

# STATE OF NEW YORK

7423

2019-2020 Regular Sessions

## IN ASSEMBLY

May 1, 2019

Introduced by M. of A. LUPARDO, BUTTENSCHON, EPSTEIN, MOSLEY, BLANKENBUSH, CROUCH, FINCH -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the agriculture and markets law and the environmental conservation law, in relation to the removal and remediation of waste tires

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

1 Section 1. Section 16 of the agriculture and markets law is amended  
2 by adding a new subdivision 50 to read as follows:

3 50. The commissioner, in consultation with the commissioner of envi-  
4 ronmental conservation, shall develop a plan to remediate and remove  
5 waste tires used in agricultural production. Such plan shall address the  
6 vector threat posed by waste tires and shall provide farmers with tech-  
7 nical expertise and financial assistance.

8 § 2. Subdivision 5 of section 27-1907 of the environmental conserva-  
9 tion law, as amended by section 2 of part DD of chapter 59 of the laws  
10 of 2010, is amended to read as follows:

11 5. The department shall make all reasonable efforts to recover the  
12 full amount of any funds expended from the waste management and cleanup  
13 fund for abatement or remediation through litigation or cooperative  
14 agreements except for funds expended according to paragraph d of subdi-  
15 vision one of section 27-1915 of this title. Any and all moneys recov-  
16 ered, repaid or reimbursed pursuant to this section shall be deposited  
17 with the comptroller and credited to such fund.

18 § 3. Subdivision 1 of section 27-1915 of the environmental conserva-  
19 tion law, as amended by section 5 of part DD of chapter 59 of the laws  
20 of 2010, is amended to read as follows:

21 1. costs of the department for the following:

22 (a) first-year costs:

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

LBD11024-01-9

1 (i) enumeration and assessment of noncompliant waste tire stockpiles;  
2 and  
3 (ii) aerial reconnaissance to locate, survey and characterize sites  
4 environmentally, for remote sensing, special analysis and scanning;  
5 (b) abatement of noncompliant waste tire stockpiles; [~~and~~]  
6 (c) administration and enforcement of the requirements of this arti-  
7 cle, exclusive of titles thirteen and fourteen; and  
8 (d) any costs associated with the removal and remediation of waste  
9 tires in accordance with subdivision fifty of section sixteen of the  
10 agriculture and markets law.  
11 § 4. This act shall take effect on the one hundred twentieth day after  
12 it shall have become a law. Effective immediately, the addition, amend-  
13 ment and/or repeal of any rule or regulation necessary for the implemen-  
14 tation of this act on its effective date are authorized to be made and  
15 completed on or before such effective date.