

# STATE OF NEW YORK

7977--A

## IN SENATE

January 4, 2024

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- 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:

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 POLYSTYRENE FOAM DOCKS BAN

5 Section 27-3401. Definitions.

6 27-3403. Prohibition on polystyrene docks, buoys, and floating  
7 structures.

8 § 27-3401. Definitions.

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

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

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

20 3. "Expanded polystyrene foam" means a thermoplastic petrochemical  
21 material utilizing the styrene monomer that is processed according to  
22 multiple techniques including fusion of polymer spheres, injection mold-  
23 ing, form molding, and extrusion-blow molding.

24 4. "Extruded polystyrene foam" means polystyrene foam manufactured via  
25 an extrusion process where plastic resin and other additives are

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

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1 combined and extruded through a die, before cooling and expanding into  
2 its final shape.

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

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

10 § 27-3403. Prohibition on polystyrene docks, buoys, and floating struc-  
11 tures.

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

16 § 2. This act shall take effect immediately.