

2019 NYS Environmental Legislation

Environmental Protection Fund- \$300 million

[Climate Leadership and Community Protection Act](#) - The legislation mandates zero-emissions and renewable electric generation and requires carbon neutrality or net carbon zero across the economy by 2050. The CLCPA requires the development of a New York state climate action council. The Council will develop a plan for achieving the statewide greenhouse gas emissions limits. The DEC will adopt regulation allowing for attainment of the emissions limits. The legislation requires all state agencies in considering and issuing permits, licenses, and other administrative approvals and decisions, consider whether such decisions are inconsistent with or will interfere with the statewide greenhouse gas emissions limits. It mandates 70% generation from renewable sources by 2030 and complete elimination of GHG emissions from the electric grid by 2040. *Awaits Gov's Signature*

[Environmental Justice Advisory Group Act](#)- Creates a permanent environmental justice advisory group; provides that the function of the group is to ensure that no group of people, including a racial, ethnic, or socioeconomic group, bears a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies; empowers that advisory group to adopt a model environmental justice policy applicable to state agencies, and to monitor agencies on compliance with such policies; specifies responsibilities of state agencies; establishes an environmental justice interagency coordinating council. *Awaits Gov's Signature*

[Child Safe Product Act](#)- The legislation requires DEC to post lists of chemicals of concern on its website. Manufacturers of children's products will be held accountable for notifying distributors and retailers about the presence of potentially toxic chemicals in their products and for providing all the necessary information regarding the toxicity of those chemicals. The bill also creates a regulatory framework for new chemicals to be added to the list of dangerous ones as new scientific and medical research emerges. In addition to disclosure, starting in January 2023, the legislation prohibits the sale of children's products containing the most dangerous chemicals Tris (1, 3 dichloro-2-propyl) phosphate, Benzene, lead, Mercury and mercury compounds, including methyl mercury, Formaldehyde, Asbestos, Arsenic and arsenic compounds, Cadmium, Organohalogen flame retardants. *Awaits Gov's Signature*

[Single-Use Plastic Bag Ban](#)- Was part of the Governor's Budget and signed into law. Based on recommendations from Task force [report](#), single-use, plastic carryout bags we banned at any point of sale, and would provide the DEC with exclusive jurisdiction over all matters related to plastic bags and film plastic recycling. The bill exempts garment bags, trash bags and any bags used to wrap or contain certain foods, such as fruits and sliced meats. Law will go into effect March 2020. Individual counties will have the option of charging 5 cents for paper bags, 2 cents supporting local programs to buy reusable bags for low- and fixed-income consumers, and 3 cents revenue supporting programs in the state's Environmental Protection Fund. *Signed into Law*

[Food Recovery & Recycling Act](#) - Relates to the donation of excess food and recycling of food scraps. Requires facilities generating more than 2 tons of food waste/week to take measures to minimize, donate and/or divert such waste. Will be effective Jan 1, 2022. Exemptions included for generators that are not within 25 minutes of a organics recycler, proven economic hardship. DEC will identify and notify organic generators and recyclers by June 1 2021. *Signed into Law*

[PFAS in Firefighting Foam Ban](#): No person, local government, or state agency may discharge or otherwise use for training purposes class B firefighting foam that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS chemicals). After 2 years, bans manufacture or sale of Class B Foam. *Awaits Gov's Signature*

- [1,4-dioxane Ban](#)- Prohibits the sale of household cleansing products, cosmetics and personal care products that contain 1,4-dioxane. Use of products containing 1,4-dioxane has resulted in the contaminant being found local water systems (33 od 36 in Long Island) *Awaits Gov's Signature*

- [Chlorpyrifos Ban](#): Relates to prohibiting the use of chlorpyrifos by aerial application by January 1, 2020; prohibits all use except for apple tree trunks by January 1, 2021 and prohibits any use of chlorpyrifos by December 1, 2021. *Awaits Gov's Signature*

- [Feminine Care Product Ingredient Disclosure](#): requires ingredient labeling on packaging of menstrual products. *Awaits Gov's Signature*

- [Paint Stewardship Collection Program](#): Establishes a postconsumer paint collection program; requires producers of architectural paint sold at retail in the state or a representative organization to submit a plan to the commissioner of environmental conservation for the establishment of a postconsumer paint collection program; prohibits a producer or retailer from selling architectural paint in the state unless the producer or producer's representative organization is implementing an approved program plan. *Awaits Gov's Signature*

- [Banning Offshore Oil and Gas Development in NY Waters](#) *Signed into Law*

-[Large-Scale Renewables](#): Maintains the continued viability of the state's existing large-scale, renewable energy resources. *Awaits Gov's Signature*

- [Finger Lakes Community Act of 2019](#): Prohibits the siting of newly constructed incineration facilities in the Finger Lakes region *Signed into Law*

- [Public Disclosure on DEC Website](#) - relates to posting information regarding the issuance of permits for a public water supply on the Dept of Environmental Conservation's website. *Awaits Gov's Signature*