STATE OF NEW YORK

8722

IN ASSEMBLY

January 11, 2022

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to bioheating fuel requirements

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

Section 1. Paragraph (b) of subdivision 1 and subdivision 9 of section 19-0327 of the environmental conservation law, as amended by a chapter of the laws of 2021 amending the environmental conservation law relating to bioheating fuel requirements, as proposed in legislative bills numbers S. 3321-A and A. 7290, are amended to read as follows:

(b) "Renewable Hydrocarbon Diesel" shall mean a [~~domestically-produced~~] **North American-produced** fuel derived from vegetable oils, animal fats, and other renewable feedstocks that meet the requirements of ASTM international specification D975. Renewable hydrocarbon shall not include any fuel from co-processed biomass with a feedstock that is not biomass.

(9) No bioheating fuel shall be sold to a customer that would void the manufacturer's warranty for that burner or boiler type unless the bioheat provider warranties in writing to the customer that the use of such bioheating fuel will be covered to the extent and time limits of the warranty then covering such burner or boiler[~~. The commissioner, in consultation with the department of financial services, shall issue regulations that strictly enforce such provisions~~].

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2021, amending the environmental conservation law relating to bioheating fuel requirements, as proposed in legislative bills numbers S. 3321-A and A. 7290, takes effect.

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

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