STATE OF NEW YORK

7880

IN SENATE

February 28, 2020

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed 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:

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 and associated perfluorocarbon components prohibited.

1. No person, partnership, limited liability company, corporation, joint venture, association, government, or any other legal entity or any agency or employee thereof shall cause any object or substance containing aqueous film-forming foam and associated perfluorocarbon components to be incinerated anywhere in the state. 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 "incineration" shall include 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, process heater. This prohibition does not apply to non-combustion processes using high temperature and pressures coupled with water including hydrothermal oxidization.

§ 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