

STATE OF NEW YORK

9952--B

IN ASSEMBLY

February 28, 2020

Introduced by M. of A. McDONALD, FAHY, STECK, D'URSO, THIELE, DICKENS, DARLING, EPSTEIN, JACOBSON, GLICK, GALEF, SIMON, CAHILL, LENTOL, GOTTFRIED, SCHMITT, DeSTEFANO -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT prohibiting the incineration of aqueous film-forming foam containing perfluoroalkyl and polyfluoroalkyl substances in certain cities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. 1. The disposal by incineration of aqueous film-forming
2 foam that contains perfluoroalkyl and polyfluoroalkyl substances shall
3 be prohibited in a city with an environmental justice area designated by
4 the department of environmental conservation and a population of not
5 less than sixteen thousand and not more than seventeen thousand based
6 upon the two thousand ten federal census. The commissioner of environ-
7 mental conservation may promulgate any rules or regulations he or she
8 may deem necessary in order to carry out the provisions of this act.
- 9 2. For the purposes of this act:
- 10 (a) "incineration" includes but is not limited to burning, combustion,
11 pyrolysis, gasification, thermal oxidation (including flameless and
12 regenerative), acid recovery furnace/oxidizer, ore roaster, cement kiln,
13 lightweight aggregate kiln, industrial furnace, boiler and process heat-
14 er; and
- 15 (b) "perfluoroalkyl and polyfluoroalkyl substances" means a class of
16 fluorinated organic chemicals containing at least one fully fluorinated
17 carbon atom.
- 18 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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