifty-six of this chapter *OR UNDER AN AGREEMENT WITH A MUNICIPALITY THAT IS SUBJECT TO A MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT RELATED TO THE REMEDIATION OF BROWNFIELD SITES.*

S 2. Subparagraph (vi) of paragraph d of subdivision 1 of section 72-0402 of the environmental conservation law, as amended by chapter 99 of the laws of 2010, is amended to read as follows:

(vi) under a brownfield site cleanup agreement with the department pursuant to section 27-1409 of this chapter *OR UNDER AN AGREEMENT WITH A MUNICIPALITY THAT IS SUBJECT TO A MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT RELATED TO THE REMEDIATION OF BROWNFIELD SITES*; or

S 3. This act shall take effect immediately.

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

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