

# STATE OF NEW YORK

4974

2023-2024 Regular Sessions

## IN SENATE

February 17, 2023

Introduced by Sen. WALCZYK -- 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 banning unencapsulated expanded or extruded polystyrene foam in floating docks and floating platforms

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

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

3 TITLE 34

4 UNENCAPSULATED EXPANDED OR  
5 EXTRUDED POLYSTYRENE FOAM BAN

6 Section 27-3401. Definitions.

7 27-3403. Unencapsulated expanded or extruded polystyrene foam  
8 ban.

9 § 27-3401. Definitions.

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

12 1. "Expanded polystyrene foam" means expanded foam thermoplastics  
13 utilizing a styrene monomer and processed by any number of techniques.  
14 Such term shall not include rigid polystyrene.

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

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

21 § 27-3403. Unencapsulated expanded or extruded polystyrene foam ban.

22 1. Beginning January first, two thousand twenty-four, any person who  
23 sells, offers to sell, or distributes a floating dock or floating plat-  
24 form in this state shall ensure that any expanded polystyrene foam or

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

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1 extruded polystyrene foam in such floating dock or floating platform is  
2 fully encapsulated.

3 2. Beginning January first, two thousand twenty-four, any person who  
4 constructs a floating dock or floating platform in this state shall  
5 ensure that any expanded polystyrene foam or extruded polystyrene foam  
6 in such floating dock or floating platform is fully encapsulated.

7 § 2. This act shall take effect immediately.