STATE OF NEW YORK

8832

IN ASSEMBLY

January 13, 2022

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to establishing a list of emerging contaminants

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

Section 1. Paragraph c of subdivision 3 and subdivision 13 of section 1112 of the public health law, paragraph c as amended and paragraph 13 as added by a chapter of the laws of 2021 amending the public health law relating to establishing a list of emerging contaminants, as proposed in legislative bills numbers S. 1759-A and A. 126-A, are amended and paragraph d of subdivision 3 is relettered paragraph e and a new paragraph d is added to read as follows:

c. The commissioner shall, at a minimum, include the following chemicals identified as emerging contaminants in the first list of emerging contaminants: [~~1,2,3-trichloropropane; chloromethane (methyl chloride); 1,1-dichloroethane; bromomethane (methyl bromide); chlorodifluoromethene (HCFC-22); vanadium; molybdenum; cobalt; strontium; chromium-6; chlorate;~~] perfluorononanoic acid (PFNA); perfluorohexanesulfonic acid (PFHxS); perfluoroheptanoic acid (PFHpA); perfluorobutanesulfonic acid (PFBS); hexafluoropropylene oxide dimer acid (HFPO-DA); [~~N-ethyl perfluorooctanesulfonamidoacetic acid (NEtFOSAA); N-methyl perfluorooctanesulfonamidoacetic acid (NMeFOSAA);~~] Perfluorodecanoic acid (PFDA); Perfluorododecanoic acid (PFDoA); Perfluorohexanoic acid (PFHxA); [~~Perfluorotetradecanoic acid (PFTA); Perfluorotridecanoic acid (PFTrDA);~~] Perfluoroundecanoic acid (PFUnA); 11-chloroeicosafluoro-3-oxaundecane-1-sulfonic acid (11Cl-PF3OUdS); 9-chlorohexadecafluoro-3-oxanonane-1-sulfonic acid (9Cl-PF3ONS); 4,8-dioxa-3H-perfluorononanoic acid (ADONA); Nonafluoro-3,6-dioxaheptanoic acid (NFDHA); Perfluorobutanoic acid (PFBA); 1H, 1H, 2H, 2HPerfluorodecane sulfonic acid (8:2FTS); Perfluoro(2-ethoxyethane)sulfonic acid (PFEESA); Perfluoroheptanesulfonic acid (PFHpS); 1H,1H, 2H, 2H-Perfluorohexane sulfonic acid (4:2FTS); Perfluoro-3-methoxypropanoic acid (PFMPA); Perfluoro-4-methoxybutanoic acid (PFMBA); 1H,1H, 2H, 2H-Perfluorooctane sulfonic acid (6:2FTS);

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

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Perfluoropentanoic acid (PFPeA); Perfluoropentanesulfonic acid (PFPeS)[~~;~~ ~~testosterone; and 4-androstene-3, 17-dione~~].

d. The commissioner shall make regulations to list the following additional substances as emerging contaminants; provided however the commissioner may, upon review and recommendation by the drinking water quality council pursuant to section eleven hundred thirteen of this title determine not to include such chemicals as emerging contaminants by January first, two thousand twenty-four: 1,2,3-trichloropropane; chloromethane (methylchloride); 1,1-dichloroethane; bromomethane (methyl bromide); chlorodifluoromethene (HCFC-22); vanadium; molybdenum; cobalt; strontium; chromium-6; N-ethyl perfluorooctanesulfonamidoacetic acid (NEtFOSAA); N-methyl perfluorooctanesulfonamidoacetic acid (NMeFOSAA); Perfluorotetradecanoic acid (PFTA); Perfluorotridecanoic acid (PFTrDA). Provided, however, the commissioner may, upon review and recommendation by the drinking water quality council, determine not to include such chemicals as emerging contaminants: testosterone; and 4-androstene-3, 17-dione.

13. The commissioner shall [~~publish~~] **make** draft regulations containing the first list of emerging contaminants within [~~ninety~~] **one hundred eighty** days of the effective date of this subdivision and shall make regulations implementing this subdivision within ninety days thereafter.

§ 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 public health law relating to establishing a list of emerging contaminants, as proposed in legislative bills numbers S. 1759-A and A. 126-A, takes effect.