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

7097

I N S E N A T E

March 12, 2010

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend chapter 631 of the laws of 1947, relating to the development by the Port of New York Authority of marine terminals, in relation to prohibiting transloading of certain waste at facilities in Richmond county

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

Section 1. Chapter 631 of the laws of 1947 relating to the development by the Port of New York Authority of marine terminals is amended by adding a new section 4-a to read as follows:

S 4-A. PROHIBITIONS ON SOLID WASTE, TOXIC WASTES AND HAZARDOUS WASTES; RICHMOND COUNTY. (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND EXCEPT AS PROVIDED IN SUBDIVISION (C) OF THIS SECTION, NEITHER THE AUTHORITY NOR ANY OF ITS AFFILIATED OR SUBSIDIARY CORPORATIONS, SHALL ENGAGE IN THE TRANSLOADING OF MUNICIPAL SOLID WASTES, TOXIC WASTES OR HAZARDOUS WASTES AT ANY FACILITY IN RICHMOND COUNTY, UNLESS SUCH WASTES ORIGINATE IN RICHMOND COUNTY.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND EXCEPT AS PROVIDED IN SUBDIVISION (C) OF THIS SECTION, NEITHER THE CITY OF NEW YORK NOR ANYONE AFFILIATED WITH SUCH CITY, SHALL ENGAGE IN THE TRANSLOADING OF MUNICIPAL SOLID WASTES, TOXIC WASTES OR HAZARDOUS WASTES AT ANY FACILITY IN RICHMOND COUNTY, UNLESS SUCH WASTES ORIGINATE IN RICHMOND COUNTY.

(C) THE AUTHORITY OR THE CITY OF NEW YORK MAY ENGAGE IN THE TRANSLOADING OF MUNICIPAL SOLID WASTES, TOXIC WASTES AND HAZARDOUS WASTES ONLY AFTER AN ENVIRONMENTAL IMPACT STUDY IS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW. A PUBLIC HEARING SHALL BE HELD NOT LATER THAN THIRTY DAYS FOLLOWING THE COMPLETION OF SUCH STUDY.

S 2. This act shall take effect immediately.

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

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