STATE OF NEW YORK

5809

2017-2018 Regular Sessions

IN ASSEMBLY

February 15, 2017

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

AN ACT to amend the environmental conservation law, in relation to covering putrescible and non-putrescible waste transported by rail

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

Section 1. Subdivision 2 of section 27-0712 of the environmental conservation law, as added by chapter 402 of the laws of 1989, is amended to read as follows:

2. A municipality or any individual, firm or corporation acting on its behalf or any other individual, firm or corporation shall not cause or permit any solid waste to be transported on any vehicle, barge, ship, or scow unless the solid waste on the vehicle, barge, ship, or scow is covered **provided, however, that putrescible waste transported by rail shall be covered with sealing hard lids in a manner not inconsistent with Federal Railroad Administration regulations, and non-putrescible waste shipped by rail shall be covered with hard tarping securely fastened over the load, which shall not exceed the height of the side of the rail container, in a manner not inconsistent with Federal Railroad Administration regulations**.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD07328-01-7