



1 (D) THE APPLICATION OF A PESTICIDE CLASSIFIED BY THE UNITED STATES  
2 ENVIRONMENTAL PROTECTION AGENCY AS AN EXEMPT MATERIAL UNDER 40 CFR PART  
3 152.25;

4 (E) THE USE OF BORIC ACID AND DISODIUM OCTABORATE TETRAHYDRATE; OR

5 (F) THE USE OF HORTICULTURAL SOAP AND OILS THAT DO NOT CONTAIN  
6 SYNTHETIC PESTICIDES OR SYNERGISTS.

7 2. NO CAMP DEFINED IN SUBDIVISIONS ONE AND TWO OF SECTION THIRTEEN  
8 HUNDRED NINETY-TWO OF THIS ARTICLE SHALL APPLY PESTICIDE TO ANY PLAY-  
9 GROUNDS, TURF, ATHLETIC OR PLAYING FIELDS, OTHER THAN THOSE ON PUBLIC-  
10 LY-OWNED OR PUBLICLY-LEASED PROPERTY IN A CITY OF MORE THAN ONE MILLION,  
11 EXCEPT THAT AN EMERGENCY APPLICATION OF A PESTICIDE MAY BE MADE AS  
12 DETERMINED BY THE COUNTY HEALTH DEPARTMENT OR FOR A COUNTY NOT HAVING A  
13 HEALTH DEPARTMENT, SUCH AUTHORITY AS THE COUNTY LEGISLATURE SHALL DESIG-  
14 NATE, THE COMMISSIONER OR HIS OR HER DESIGNEE OR THE COMMISSIONER OF  
15 ENVIRONMENTAL CONSERVATION OR HIS OR HER DESIGNEE.

16 3. THE COMMISSIONER SHALL HAVE THE POWER TO EXEMPT FROM THIS SECTION  
17 ANY CAMP DEFINED IN SUBDIVISIONS ONE AND TWO OF SECTION THIRTEEN HUNDRED  
18 NINETY-TWO OF THIS ARTICLE TO THE EXTENT THAT IT IS NOT PRACTICABLE TO  
19 USE PESTICIDE ALTERNATIVES AS DEFINED IN SUBDIVISION ONE OF THIS  
20 SECTION.

21 S 2. Subdivision 7 of section 33-0303 of the environmental conserva-  
22 tion law, as added by chapter 85 of the laws of 2010, is amended to read  
23 as follows:

24 7. The commissioner, in consultation with the commissioner of educa-  
25 tion and the commissioner of health, shall develop guidance on pesticide  
26 alternatives to facilitate compliance with section four hundred nine-k  
27 of the education law [and], three hundred ninety-g of the social  
28 services law AND THIRTEEN HUNDRED NINETY-SIX OF THE PUBLIC HEALTH LAW.

29 S 3. This act shall take effect on the one hundred eightieth day after  
30 it shall have become a law. Effective immediately the department of  
31 health and the department of environmental conservation may promulgate  
32 any rule or regulation necessary for the timely implementation of this  
33 act on its effective date.