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:

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 34 to read as follows:

TITLE 34

STATE AND MUNICIPAL COMPOSTING PROGRAMS

Section 27-3401. State and municipal composting programs.

§ 27-3401. State and municipal composting programs.

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

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

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

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

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

(a) require that all compostable waste including but not limited to 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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ble products from garbage and other recyclables be separated and placed in labeled containers;

(b) post and maintain signs with instructions on identifying and separating compostable waste from garbage and recyclables;

(c) ensure agency employees place compostable waste in appropriately labeled containers and do not mix such waste with garbage or recyclables;

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

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

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

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

5. By December first, two thousand twenty-five, and annually thereafter, the department shall post a report on its website detailing agency composting programs in the state. Such report shall include an evaluation of the effectiveness of such composting programs, and information on costs and collection rates.

§ 2. This act shall take effect immediately.