§ 1281. Definitions. As used or referred to in this title, unless a different meaning clearly appears from the context:

1. "Corporation" shall mean the corporation continued by section twelve hundred eighty-two of this title.

2. "Construction" shall mean the erection, building, acquisition, alteration, reconstruction, improvement, enlargement or extension of sewage treatment works, sewage collecting systems, solid waste disposal facilities, air pollution control facilities, water management facilities, storm water collecting systems, state park infrastructure projects, or all or any portion of Riverbank Park as the case may be; the inspection and supervision thereof; and the engineering, architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other actions necessary thereto.

3. "Governing body" shall mean

a. In the case of a county, city, town, village, county or town improvement district, the board of supervisors, board of aldermen, common council, commission, town board, board of trustees or other elective board or body now or hereafter vested by state statute, charter or other law with jurisdiction to initiate and adopt local laws or ordinances, whether or not such local laws or ordinances require the approval of the chief executive officer or other official or body to become effective;

b. In the case of a district corporation, the board vested with the management and control of the corporation; and

c. In the case of a sewer authority now existing in a city, the members of such authority.

4. "Municipal bonds and notes" shall mean the bonds and notes authorized and issued pursuant to the local finance law or other act of the legislature by any municipality for the purposes of financing the

construction of a sewage treatment works, sewage collecting system, storm water collecting system, water management facility, air pollution control facility, or solid waste disposal facility.

5. "Municipality" shall mean any county, city, town, village, district corporation, county or town improvement district, sewer authority now existing in a city, or any two or more of the foregoing which are acting jointly in connection with a sewage treatment works, sewage collecting system, solid waste disposal facility, air pollution control facility, water management facility, or storm water collecting system. For purposes of sections twelve hundred eighty-five-j and twelve hundred eighty-five-m of this title only, a municipality may, in addition to the foregoing, include an Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, any public benefit corporation or public authority established pursuant to the laws of New York or any agency of New York state which is empowered to construct and operate a municipal water pollution control project or water management facility, or any two or more of the foregoing which are acting jointly in connection with a municipal water pollution control project or water management facility. For purposes of section twelve hundred eighty-five-m of this title only, a municipality may, in addition to the foregoing, include a school district.

6. "Real property" shall mean lands, structures, franchises and interests in land, waters, lands under water, riparian rights and air rights and any and all things and rights included within said term and includes not only fees simple absolute but also any and all lesser interests including but not limited to easements, rights of way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years and liens thereon by way of judgments, mortgages or otherwise.

7. "Sewage collecting systems" shall mean systems of underground conduits designed to pick up sewage from commercial, residential and industrial properties and deliver it by gravity with or without intermediate pumping to a sewage treatment or disposal plant.

8. "Sewage treatment works" shall mean a facility for the purpose of treating, neutralizing or stabilizing sewage, industrial waste or a combination thereof, including but not limited to treatment or disposal plants, the necessary intercepting, outfall, force mains and outlet sewers, pumping stations integral to such plants or sewers, and other property used for treating, utilizing, storing, processing, or finally disposing of sewage or industrial waste, equipment and furnishings thereof and their appurtenances.

9. "Solid waste" shall mean all putrescible and non-putrescible solid wastes, including but not limited to garbage, refuse, sludge, rubbish, ashes, incinerator residue, street cleanings, dead animals, demolition and construction debris, automobile bodies, offal and other discarded and solid materials, including but not limited to that resulting from commercial, industrial, construction, demolition, agricultural, governmental, residential or community processes or activities.

10. "Solid waste disposal facility" shall mean a facility or site for the purpose of treating, compacting, recycling, or disposing of solid waste materials, including treatment, compacting, resource recovery or disposal plants, equipment and furnishings thereof used for the storage, treatment, compacting, composting, shredding, converting, utilization, processing, or final disposal of solid waste, including but not limited to resource recovery facilities, mechanical, chemical or thermal processing systems, incinerators, sanitary landfills, other facilities for the storage, reduction or conversion of solid waste, used singly or in combination, and appurtenances, furnishings, equipment and machinery deemed necessary thereto, whether said facility or site serves one or more purposes in addition to the primary purpose of disposing of solid waste materials, and a facility or site for the collection and conveyance of solid wastes, including but not limited to transfer stations, baling facilities, railroad and maritime facilities, motor trucks or vehicles and appurtenances, furnishings, equipment and machinery deemed necessary thereto, but not including services necessary for the collection of solid wastes.

11. "State agency" shall mean any officer, authority, corporation, department, board, commission, bureau, division, public benefit corporation, council, agency or instrumentality of the state.

12. "State" shall mean the state of New York.

13. "Cost" as applied to any project shall include, but not be limited to, cost of construction of the project, the cost of acquisition of all property, including real property and other property, both real and personal and improved and unimproved, the cost of demolishing, removing or relocating any buildings or structures on lands so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved or relocated, the costs of all systems, facilities, machinery and equipment, financing charges, interest prior to and during construction, the cost of engineering and architectural surveys, plans and specifications, the cost of consultants' and legal services, the cost of lease guarantee or bond insurance, other expenses necessary or incident to the construction of such project and the financing of the construction thereof, including the amount authorized in the resolution of the corporation providing for the issuance of bonds to be paid into any special fund from the proceeds of such bonds and the financing of the placing of any project in operation, including reimbursement to any municipality, state agency, the state, the United States government, or any other person for expenditures, made with the prior approval of the corporation, that would be costs of the project hereunder had they been made directly by the corporation.

14. "Person" shall mean any person, including individuals, firms, partnerships, associations, public utilities or corporations organized or existing under the laws of the state or any other state, exclusive of a municipal corporation or state agency.

15. "Project" shall mean any sewage treatment works, sewage collecting systems, solid waste disposal facilities, air pollution control facility, water management facility, industrial hazardous waste treatment, storage, exchange and disposal facility, inactive hazardous waste disposal site remedial program, storm water collecting system, and

waste oil recovery, reprocessing and rerefining facilities or any other works or facilities which the corporation is authorized to plan, finance, construct, operate or maintain under the provisions of this title including all buildings, systems, facilities, appurtenances, machinery and equipment which the corporation deems necessary for the operation of the project, including the site therefor, together with all property, rights, easements and interests, either on or off such site, which may be required for the operation of the project.

16. "Sewage" shall mean the water-carried human or animal wastes from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. The admixture with sewage of industrial waste or other waste shall also be considered "sewage" within the meaning of this title.

17. "Air pollution control facility" shall mean a facility, for the purpose of abating or controlling atmospheric pollutants, contaminants, waste or heat, by recovery methods or otherwise, whether said facility serves one or more purposes in addition to the primary purpose of abating or controlling such pollutants, contaminants, waste, or heat, including treatment, neutralizing or stabilizing plants, site equipment and necessary furnishings thereof, their appurtenances, and any property, real or personal, functionally related and subordinate to said facility.

18. "Industrial waste" shall mean any liquid, gaseous, or solid waste substance or a combination thereof resulting from any process of industry, manufacture, trade, or business, or from the development, processing, or recovery of any natural resource which pollutes the water or air of the state.

19. "Water management facility" shall mean a water supply facility or a facility or site for the supply, control, treatment and distribution of water, including but not limited to water transmission lines, pumping stations, reservoirs, dams and other impoundments, and all of the necessary appurtenances incidental thereto for the purpose of providing a public water supply. It shall also mean a facility for the purpose of

abating or controlling water pollutants, contaminants, waste or heat, by recovery methods or otherwise, whether said facility serves one or more purposes in addition to the primary purpose of abating or controlling such pollutants, contaminants, waste or heat, including but not limited to treatment, neutralizing or stabilizing plants, site equipment and necessary furnishings thereof, their appurtenances, and any other property, real or personal, functionally related and subordinate to said facility.

20. "Storm water collecting system" shall mean systems of conduits and all other constructions, devices, and appliances appurtenant thereto, designed and used to collect and carry storm water and surface water, street wash and other wash or drainage waters.

21. "Resource recovery facilities" shall mean facilities, structures, machinery, or devices, singly or in combination, designed, constructed and required to separate, process, modify, convert, treat, or prepare collected solid waste so that component materials or substances or recoverable resources may be used as a raw material or for their productive purposes, which are required for the process of obtaining materials, substances, or heat, oil, gas or other sources or forms of energy from solid waste for use or reuse, including but not be limited to, singly or in combination, structures, mechanical, chemical or thermal processing systems, furnaces, steam generating equipment, electric generating equipment, pyrolization facilities and other appurtenances, furnishings, equipment and machinery deemed necessary thereto.

22. "Industrial hazardous waste" shall mean an industrial waste or combination of wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may:

(a) cause, or significantly contribute to an increase in serious irreversible, or incapacitating reversible illness; and/or

(b) pose a substantial present or potential hazard to human health or the environment and, therefore, must be segregated and excluded from the general municipal waste system and sewage collection and treatment process.

23. "Industrial hazardous waste treatment, storage and disposal facility" shall mean a specialized facility or site other than a sewage treatment for the purpose of treating, storing, compacting, recycling, exchanging, or disposing of industrial hazardous waste materials, including treatment, compacting, resource recovery or disposal plants, equipment and furnishings thereof used for the storage, treatment, compacting, composting, shredding, converting, utilization, processing, or final disposal of hazardous waste, including but not limited to mechanical, chemical or thermal processing systems, incinerators, sanitary landfills, other facilities for the storage, reduction or conversion of hazardous waste, including but not limited to transfer stations, baling facilities, railroad and maritime facilities, motor trucks or vehicles and appurtenances, furnishings, equipment and machinery deemed necessary thereto.

24. "Hazardous waste" shall have the same meaning as set forth in section 27-1301 of the environmental conservation law.

25. "Inactive hazardous waste disposal site" shall have the same meaning as set forth in section 27-1301 of the environmental conservation law.

26. "Inactive hazardous waste disposal site remedial program" shall have the same meaning as set forth in section 27-1301 of the environmental conservation law.

27. "Municipal water pollution control project" shall mean a sewage facility or related facility which is an "eligible project" within the meaning of section 17-1909 of the environmental conservation law.

* 28. "Riverbank Park" shall mean a park or parks to be located on a site of approximately twenty-eight acres, on the roof of and adjacent to the North River sewage treatment plant, located at the Hudson River between 137th and 145th Streets in the borough of Manhattan, city of New York, including all buildings, systems, bridges and other means of pedestrian or vehicular access, recreational, cultural and athletic facilities, appurtenances, machinery and equipment which the corporation

deems necessary for the operation of such park or parks, including the site therefor, together with all property, rights, easements and interests, either on or off such site, which may be required for the operation of such park or parks. Such recreational, cultural and athletic facilities may include, without limitation, swimming pools, gymnasia, athletic fields, skating rinks, tennis courts, theaters or amphitheaters and centers for the performing arts.

* NB There are 2 sub 28's

* 28. "Waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, whether or not such material may eventually be used for some other purpose, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations or from community activities, and source, special nuclear or by-product material as defined in the Atomic Energy Act of 1954, as amended, except as may be provided by existing agreements between the state of New York and the government of the United States, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under article seventeen of the environmental conservation law.

* NB There are 2 sub 28's

29. "State park infrastructure" shall mean state park resources, recreational facilities and historic sites and any other property, real or personal, under the jurisdiction of the New York state office of parks, recreation and historic preservation, together with machinery, equipment, furnishings and fixtures relating thereto or used in connection therewith.

30. "State park infrastructure project" shall mean all costs incurred or to be incurred by or on behalf of the office of parks, recreation and historic preservation for the purpose of preserving, improving or rehabilitating state park infrastructure.

31. "Waste oil" shall mean used engine lubricating oil and any other

oil, including but not limited to, fuel oil, motor oil, gear oil, cutting oil, transmission fluid, hydraulic fluid, dielectric fluid, oil storage tank residue, animal oil, and vegetable oil, which has been contaminated by physical or chemical impurities, through use or accident, and has not subsequently been rerefined.

32. "Waste oil recovery, reprocessing and rerefining facilities" shall mean facilities, structures, machinery, or devices, singly or in combination, for purposes of separating, processing, modifying, converting, treating or otherwise preparing waste oil so that it, or its components or substances, may be beneficially reused, including reuse as raw materials, as lubricants, or as an energy source. Such facilities, structures, machinery or devices may include, but shall not be limited to, mechanical, chemical or thermal processing systems, furnaces, laboratories, storage and blending tanks, pumping stations, transfer stations, railroad and maritime facilities, motor trucks or vehicles and other appurtenances, furnishings, machinery and equipment deemed necessary thereto.

33. "Water supply facility" or "water supply project" shall mean a water supply facility which is an "eligible project" within the meaning of subdivision four of section eleven hundred sixty of the public health law.

34. "Recipient" shall mean any municipality, public utility, or person, including any individual, firm, partnership, association, not-for-profit corporation or other corporation organized and existing under the laws of the state or any other state which is empowered to construct and operate an eligible project, or any two or more of the foregoing which are acting jointly in connection with an eligible project.