

1124

2009-2010 Regular Sessions

I N S E N A T E

January 26, 2009

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the navigation law, in relation to regulating the disposal of sewage from watercraft and marinas and prohibiting the littering of waterways

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

1 Section 1. Subdivision 8 of section 33-c of the navigation law, as
2 amended by chapter 199 of the laws of 1999, is amended to read as
3 follows:
4 8. All marinas that provide pumpout facilities and dump stations for
5 the handling and disposal of sewage from marine holding tanks and port-
6 able toilets shall do so in a manner that will prevent the pollution of
7 the surface waters of the state. The facilities for unloading and
8 disposal of such sewage shall be approved by either the local or the
9 state health department in accordance with [guidelines set forth by the
10 department in consultation with the department of health] THE REQUIRE-
11 MENTS ESTABLISHED PURSUANT TO SUBDIVISION TEN OF THIS SECTION. The
12 department of environmental conservation shall require that municipal
13 sewage treatment facilities accept such waste originating from marine
14 holding tanks and portable toilets unless the commissioner determines
15 that such action would cause an unacceptable threat to human health or
16 the environment or the operation of a sewage treatment plant. NOTWITH-
17 STANDING THE FOREGOING, WESTCHESTER COUNTY SHALL BE EMPOWERED TO REQUIRE
18 BY ENACTMENT OF A LOCAL LAW, THAT ANY MARINA, WITHIN THE COUNTY OF WEST-
19 CHESTER, PROVIDE FOR THE HANDLING AND DISPOSAL OF SEWAGE FROM HOLDING
20 TANKS OF WATERCRAFT IN ACCORDANCE WITH THE PROVISIONS OF SUCH LOCAL LAW.
21 S 2. Section 33-c of the navigation law is amended by adding a new
22 subdivision 11-a to read as follows:

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

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1 11-A. THE DEPARTMENT IS HEREBY DIRECTED TO REQUEST FROM THE FEDERAL
2 ENVIRONMENTAL PROTECTION AGENCY, PURSUANT TO 40 C.F.R. S 140.4, A DESIG-
3 NATION THAT WATERS OF THIS STATE WITHIN THE MARINE JURISDICTIONAL BOUND-
4 ARIES OF WESTCHESTER COUNTY, (MID-POINT OF THE HUDSON RIVER AND THE LONG
5 ISLAND SOUND), BE DEEMED A "NO-DISCHARGE ZONE." SUCH REQUEST SHALL BE
6 MADE NO LATER THAN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SUBDIVI-
7 SION.

8 S 3. This act shall take effect immediately.