

STATE OF NEW YORK

4524

2021-2022 Regular Sessions

IN SENATE

February 5, 2021

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

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 52 to read as follows:

3 52. 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, paragraphs (b) and (c) as amended and paragraph (d) as added by
21 section 3 of part E of chapter 58 of the laws of 2019, is amended to
22 read as follows:

23 1. costs of the department for the following:

24 (a) first-year costs:

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

LBD02879-01-1

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;

6 (c) administration and enforcement of the requirements of this arti-
7 cle, exclusive of titles thirteen and fourteen; ~~and~~

8 (d) conducting an updated market analysis of outlets for waste tire
9 utilization including recycling and energy recovery opportunities, which
10 shall not include the incineration of waste tires; and

11 (e) any costs associated with the removal and remediation of waste
12 tires in accordance with subdivision fifty of section sixteen of the
13 agriculture and markets law.

14 § 4. This act shall take effect on the one hundred twentieth day after
15 it shall have become a law. Effective immediately, the addition, amend-
16 ment and/or repeal of any rule or regulation necessary for the implemen-
17 tation of this act on its effective date are authorized to be made and
18 completed on or before such effective date.