

2942

2009-2010 Regular Sessions

I N S E N A T E

March 6, 2009

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the economic development law, in relation to the New York state waste prevention program

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

1 Section 1. Paragraph h of subdivision 1 of section 261 of the economic
2 development law, as amended by chapter 471 of the laws of 1998, is
3 amended to read as follows:
4 h. "Eligible project" shall mean actions taken by or on behalf of a
5 New York business involving the acquisition, construction, alteration,
6 repair or improvement of a building, fixtures, machinery or equipment,
7 provided that such project results in:
8 (i) source reduction or material substitution, provided that the
9 substitution of one hazardous substance, product or nonproduct output
10 for another does not result in the creation of a new risk,
11 (ii) in-process recycling,
12 (iii) recycling or reuse of non-hazardous solid wastes,
13 (iv) increased energy efficiency,
14 (v) conservation of the use of water or other natural resources
15 improvements in process economics,
16 (vi) elimination of the purchase of materials, the production of which
17 for the use of said firm would result in more waste or resource consumption, or
18 (vii) other practices or technologies that reduce the use of hazardous
19 materials or otherwise improve air or water quality.
20 The term "eligible project" shall not include [end of pipe pollution
21 control technologies or practices where such controls or practices are
22 designed primarily to achieve compliance with the environmental conservation
23 law or regulations promulgated pursuant thereto, or] energy
24

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

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1 recovery or incineration, or out-of-process recycling or reuse of
2 hazardous waste or hazardous substances.

3 S 2. Paragraph e of subdivision 1 of section 264 of the economic
4 development law, as amended by chapter 471 of the laws of 1998, is
5 amended to read as follows:

6 e. "Eligible project" shall mean actions taken by or on behalf of a
7 New York business involving the acquisition, construction, alteration,
8 repair or improvement of a building, fixtures, machinery or equipment,
9 provided that such project results in:

10 (i) source reduction or material substitution, provided that the
11 substitution of one hazardous substance, product or nonproduct output
12 for another does not result in the creation of a new risk,

13 (ii) in-process recycling,

14 (iii) recycling or reuse of non-hazardous solid wastes,

15 (iv) increased energy efficiency,

16 (v) conservation of the use of water or other natural resources
17 improvements in process economics,

18 (vi) elimination of the purchase of materials, the production of which
19 for the use of said firm would result in more waste or resource consump-
20 tion, or

21 (vii) other practices or technologies that reduce the use of hazardous
22 materials or otherwise improve air or water quality.

23 The term "eligible project" shall not include [end of pipe pollution
24 control technologies or practices where such controls or practices are
25 designed primarily to achieve compliance with the environmental conser-
26 vation law or regulations promulgated pursuant thereto, or] energy
27 recovery or incineration, or out-of-process recycling or reuse of
28 hazardous waste or hazardous substances.

29 S 3. This act shall take effect immediately.