

# STATE OF NEW YORK

6262

2023-2024 Regular Sessions

## IN ASSEMBLY

April 3, 2023

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

AN ACT to amend the environmental conservation law, in relation to enacting the "New York state waste recycling and reduction act"

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "New York state waste recycling and reduction act".

3 § 2. Article 27 of the environmental conservation law is amended by  
4 adding a new title 34 to read as follows:

### TITLE 34

#### COMMERCIAL RECYCLING

7 Section 27-3401. Definitions.

8 27-3403. Commercial recycling program.

9 § 27-3401. Definitions.

10 For purposes of this title, the following terms shall have the follow-  
11 ing meanings:

12 1. "commercial building" shall mean any building that is used, or any  
13 building of which a portion is used, for buying, selling or otherwise  
14 providing goods or services, or for other lawful business, commercial,  
15 professional services or manufacturing activities;

16 2. "recycle" shall mean to separate, dismantle or process the materi-  
17 als, components or commodities contained in waste for the purpose of  
18 preparing the materials, components or commodities for use in new  
19 products or components thereof, but not for energy recovery or energy  
20 generation by means of combustion, gasification, pyrolysis or other  
21 means. Recycling includes the manual and mechanical separation of elec-  
22 tronic waste to recover materials, components or commodities contained  
23 therein for the purpose of recycling, and changing the physical or chem-  
24 ical composition of waste to segregate components for purposes of recy-  
25 cling those components; and

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

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- 1 3. "single-use plastic products" shall include:
- 2 (a) plastic bags;
- 3 (b) cling film plastic food packaging;
- 4 (c) non-recyclable plastic bottles;
- 5 (d) plastic straws;
- 6 (e) plastic plates, non-reusable plastic containers, plastic cups,
- 7 plastic lids and plastic stirrers;
- 8 (f) plastic cutlery;
- 9 (g) plastic rings used in packaging;
- 10 (h) styrofoam plates, styrofoam take-away containers and styrofoam
- 11 trays; and
- 12 (i) any other single-use plastic products determined to be included by
- 13 the department.

14 § 27-3403. Commercial recycling program.

15 1. The department shall establish a commercial recycling program to

16 require each commercial building in the state to recycle paper products

17 and single-use plastic products produced or used on site.

18 2. Each commercial building shall arrange for the collection of paper

19 products and single-use plastic products. A commercial building may

20 arrange for the collection of such products by a private carter, may

21 transport such products itself, or may process such products on site, if

22 the department determines that adequate recycling processes exist.

23 3. Commercial property owners and commercial building management shall

24 provide collection and educational resources, including regular period-

25 ical guidance, training, updates, signage, and flyers, for its work-

26 force, tenants and the public for the purposes of teaching and retaining

27 effective procedures for sorting materials for recycling.

28 4. The department shall promulgate rules and regulations as necessary

29 to implement this title.

30 5. This title shall not limit the authority of a local governmental

31 agency to adopt, implement, or enforce requirements on recycling that

32 are more stringent or comprehensive than the requirements of this title.

33 § 3. This act shall take effect on the one hundred eightieth day after

34 it shall have become a law.