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

10176--A

I N A S S E M B L Y

March 9, 2010

Introduced by M. of A. HEVESI, SWEENEY, M. MILLER, COLTON, MARKEY, NOLAN -- read once and referred to the Committee on Environmental Conservation -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the environmental conservation law, in relation to covering putrescible and non-putrescible waste transported by rail

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

Section 1. Subdivision 2 of section 27-0712 of the environmental conservation law, as added by chapter 402 of the laws of 1989, is amended to read as follows:

2. A municipality or any individual, firm or corporation acting on its behalf or any other individual, firm or corporation shall not cause or permit any solid waste to be transported on any vehicle, barge, ship, or scow unless the solid waste on the vehicle, barge, ship, or scow is covered PROVIDED, HOWEVER, THAT PUTRESCIBLE WASTE TRANSPORTED BY RAIL SHALL BE COVERED WITH SEALING HARD LIDS IN A MANNER NOT INCONSISTENT WITH FEDERAL RAILROAD ADMINISTRATION REGULATIONS, AND NON-PUTRESCIBLE WASTE SHIPPED BY RAIL SHALL BE COVERED WITH HARD TARPING SECURELY FASTENED OVER THE LOAD, WHICH SHALL NOT EXCEED THE HEIGHT OF THE SIDE OF THE RAIL CONTAINER, IN A MANNER NOT INCONSISTENT WITH FEDERAL RAILROAD ADMINISTRATION REGULATIONS.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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