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

5765

2009-2010 Regular Sessions

I N A S S E M B L Y

February 19, 2009

Introduced by M. of A. SWEENEY, COLTON -- Multi-Sponsored by -- M. of A. LUPARDO -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to solid waste management facilities

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

Section 1. Subdivision 2 of section 27-0701 of the environmental conservation law, as amended by chapter 253 of the laws of 1988, is amended to read as follows:

2. "Solid waste management facility" means any facility employed beyond the initial solid waste collection process including, but not limited to, transfer stations, baling facilities, rail haul or barge haul facilities, processing systems, including resource recovery facilities or other facilities for reducing solid waste volume, sanitary landfills, facilities for the disposal of construction and demolition debris, plants and facilities for compacting, composting or [pyrolization] PYROLYZATION of solid wastes, incinerators, RECYCLABLES HANDLING AND RECOVERY FACILITIES and other solid waste disposal, reduction or conversion facilities.

S 2. Subdivision 2 of section 27-0707 of the environmental conservation law is amended by adding a new paragraph d to read as follows:

D. THAT AN APPLICATION FOR A PERMIT TO CONSTRUCT A SOLID WASTE MANAGEMENT FACILITY SHALL NOT BE COMPLETE UNLESS THE APPLICANT DEMONSTRATES THE CONSISTENCY OF SUCH FACILITY OR FACILITIES WITH THE OBJECTIVES OF THE LOCAL SOLID WASTE MANAGEMENT PLAN, AS IDENTIFIED IN SECTION 27-0107 OF THIS ARTICLE, OF THE PLANNING UNIT WITHIN WHICH SUCH FACILITY IS LOCATED AND THE PLANNING UNITS FROM WHICH SOLID WASTE IS EXPECTED TO BE RECEIVED.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

LBD02839-01-9