

6159

2015-2016 Regular Sessions

I N   A S S E M B L Y

March 16, 2015

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Introduced by M. of A. BORELLI -- 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:

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

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

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

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

22    S 2.     This act shall take effect upon the enactment into law by the  
23    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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1 act, but if the state of New Jersey shall have already enacted such  
2 legislation, this act shall take effect immediately; provided that the  
3 Port of New York Authority shall notify the legislative bill drafting  
4 commission upon the occurrence of the enactment of the legislation  
5 provided for in this act in order that the commission may maintain an  
6 accurate and timely effective data base of the official text of the laws  
7 of the state of New York in furtherance of effectuating the provisions  
8 of section 44 of the legislative law and section 70-b of the public  
9 officers law.