STATE OF NEW YORK

8142--A

2023-2024 Regular Sessions

IN ASSEMBLY

October 13, 2023

Introduced by M. of A. KELLES, LEVENBERG -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to banning the use of polystyrene foam docks, buoys and floating structures

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

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 34 to read as follows:

TITLE 34

POLYSTYRENE FOAM DOCKS BAN

Section 27-3401. Definitions.

27-3403. Prohibition on polystyrene docks, buoys, and floating structures.

§ 27-3401. Definitions.

For the purposes of this title, the following terms shall have the following meanings:

1. "Buoy" means any float or marker that is attached to a mooring anchor and either is suitable for attachment to a boat through the use of a pennant or other device or facilitates the attachment of the boat to the mooring anchor.

2. "Dock" means an unenclosed structure secured to land, land under waters, a mooring, or a floating structure that is used for mooring boats or for recreational activities, such as a swimming, fishing, or sunbathing platform. A dock includes a structure that is partially enclosed or has two or more levels.

3. "Expanded polystyrene foam" means a thermoplastic petrochemical material utilizing the styrene monomer that is processed according to

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

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multiple techniques including fusion of polymer spheres, injection molding, form molding, and extrusion-blow molding.

4. "Extruded polystyrene foam" means polystyrene foam manufactured via an extrusion process where plastic resin and other additives are combined and extruded through a die, before cooling and expanding into its final shape.

5. "Rigid polystyrene" means plastic made from rigid polystyrene resin that has not been expanded, extruded, or foamed.

6. "Floating structure" means a structure constructed on or in waters of the state that is supported by flotation and is secured in place by a piling or mooring anchor, including boathouses, fueling structures, navigation markers, floating homes, marinas, walkways, or boarding platforms.

§ 27-3403. Prohibition on polystyrene docks, buoys, and floating structures.

Beginning January first, two thousand twenty-six, no person shall sell, offer to sell, or distribute docks, buoys, or floating structures made with expanded polystyrene foam, extruded polystyrene foam, or rigid polystyrene.

§ 2. This act shall take effect immediately.