

SUMMARY OF EXPRESS TERMS

This rulemaking adds a new Part 351 Plastic Bag Reduction, Reuse and Recycling to set forth the requirements of Titles 27 and 28 of the Article 27 of the Environmental Conservation Law with respect to the prohibition on plastic carryout bags; the allowable reusable bags; and the recycling of plastic carryout bags and film plastic by stores. The regulations also address the related requirements for manufacturers.

Subpart 351-1 General Provisions

A new Subpart 351-1 sets forth the purpose and applicability and the definitions used in the regulations. These definitions clarify important definitions such as reusable bag, plastic carryout bag, paper carryout bag, compostable plastic bag and exempt bag. This Subpart also includes references, severability and addresses the effect on local laws as well as violations and enforcement.

Subpart 351-2 Requirements for Persons Required to Collect Tax, Store Operators, Owners of Enclosed Shopping Malls, and Manufacturers

A new Subpart 351-2 establishes the prohibitions related to distribution of plastic carryout bags for a person required to collect tax, store operators' requirements related to the sale and use of reusable bags, the responsibilities of store owners and enclosed malls related to the collection of film plastic and manufacturer responsibilities with respect to plastic carryout bags, other film plastic and compostable bags.