STATE OF NEW YORK

10500

IN ASSEMBLY

April 30, 2018

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

AN ACT to establish a moratorium on the siting of sewer sludge processing facilities in the state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Moratorium on the siting of sewer sludge processing facilities. 1. For the purposes of this act, "sewer sludge processing facility" shall include any facility that converts sewer sludge, including but not limited to human waste, farm animal waste, and food waste, such as yogurt by-products, into a bio-solid fertilizer.

2. Notwithstanding any provision of law to the contrary, there is hereby established a moratorium upon the siting of sewer sludge processing facilities in this state. The moratorium shall continue for a period of one year from the effective date of this act or until the department of environmental conservation reports to the governor and the legislature on its findings and recommendations as required by subdivision 3 of this section.

3. a. The department of environmental conservation, in cooperation with the department of health, shall immediately undertake a review of all available data relating to the potential environmental and health risks and effects of sewer sludge processing facilities.

b. The commissioner of environmental conservation, or his or her designee, shall:

i. Solicit input from environmental and public health specialists, and other stakeholders in an open, public process;

ii. Examine various routes of exposure and the health and environmental impact of sewer sludge processing facilities, including, but not limited to, effects on soil, air quality, and drinking water; and

iii. Prepare a report to the governor and the legislature which includes research and studies conducted on sewer sludge processing facilities which were the source of the report findings and recommendations for the siting of sewer sludge processing facilities. Such report shall be filed within one year of the effective date of this act, unless the commissioner of environmental conservation requests in writing, an extension of time.

§ 2. This act shall take effect immediately.

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

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