STATE OF NEW YORK

9952--A

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

AN ACT to amend the environmental conservation law, in relation to prohibiting the incineration of aqueous film-forming foam containing perfluoroalkyl and polyfluoroalkyl substances

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

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

§ 27-0927. Incineration of aqueous film-forming foam containing perfluoroalkyl and polyfluoroalkyl substances prohibited.

1. The disposal by incineration of aqueous film-forming foam that contains perfluoroalkyl and polyfluoroalkyl substances shall be prohibited in the state of New York. The commissioner may promulgate any rules or regulations he or she may deem necessary in order to carry out the provisions of this section.

2. For the purposes of this section:

(a) "incineration" includes but is not limited to burning, combustion, pyrolysis, gasification, thermal oxidation (including flameless and regenerative), acid recovery furnace/oxidizer, ore roaster, cement kiln, lightweight aggregate kiln, industrial furnace, boiler and process heater; and

(b) "perfluoroalkyl and polyfluoroalkyl substances" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

§ 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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