§ 71-2720. Exemption.

1. For activities requiring a New York state or federal license, permit or certificate or which are subject to an order of the commissioner or the administrator of the federal environmental protection agency, the provisions of sections 71-2707 through 71-2714 of this chapter shall not apply to persons who possess and whose conduct is subject to and in compliance with such a valid license, permit, certificate or order or to persons whose conduct has been granted interim status pursuant to the federal solid waste disposal act as amended by the resource conservation and recovery act of 1976 (42 U.S.C. sec. 6901 et seq.) or pursuant to article 27 of this chapter or the rules and regulations promulgated thereunder.

2. In addition, no person who meets the requirements for an exemption from a New York state or federal license, permit, certificate or order shall be deemed in violation of sections 71-2707 through 71-2714 for engaging in conduct which would otherwise require such a license, permit, certificate or order.

3. No officer or employee of a municipal corporation shall be deemed in violation of sections 71-2707 through 71-2714 of this chapter if the possession or release was caused by such officer or employee pursuant to the reasonable exercise of his or her official powers, duties or functions on behalf of such corporation.