STATE OF NEW YORK

7934

IN SENATE

January 3, 2024

Introduced by Sen. HARCKHAM -- 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 directing the department of environmental conservation to establish a perfluoroalkyl and polyfluoroalkyl substances removal treatment installation grant program and a perfluoroakyl and polyfluoroalkyl substances removal treatment maintenance rebate program

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 37-0123 to read as follows:

§ 37-0123. Perfluoroalkyl and polyfluoroalkyl substances removal treatment installation grant program.

1. Definitions. For purposes of this section, "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" shall have the same meaning as in section 27-3301 of this chapter.

2. Grant program. The department, within amounts from any source appropriated or otherwise provided for such purpose, shall establish a perfluoroalkyl and polyfluoroalkyl substances removal treatment installation grant program. The department shall provide a one-time grant to private well users for up to five thousand dollars for the installation of PFAS treatment, or up to ten thousand dollars for a service connection to a public water system.

3. Eligibility. (a) The following persons shall be eligible to apply for such grant program:

(i) owners of a single or multiple-unit residential property; and

(ii) tenants or occupants of a residential property where the owner of such property has not applied for the grant for such property.

(b) Installers of such treatments may apply for such grant on behalf of an eligible applicant, provided there is a waiver of claims between such parties.

(c) An applicant shall not be eligible to apply for such grant program if such applicant has an offer of an alternate water source from a third party, including bottled water, treatment, or service connection.

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

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4. Application. (a) Applicants shall submit an application to the department in a manner and form to be determined by the commissioner, and shall include the following documentation:

(i) analytical results from a laboratory certified to test for PFAS by the department of health environmental laboratory approval program. Such results must show a PFAS result greater than the maximum contaminant level or other drinking water cleanup standard set for PFAS by the department of health or the United States environmental protection agency;

(ii) an estimate for the cost of treatment installation or service connection; and

(iii) specification sheets for treatment and equipment to be installed, if applicable and available.

(b) Grants awarded pursuant to this section shall be used solely for the purpose of purchasing and installing PFAS treatment equipment.

(c) The commissioner, upon review of an applicant's application, shall determine if such applicant is eligible for a grant pursuant to this section.

5. Public awareness. The department shall publish information about the grant program on the department's website and create public education materials to publicize the grant program and distribute these materials to local governments, community organizations, and other relevant institutions. The department shall also compile and distribute a list of vendors that offer treatment technology or service connection to a public water system for residents of this state, provided that such a list does not imply an endorsement of the vendors by the department.

§ 2. The environmental conservation law is amended by adding a new section 37-0125 to read as follows:

§ 37-0125. Perfluoroalkyl and polyfluoroalkyl substances removal treatment maintenance rebate program.

1. Definitions. For purposes of this section, "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" shall have the same meaning as in section 27-3301 of this chapter.

2. Rebate program. The department, within amounts from any source appropriated or otherwise provided for such purpose, shall establish a perfluoroalkyl and polyfluoroalkyl substances removal treatment maintenance rebate program. The department shall provide a rebate for the maintenance of PFAS treatment equipment installed by private well users.

3. Eligibility. The following persons shall be eligible to apply for such rebate program:

(a) owners of a single or multiple-unit residential property where PFAS treatment is installed; and

(b) tenants or occupants of a residential property where PFAS treatment is installed.

4. Application. (a) Applicants shall submit an application to the department in a manner and form to be determined by the commissioner, and shall include the following documentation:

(i) specification sheets for treatment and equipment installed, if applicable and available;

(ii) photo documentation of the treatment installation of service connection; and

(iii) post-treatment analytical results from a laboratory certified to test for PFAS by the department of health environmental laboratory approval program. Such results must show PFAS concentrations below the maximum contaminant level or other drinking water cleanup standard set for PFAS, if applicable.

(b) The commissioner, upon review of an applicant's application, shall determine if such applicant is eligible for a rebate pursuant to this section. The commissioner shall make the determination as to the amount of rebate approved, provided that such amount shall in no event exceed one thousand five hundred dollars.

(c) The commissioner shall promulgate rules and regulations regarding how often an applicant may submit an application pursuant to this subdivision.

5. Public awareness. The department shall publish information about the rebate program on the department's website and create public education materials to publicize the rebate program and distribute these materials to local governments, community organizations, and other relevant institutions.

§ 3. This act shall take effect immediately.