

# STATE OF NEW YORK

594

2023-2024 Regular Sessions

## IN ASSEMBLY

January 9, 2023

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

AN ACT to amend the environmental conservation law, in relation to the creation of the toxics information clearinghouse

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

1 Section 1. Article 37 of the environmental conservation law is amended  
2 by adding a new title 4 to read as follows:

### TITLE IV

#### TOXIC INFORMATION CLEARINGHOUSE

5 Section 37-0401. Toxic information clearinghouse.

6 § 37-0401. Toxic information clearinghouse.

7 1. Substances hazardous to public health, safety or the environment  
8 that have been identified or listed as a hazardous waste in regulations  
9 promulgated pursuant to section 27-0903 of this chapter and substances  
10 that appear on the list in regulations promulgated pursuant to paragraph  
11 (a) of subdivision one of section 37-0103 of this article shall be post-  
12 ed on a website established and maintained by the department and shall  
13 be accessible to the public.

14 2. The website established and maintained pursuant to subdivision one  
15 of this section shall provide chemical hazard traits and environmental  
16 and toxicological end-point data of the substances identified in regu-  
17 lation.

18 3. The department shall consult with other states, the federal govern-  
19 ment, and other nations to identify available data related to hazard  
20 traits and the environmental and toxicological end-points.

21 4. This title shall not limit or be construed to limit the depart-  
22 ment's or any other agency's existing authority over hazardous materi-  
23 als.

24 § 2. Section 37-0307 of the environmental conservation law, as added  
25 by chapter 663 of the laws of 1994, is amended to read as follows:

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

LBD00856-01-3

1 § 37-0307. Availability of information.

2 1. The release forms required under this title are intended to provide  
3 information to government agencies and the public, including citizens of  
4 communities surrounding covered facilities. The release form shall be  
5 available to inform persons about releases of toxic chemicals to the  
6 environment; to assist government agencies, researchers, and other  
7 persons in the conduct of research and data gathering; to aid in the  
8 development of appropriate regulations, guidelines, and standards; and  
9 for similar purposes. Each release form shall be printed out upon  
10 request and made available during normal working hours to the general  
11 public at the main office of the department and at the regional office  
12 that encompasses the region in which the facility is located.

13 2. ~~[The commissioner shall maintain in a computer data base a toxic~~  
14 ~~chemical inventory based on data submitted to the commissioner pursuant~~  
15 ~~to this title. Such data shall be made available upon request as a~~  
16 ~~printout and diskette, as per request.~~

17 ~~3-~~] By December thirty-first of each year, the commissioner shall  
18 issue a written report that shall be available at no charge to the  
19 public in which the information compiled pursuant to this title is  
20 summarized for each facility subject to the provisions of this title.

21 § 3. This act shall take effect twenty-four months after it shall have  
22 become a law. Effective immediately, the addition, amendment and/or  
23 repeal of any rule or regulation necessary for the implementation of  
24 this act on its effective date are authorized to be made and completed  
25 on or before such effective date.