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

7971

I N S E N A T E

June 1, 2016

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the reporting of electronic waste collection and recycling data, the sale of electronic waste and the carry-forward of sales of electronic waste

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

Section 1. Paragraph (e) of subdivision 3 of section 27-2603 of the environmental conservation law is relettered paragraph (f) and a new paragraph (e) is added to read as follows:

(E) FOR CALENDAR YEARS TWO THOUSAND SEVENTEEN AND THEREAFTER, THE STATEWIDE RECYCLING OR REUSE GOAL FOR ALL ELECTRONIC WASTE SHALL BE THE PRODUCT OF THE BASE WEIGHT MULTIPLIED BY THE GOAL ATTAINMENT PERCENTAGE. FOR THE PURPOSES OF THIS PARAGRAPH, "BASE WEIGHT" MEANS THE GREATER OF:

(I) THE AVERAGE WEIGHT OF ALL ELECTRONIC WASTE COLLECTED FOR RECYCLING OR REUSE DURING THE THREE CALENDAR YEARS PRECEDING THE CALENDAR YEAR IN WHICH THE MOST RECENT REPORT WAS SUBMITTED TO THE DEPARTMENT PURSUANT TO PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION 27-2617 OF THIS TITLE; OR

(II) THE THREE YEAR AVERAGE OF THE SUM OF ALL ELECTRONIC WASTE COLLECTED FOR RECYCLING OR REUSE DURING THE THREE CALENDAR YEARS PRECEDING THE CALENDAR YEAR IN WHICH THE MOST RECENT REPORT WAS SUBMITTED TO THE DEPARTMENT PURSUANT TO PARAGRAPH (B) OF SUBDIVISION ONE, PARAGRAPH (B) OF SUBDIVISION TWO AND PARAGRAPH (B) OF SUBDIVISION THREE OF SECTION 27-2613 OF THIS TITLE.

S 2. Section 27-2615 of the environmental conservation law is amended by adding two new subdivisions 4 and 5 to read as follows:

4. THE DEPARTMENT SHALL PUBLISH THE STATEWIDE RECYCLING OR REUSE GOAL NO LATER THAN SEPTEMBER FIFTEENTH OF THE YEAR PRECEDING THE YEAR FOR WHICH THE STATEWIDE RECYCLING OR REUSE GOAL HAS BEEN SET.

5. THE DEPARTMENT SHALL NOTIFY EACH MANUFACTURER OF ITS RESPECTIVE MANUFACTURER ACCEPTANCE STANDARD AS ESTABLISHED IN SUBDIVISION FOUR OF SECTION 27-2603 OF THIS TITLE NO LATER THAN DECEMBER FIFTEENTH OF THE PRECEDING YEAR FOR WHICH SUCH MANUFACTURER ACCEPTANCE STANDARD HAS BEEN SET.

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

LBD15688-01-6

S 3. Section 27-2605 of the environmental conservation law is amended by adding a new subdivision 9 to read as follows:

9. NO LATER THAN JUNE THIRTIETH OF THE YEAR FOR WHICH A MANUFACTURER'S ACCEPTANCE STANDARD HAS BEEN SET BY THE DEPARTMENT EACH MANUFACTURER SHALL CERTIFY TO THE DEPARTMENT THAT THE MANUFACTURER HAS ENTERED INTO CONTRACTUAL AGREEMENTS FOR ONE HUNDRED PERCENT OF THE WEIGHT OF ELECTRONIC WASTE ASSOCIATED WITH SUCH MANUFACTURER'S ACCEPTANCE STANDARD.

S 4. The environmental conservation law is amended by adding a new section 27-2614 to read as follows:

S 27-2614. UNSOLD ELECTRONIC WASTE; SALE CARRY-FORWARD.

BEGINNING WITH CALENDAR YEAR TWO THOUSAND SEVENTEEN, AN ELECTRONIC WASTE COLLECTOR, ELECTRONIC WASTE CONSOLIDATOR AND/OR AN ELECTRONIC WASTE RECYCLER MAY BANK UNSOLD ELECTRONIC WASTE FOR SUBSEQUENT SALE IN ANY OF THE SUCCESSIVE FOUR CALENDAR YEARS IN WHICH THE ELECTRONIC WASTE WAS OBTAINED, PROVIDED HOWEVER THAT NO MORE THAN TWENTY-FIVE PERCENT OF ANY SUCH ELECTRONIC WASTE SHALL BE SOLD IN ANY SUCH SUBSEQUENT CALENDAR YEAR.

S 5. This act shall take effect immediately.