

# STATE OF NEW YORK

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8317

2023-2024 Regular Sessions

## IN ASSEMBLY

November 27, 2023

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

AN ACT to amend the environmental conservation law, in relation to prohibiting the sale or land application of biosolids from wastewater treatment facilities

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

1 Section 1. Section 27-0701 of the environmental conservation law is  
2 amended by adding two new subdivisions 5 and 6 to read as follows:

3 5. "Biosolids" means the residual solids or sludge generated during  
4 the treatment of wastewater at a solid waste management facility or  
5 wastewater treatment facility.

6 6. "Wastewater treatment facility" means any facility that treats  
7 wastewater, including but not limited to municipal sewage treatment  
8 plants, industrial wastewater treatment plants, and septage treatment  
9 facilities.

10 § 2. Section 27-0703 of the environmental conservation law is amended  
11 by adding two new subdivisions 7 and 8 to read as follows:

12 7. The department shall prohibit any person from selling, offering for  
13 sale, applying, or offering to apply biosolids, or compost derived from  
14 biosolids, from a wastewater treatment facility for the purposes of the  
15 application to agricultural, residential, or commercial lands except as  
16 provided for in subdivision eight of this section.

17 8. The selling, offering for sale, applying, or offering to apply  
18 biosolids, or compost derived from biosolids, from a wastewater treat-  
19 ment facility for the purposes of the application to agricultural, resi-  
20 dential, or commercial lands shall only be allowed if the biosolid is  
21 treated and tested to not exceed the maximum contaminant levels estab-  
22 lished pursuant to section eleven hundred twelve of the public health  
23 law.

24 § 3. This act shall take effect immediately.

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

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