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

3684

2013-2014 Regular Sessions

I N A S S E M B L Y

January 28, 2013

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

AN ACT to amend the environmental conservation law, in relation to directing the department of environmental conservation to promulgate rules and regulations prohibiting solid waste management facilities to breach contracts with solid waste transporters

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

Section 1. Section 27-0703 of the environmental conservation law is amended by adding a new subdivision 7 to read as follows:

7. THE DEPARTMENT SHALL PROMULGATE AND IMPLEMENT RULES AND REGULATIONS PROHIBITING ANY SOLID WASTE MANAGEMENT FACILITY FROM FAILING TO FULLY COMPLY WITH THE PROVISIONS OF ANY CONTRACT WITH A PERSON ENGAGED IN THE COLLECTION OF SOLID WASTE IN THIS STATE, WHICH PROVIDES FOR THE DISPOSAL OF SOLID WASTE GENERATED IN THIS STATE, WHEN SUCH FAILURE TO COMPLY WITH THE PROVISIONS OF SUCH CONTRACT CAN REASONABLY BE ATTRIBUTED TO THE SOLID WASTE MANAGEMENT FACILITY'S ACCEPTANCE OF SOLID WASTE GENERATED OUTSIDE OF THIS STATE.

S 2. This act shall take effect immediately.

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

LBD07770-01-3