**§ 27-0715. Solid waste management technical assistance.**

1. The department shall conduct a comprehensive program of technical assistance to local governments, the private sector and individuals to enhance their capabilities to properly plan for and implement solid waste management programs consistent with the state solid waste management policy set forth in section 27-0106 of this article. This program will establish continuing and comprehensive programs of technical assistance designed to consolidate, simplify, or expedite the development and implementation of such solid waste management programs.

2. In conducting the program set forth in this section, the department shall prepare, provide and distribute to municipalities, and may distribute to other persons, information and other technical assistance concerning development and implementation of solid waste management plans, programs and facilities. Such information and assistance may be in the form of manuals, generic assessments or technical assistance documents and other written materials and, as may be appropriate, consultation services. Such information and assistance may be provided by the department directly or by contract, shall be directed toward furthering the implementation of the state solid waste management policy established pursuant to section 27-0106 of this article and the development of local solid waste management plans pursuant to section 27-0107 of this article and shall address:

(a) available techniques and technologies for various forms of solid waste management and recommendations concerning methods by which to achieve an appropriate balance among those techniques and technologies, and an assessment of their feasibility and usefulness under varying local circumstances;

(b) applicable regulatory programs and permit processes;

(c) with the assistance of the commissioner of economic development, and in cooperation with the bureau of waste reduction and recycling established pursuant to this article, assistance in developing and implementing waste reduction, source separation and recycling programs;

(d) the potential availability of financial assistance from existing state programs and other sources for any or all aspects of a proposed solid waste management program;

(e) with the assistance of the attorney general, the state comptroller, and other appropriate officers and agencies of the state, the development and implementation of contracts and service agreements, qualifications of vendors, and use of the procurement process, so as to promote compliance with the applicable provisions of the general municipal law and federal and state anti-trust statutes;

(f) model local laws or ordinances to effectively implement sound solid waste management programs, including source separation and recycling efforts and regional disposal, management, and marketing activities;

(g) generic analyses of factors associated with the construction and operation of municipal solid waste management facilities;

(h) a clearinghouse of information and suggestions from other states, agencies, and municipalities, the federal government, and other sources pertaining to development and implementation of solid waste management programs, including those relating to cost avoidance, public education and information efforts and potential host community incentives; and

(i) the availability of consultation services pertaining to the issues identified and referred to in this section.

3. In effectuating the state solid waste management policy set forth in section 27-0106 of this article, the technical assistance personnel and resources of the department and local officials should work as a team, each bringing their respective authority and responsibility to bear in the development and implementation of a viable local solid waste management program, or, as may be appropriate, as required to address specific problems associated with such programs. Accordingly, within the limits of appropriation therefor, upon designation of the local participants by a requesting local government, the department shall provide staff and other resources, as appropriate, to work jointly and in cooperation with the requesting local government on a continuing basis, as needed. State and local officials when working as a team should make available to interested parties periodic assessments of the status and effectiveness of the team's efforts.

4. In addition to providing technical assistance to municipalities and planning units in addressing the issues identified in subdivision two of

section 27-0107 of this article as they relate to the particular circumstances confronted by such municipalities and planning units, the department shall assist municipalities in identifying and evaluating:

(i) alternatives available for management of current and future solid waste, including costs and impacts of specific waste management methods; and

(ii) regulatory requirements associated with the implementation of such alternatives.

5. In administering the provisions of this section, the department shall provide to the governor, the legislature, and local governments on or before December thirty-first, nineteen hundred eighty-eight and annually thereafter, a report assessing the assistance programs established pursuant to this title, including the number of municipalities and other entities which received assistance, a description of the services provided and an assessment of program effectiveness.

6. The department shall submit to the director of the division of the budget, the chairman and ranking minority member of the senate finance committee and the chairman and ranking minority member of the assembly ways and means committee an evaluation of the assistance programs established in this section, and their implementation, prepared by an entity independent of the department. Such evaluation shall be submitted by September first, nineteen hundred ninety and by September first, every two years thereafter.

7. In administering assistance programs pursuant to this section, the commissioner shall consider the potential for coordination and consolidation of solid waste management practices, including marketing efforts associated with source separation and recycling programs, among municipalities and shall encourage such cooperation and consolidation where it is practicable and would result in enhanced environmental protection and cost effectiveness.

8. To effectuate the purposes of this section, the department may request and shall be entitled to receive, from any state agency or

public authority and the same are authorized to provide, such assistance, services, facilities, and data as will enable the department to carry out its functions, powers, and duties.