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.