

6418

2009-2010 Regular Sessions

I N A S S E M B L Y

March 3, 2009

Introduced by M. of A. SCHIMMINGER -- read once and referred to the
Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to
including asbestos as a contaminant for the purposes of classifying a
piece of real property as a brownfield site

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

1 Section 1. Subdivision 7-a of section 27-1405 of the environmental
2 conservation law, as added by section 2 of part A of chapter 577 of the
3 laws of 2004, is amended to read as follows:
4 7-a. "Contaminant" shall mean ASBESTOS, hazardous waste and/or petro-
5 leum as such terms are defined in this section.
6 S 2. Section 27-1405 of the environmental conservation law is amended
7 by adding a new subdivision 1-a to read as follows:
8 1-A. "ASBESTOS" MEANS ANY NATURALLY OCCURRING HYDRATED MINERAL SILI-
9 CATE SEPARABLE INTO COMMERCIALY USABLE FIBERS, INCLUDING CHRYSOTILE
10 (SERPENTINE), AMOSITE (CUMMINGTONITE-GRUNERITE), CROCIDOLITE (RIEBECK-
11 ITE), TREMOLITE, ANTHROPHYLLITE AND ACTINOLITE. A BUILDING SHALL QUALIFY
12 AS A BROWNFIELD SITE, AS DEFINED IN THIS SECTION, IF AMBIENT INDOOR AIR
13 QUALITY FAILS TO YIELD SATISFACTORY RESULTS PER DEPARTMENT OF LABOR
14 CLEARANCE AIR MONITORING REGULATIONS.
15 S 3. This act shall take effect on the one hundred eightieth day after
16 it shall have become a law. Effective immediately, the department of
17 environmental conservation may add, repeal, or amend any rule or regu-
18 lation necessary for the timely implementation of this act on its effec-
19 tive date.

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

LBD07912-01-9