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

5782

2011-2012 Regular Sessions

I N A S S E M B L Y

February 28, 2011

Introduced by M. of A. TOBACCO -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend chapter 631 of the laws of 1947, facilitating 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 facilitating 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 PORT 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 PORT 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 upon the enactment into law by the state of New Jersey of legislation having an identical effect with this

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

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act, but if the state of New Jersey shall have already enacted such legislation, this act shall take effect immediately; provided that the Port of New York Authority shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.