

STATE OF NEW YORK

9952

IN ASSEMBLY

February 28, 2020

Introduced by M. of A. McDONALD, FAHY, STECK -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting the incineration of aqueous film-forming foam and associated perfluorocarbon components

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

1 Section 1. The environmental conservation law is amended by adding a
2 new section 27-0927 to read as follows:

3 § 27-0927. Incineration of aqueous film-forming foam and associated
4 perfluorocarbon components prohibited.

5 1. No person, partnership, limited liability company, corporation,
6 joint venture, association, government, or any other legal entity or any
7 agency or employee thereof shall cause any object or substance contain-
8 ing aqueous film-forming foam and associated perfluorocarbon components
9 to be incinerated anywhere in the state. The commissioner may promulgate
10 any rules or regulations he or she may deem necessary in order to carry
11 out the provisions of this section.

12 2. For the purposes of this section "incineration" shall include but
13 is not limited to burning, combustion, pyrolysis, gasification, thermal
14 oxidation (including flameless and regenerative), acid-recovery
15 furnace/oxidizer, ore roaster, cement kiln, lightweight aggregate kiln,
16 industrial furnace, boiler, process heater. This prohibition does not
17 apply to non-combustion processes using high temperature and pressures
18 coupled with water including hydrothermal oxidization.

19 § 2. This act shall take effect immediately.

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

LBD15624-01-0