

# STATE OF NEW YORK

1636

2019-2020 Regular Sessions

## IN ASSEMBLY

January 16, 2019

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:

- 1 Section 1. Moratorium on the siting of sewer sludge processing facilities.  
2 1. For the purposes of this act, "sewer sludge processing facility"  
3 shall include any facility that converts sewer sludge, including but  
4 not limited to human waste, farm animal waste, and food waste, such as  
5 yogurt by-products, into a bio-solid fertilizer.
- 6 2. Notwithstanding any provision of law to the contrary, there is  
7 hereby established a moratorium upon the siting of sewer sludge processing  
8 facilities in this state. The moratorium shall continue for a period  
9 of one year from the effective date of this act or until the department  
10 of environmental conservation reports to the governor and the legislature  
11 on its findings and recommendations as required by subdivision 3 of  
12 this section.
- 13 3. a. The department of environmental conservation, in cooperation  
14 with the department of health, shall immediately undertake a review of  
15 all available data relating to the potential environmental and health  
16 risks and effects of sewer sludge processing facilities.
- 17 b. The commissioner of environmental conservation, or his or her  
18 designee, shall:
- 19 i. Solicit input from environmental and public health specialists, and  
20 other stakeholders in an open, public process;
- 21 ii. Examine various routes of exposure and the health and environmental  
22 impact of sewer sludge processing facilities, including, but not  
23 limited to, effects on soil, air quality, and drinking water; and
- 24 iii. Prepare a report to the governor and the legislature which  
25 includes research and studies conducted on sewer sludge processing

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

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1 facilities which were the source of the report findings and recommenda-  
2 tions for the siting of sewer sludge processing facilities. Such report  
3 shall be filed within one year of the effective date of this act, unless  
4 the commissioner of environmental conservation requests in writing, an  
5 extension of time.

6 § 2. This act shall take effect immediately.