§ 54-0507. State assistance application procedure.

1. A municipality, upon the approval of its governing body, may submit an application to the commissioner, in such form and containing such information as the commissioner may require, for state assistance payments toward the cost of a project which is within the state of New York and which is eligible for state assistance pursuant to this title.

2. The commissioner shall review such project application and may approve, disapprove or recommend modifications thereto consistent with applicable law, criteria, standards or rules and regulations relative to such projects. In reviewing applications for projects pursuant to this section, the commissioner shall give due consideration to:

a. the urgency of need to provide state assistance payments for the project in relation to the provision of monies for other project needs in the state known at the time such application is made;

b. any adverse environmental impact resulting from the municipal landfill, including effects on groundwater; and

c. the ability of the municipality to pay for the costs of closure.

3. No monies shall be expended for non-hazardous municipal landfill closure projects or municipal landfill gas management projects except pursuant to an appropriation therefor.