

STATE OF NEW YORK

3345

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

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

AN ACT to amend the environmental conservation law, in relation to establishing state and municipal composting programs

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

1 Section 1. Article 27 of the environmental conservation law is amended
2 by adding a new title 31 to read as follows:

3 TITLE 31

4 STATE AND MUNICIPAL COMPOSTING PROGRAMS

5 Section 27-3101. State and municipal composting programs.

6 § 27-3101. State and municipal composting programs.

7 1. For the purposes of this section, the following terms shall have
8 the following meanings:

9 (a) "agency" means any department, agency, board, public benefit
10 corporation, public authority, or commission;

11 (b) "compostable" means all the materials in the product will (i)
12 undergo degradation by biological processes during composting to yield
13 carbon dioxide, water, inorganic compounds, and biomass at a rate
14 consistent with other known compostable materials; and (ii) leave no
15 visible, distinguishable or toxic residue, including no adverse impact
16 on the ability of composts to support plant growth once the finished
17 compost is placed in soil; and

18 (c) "municipal" means a village, town, city, or county.

19 2. Beginning one year after the effective date of this section, all
20 state and municipal agencies shall establish a composting program in
21 buildings owned, occupied or operated by such agencies that shall, at a
22 minimum:

23 (a) require that all compostable waste including but not limited to
24 food scraps, plant trimmings, food-soiled paper and certified composta-

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

LBD02018-01-1

1 ble products from garbage and other recyclables be separated and placed
2 in labeled containers;

3 (b) post and maintain signs with instructions on identifying and sepa-
4 rating compostable waste from garbage and recyclables;

5 (c) ensure agency employees place compostable waste in appropriately
6 labeled containers and do not mix such waste with garbage or recycla-
7 bles;

8 (d) ensure containers are latched at the time of storage or set-out;
9 and

10 (e) arrange for compostable waste to be transported and/or processed
11 separately from garbage and recycling.

12 3. Each state and municipal agency may arrange for collection of
13 compostable waste by a private carter, transport such waste itself or
14 process such waste on-site.

15 4. Beginning one year after the establishment of the program pursuant
16 to subdivision two of this section, and annually thereafter, each state
17 and municipal agency shall report to the department on such program,
18 including, but not limited to (i) the amount of compostable waste
19 collected; and (ii) the costs associated with such program.

20 5. By December first, two thousand twenty-four, and annually thereaft-
21 er, the department shall post a report on its website detailing agency
22 composting programs in the state. Such report shall include an evalu-
23 ation of the effectiveness of such composting programs, and information
24 on costs and collection rates.

25 § 2. This act shall take effect immediately.