

REVISED JOB IMPACT STATEMENT

The New York State Department of Environmental Conservation (Department) has adopted new 6 NYCRR Parts 360-366 and 369. The regulations will apply statewide. The Department does not expect the regulations to have a negative impact on jobs and employment opportunities in the state.

The regulations will update the existing regulations that relate to solid waste management facilities, waste transportation, local solid waste management planning, and state assistance. Many new or expanded solid waste management facilities, particularly recycling facilities and landfills, have been constructed since the last comprehensive revision in 1993, providing the Department with experience in applying those regulations. This experience has demonstrated that many areas of the regulations would benefit from revision, clarification, or modification to allow new, technically appropriate alternatives to the design and operation criteria for solid waste management facilities found in the existing regulations, and to streamline the regulatory process.

1. NATURE OF IMPACT

As mentioned above, the Department does not expect the regulations to have a negative impact on jobs and employment. The new adopted regulations amend regulations that have been in place for more than 20 years. For the majority of the criteria in the regulations, there will be little or no impact on economic activity. Numerous pre-determined BUDs have been added to the regulations eliminating regulatory oversight for many solid waste streams when reused in commerce. These regulatory provisions not only relieve burdens on the regulated community but also Department staff.

2. CATEGORIES AND NUMBERS OF JOBS OR EMPLOYMENT OPPORTUNITIES AFFECTED

The regulations themselves will not negatively affect employment opportunities. Although it is difficult to predict the number of facilities and jobs that will be gained as a result of the rulemaking, a few hundred new jobs statewide are likely.

3. REGIONS OF ADVERSE IMPACT

There are no regions of the State expected to be negatively impacted from the rulemaking. The rulemaking was undertaken to reflect current industry practices and address new facility types that have begun operating since the last comprehensive revision in 1993. The rulemaking reduces regulatory burden on some food scrap composting facilities. The regulations will impose requirements for the testing of soil excavated from areas within New York City, either by the generator if they want to send these materials directly to other sites for reuse or by the processing facility that receives the fill material to ensure proper characterization and to ensure that these materials are properly handled. However, as a companion approach to these New York City requirements, the regulations will also open up more opportunities for eased reuse of the soils excavated in New York City to be reused in an environmentally sound manner. For larger projects, these changes will likely result in reduced costs for handling these materials and will reduce construction related costs for large development projects located in New York City from the availability of locally sourced fill materials. These changes

will also improve the efficiency of fill material reuse within New York City that in turn will help to ensure that jobs will not be impacted.

4. MINIMIZING ADVERSE IMPACT

The regulations are not expected to have an adverse impact on jobs and employment. The Department already regulates the solid waste management activities covered by the regulations. For most facilities and activities, the regulations will have no direct impact on jobs and employment. The regulations have expanded the use of registrations in lieu of full permits for both solid waste management facilities and for solid waste transporters so as to ease regulatory burden on these industry sectors, while still properly engaging the Department.

5. SELF-EMPLOYMENT OPPORTUNITIES

The regulations are not expected to negatively impact self-employment opportunities.

6. INITIAL REVIEW OF RULE

The Department will conduct an initial review of the rule within three years as required by SAPA § 207.