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:

Section 1. 1. The disposal by incineration of aqueous film-forming foam that contains perfluoroalkyl and polyfluoroalkyl substances shall be prohibited in a city with an environmental justice area designated by the department of environmental conservation and a population of not less than sixteen thousand and not more than seventeen thousand based upon the two thousand ten federal census. The commissioner of environmental conservation may promulgate any rules or regulations he or she may deem necessary in order to carry out the provisions of this act.

2. For the purposes of this act:

(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.

LBD15624-06-0