

# STATE OF NEW YORK

8160--A

2025-2026 Regular Sessions

## IN ASSEMBLY

May 2, 2025

Introduced by M. of A. EPSTEIN, ROSENTHAL, COLTON, SHIMSKY, SEAWRIGHT, REYES, LEVENBERG -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law; in relation to directing state agencies to adopt a waste diversion plan

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The environmental conservation law is amended by adding a  
2 new section 27-0111 to read as follows:

3 § 27-0111. State entities waste reduction and diversion.

4 1. Definitions. For purposes of this section:

5 (a) "Affected entities" shall mean any agency or department over which  
6 the governor has executive authority, including all offices and divi-  
7 sions thereof, as well as all public authorities for which the governor  
8 appoints the chair, the chief executive, or the majority of board  
9 members, including all offices and divisions thereof, except for the  
10 port authority of New York and New Jersey. This shall include the state  
11 university of New York and the city university of New York.

12 (b) "Council" shall mean the GreenNY Council, created pursuant to  
13 executive order twenty-two on September twentieth, two thousand twenty-  
14 two.

15 2. (a) The council shall be comprised of the commissioner of environ-  
16 mental conservation; the director of the division of the budget; the  
17 commissioner of general services; the commissioner of health; the  
18 commissioner of economic development; the commissioner of transporta-  
19 tion; the commissioner of parks, recreation, and historic preservation;  
20 the president of the environmental facilities corporation; the president  
21 of the New York state energy research and development authority; the  
22 president of the New York power authority; the president of the dormito-

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

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1 ry authority of the state of New York; and the chief executive officer  
2 of the metropolitan transportation authority.

3 (b) Members of the council may designate a staff member, and an alter-  
4 nate, to represent them and participate on the council on their behalf.

5 (c) The council shall be led and co-chaired by the commissioner of  
6 general services, the commissioner of environmental conservation, the  
7 director of the division of the budget, the president of the New York  
8 state energy research and development authority, and the president of  
9 the New York power authority, or their designees. The day-to-day work of  
10 the council shall be performed by executive and program staff of these  
11 leadership agencies and authorities, in consultation with any other  
12 agency or authority staff that participate in council work.

13 3. (a) All affected entities, in consultation with the department and  
14 the council, shall create a waste diversion plan and file such plan with  
15 the council, that outlines how they will achieve a decrease in waste  
16 disposal of ten percent every five years from a baseline of fiscal year  
17 two thousand eighteen-two thousand nineteen, until reaching a goal of an  
18 overall seventy-five percent decrease.

19 (b) Waste data reported for these goals shall be broken out into the  
20 following categories:

21 (i) recycled materials;

22 (ii) compostable materials and other organics;

23 (iii) material sent to landfills, including construction and demoli-  
24 tion waste; and

25 (iv) special waste, including hazardous waste.

26 (c) The waste diversion plan shall incorporate at least the following  
27 elements:

28 (i) a schedule for conducting routine waste audits of facilities and  
29 how the findings from the waste audit will be utilized in advancing  
30 waste reduction;

31 (ii) a plan for diverting organic waste from landfills to meet the  
32 diversion goals;

33 (iii) identifying all instances where single-use plastics are used and  
34 creating a plan to eliminate their use in all circumstances where doing  
35 so will not endanger employee or public health and safety; and

36 (iv) consideration of whether the affected entity should be transi-  
37 tioning to dual-stream recycling that source separates recyclable items  
38 into subcategories of mixed paper and commingled containers (plastic,  
39 glass, and metal), at all facilities where it is practicable and where  
40 dual-stream material recovery facilities are available, cost-effective  
41 and efficient.

42 (d) The council, in consultation with the department, shall reassess  
43 the waste diversion goals of this subdivision at least every five years,  
44 and if the goals are updated by the council, the council shall require  
45 updated waste diversion plans to be submitted by affected entities.

46 4. All waste diversion plans prepared pursuant to this section shall  
47 be posted on the department's website.

48 § 2. This act shall take effect immediately.