

# STATE OF NEW YORK

2467

2023-2024 Regular Sessions

## IN ASSEMBLY

January 26, 2023

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 34 to read as follows:

3 TITLE 34

4 STATE AND MUNICIPAL COMPOSTING PROGRAMS

5 Section 27-3401. State and municipal composting programs.

6 § 27-3401. 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.

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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-five, 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.