§ 1-0303. General definitions.

Whenever used in this chapter, unless a different meaning clearly appears from the context or unless a different meaning is stated in a definition applicable to only a portion of this chapter:

1. "Air pollution emergency" means a combination of circumstances which requires immediate action to reduce the quantity of contaminants in the atmosphere due to danger to public health and welfare, injury to agricultural crops and livestock, damage to and deterioration of property, hazards to air and ground transportation or impairment of environmental quality.

2. "Article," "title," "section" and "subdivision" shall mean such article, title, section or subdivision of this chapter.

4. "Commissioner" shall mean the state Commissioner of Environmental Conservation.

5. "Consolidated health district" shall mean a health district established under section 390 of the Public Health Law.

6. "Council" shall mean the Council of Environmental Advisers.

7. "County department of health" shall mean that division of the county government having jurisdiction over the public health of a county or part-county health district.

8. "County health commissioner" shall mean the executive officer of a county department of health.

9. "County health district" shall mean a health district comprising the entire county heretofore or hereafter established.

10. "County legislative body" shall mean the board of supervisors, or the elected county legislative body, if the county has one.

11. "Department" shall mean the state Department of Environmental Conservation.

12. "Health district" shall mean a county health district, part-county health district, city, town, village or consolidated health district having a separate board of health.

13. "Local board of health" shall mean the board of health of a county, part-county, city, village, town or consolidated health district.

14. "Local health officer" shall mean the health officer of a county, part-county, city, village, town or consolidated health district.

15. As used in sections 3-0109 through 3-0115, inclusive, and sections 3-0305 and 3-0307 of article 3; articles 9, 11, 13 and 15; titles 7, 9, 11 and 13 of article 21; article 23; title 3 of article 27; articles 43, 45 and 47; and titles 1 through 13 inclusive and title 33 of article 71 applicable to these provisions, "local public corporation" shall mean any "municipal corporation" or "district corporation" as defined in subdivisions two and three of section sixty-six of the general construction law.

16. As used in articles 17 and 19 of this chapter, "municipality" shall mean a city, village, town or consolidated health district.

17. "Part-county health district" shall mean all that part of a county outside of a city or cities having a population of fifty thousand or more heretofore or hereafter established as a health district.

18. "Person" shall mean any individual, public or private corporation, political subdivision, government agency, department or bureau of the state, municipality, industry, co-partnership, association, firm, trust, estate or any other legal entity whatsoever. Provided, however, that for purposes of sections 3-0109 through 3-0115 inclusive, and sections 3-0305 and 3-0307 of article 3; articles 9, 11, 13 and 15; titles 7, 9, 11 and 13 of article 21; article 23; articles 43, 45 and 47; sections

57-0121 and 57-0123 of article 57; and titles 1 through 13 inclusive and title 33 of article 71 applicable to these provisions, "person" means any individual, firm, co-partnership, association or corporation other than the state and a "public corporation".

19. "Pollution" shall mean the presence in the environment of conditions and or contaminants in quantities of characteristics which are or may be injurious to human, plant or animal life or to property or which unreasonably interfere with the comfortable enjoyment of life and property throughout such areas of the state as shall be affected thereby.

20. As used in sections 3-0109 through 3-0115 inclusive, and sections 3-0305 and 3-0307 of article 3; articles 9, 11, 13 and 15; titles 7, 9, 11 and 13 of article 21; article 23; title 3 of article 27; articles 43, 45 and 47; and titles 1 through 15 inclusive and title 33 of article 71 applicable to these provisions, "public corporation" shall mean "public corporation" as defined in subdivision 1 of section 3 of the General Corporation Law and includes all public authorities.

21. As used in sections 3-0109 through 3-0115 inclusive, and sections 3-0305 and 3-0307 of article 3; articles 9, 11, 13 and 15; titles 7, 9, 11 and 13 of article 21; article 23; title 3 of article 27; articles 43, 45 and 47; and titles 1 through 15 inclusive and title 33 of article 71 applicable to these provisions, "state public corporation" shall mean public benefit corporation to which the Governor appoints a majority of the members. A person who is a member of a public corporation by virtue of holding another state office shall be deemed to be selected as a member of the public benefit corporation in the manner in which he was selected for such other office.

22. "Infant" or "minor" shall mean any person who has not attained the age of eighteen years.

23. "Arbor day" shall mean the last Friday of April.

24. "Sole source aquifer" shall mean an aquifer system that the United

States environmental protection agency, pursuant to Public Law 93-523 which is known as the federal Safe Drinking Water Act of 1974, has designated as the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.

25. "Telecommuting" shall mean the conservation of energy through the reduction of travel by employees of the department to and from their designated workplace through the use of telecommunication and computer technology in tasks including, but not limited to, information transfer and processing.

26. "Nature-based solution" shall mean a project that utilizes or mimics nature or natural processes and functions and that may also offer environmental, economic, and social benefits, while increasing resilience. Nature-based solutions include both green and natural infrastructure.