



Legislation Text

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A Local Law in relation to a collection, exchange, and disposal program for firefighting personal protective equipment containing perfluoroalkyl and polyfluoroalkyl substances and reporting on such program

Be it enacted by the Council as follows:

Section 1. Collection, exchange, and disposal program for firefighting personal protective equipment containing perfluoroalkyl and polyfluoroalkyl substances. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Agency. The term “agency” has the same meaning as set forth in section 1150 of the New York city charter.

Firefighting personal protective equipment. The term “firefighting personal protective equipment” means any clothing designed, intended, or marketed to be worn by firefighting personnel in the performance of their duties, for use in firefighting and rescue activities, including but not limited to jackets, pants, shoes, gloves, helmets, and respiratory equipment.

Intentionally added chemical. The term “intentionally added chemical” means a chemical in a product that serves an intended function or technical effect in the product or product component, including but not limited to perfluoroalkyl and polyfluoroalkyl substances within intentionally added chemicals and perfluoroalkyl and polyfluoroalkyl substances that are intentional breakdown products of an added chemical that also have a functional or technical effect in the product or product component.

Perfluoroalkyl and polyfluoroalkyl substances. The term “perfluoroalkyl and polyfluoroalkyl

substances” or “PFAS chemicals” means, for the purposes of firefighting agents and firefighting equipment, a class of fluorinated organic chemicals containing at least one fully fluorinated carbon.

b. Program established. 1. Collection. The fire commissioner shall establish a program to collect firefighting personal protective equipment from employees of the fire department that the commissioner knows or reasonably should know contains perfluoroalkyl and polyfluoroalkyl substances.

2. Exchange. To the maximum extent practicable as determined by the fire commissioner, the fire commissioner shall ensure that an employee of the fire department that provides firefighting personal protective equipment for collection through the program established under this subdivision is able to exchange such equipment for firefighting personal protective equipment that the fire commissioner knows does not contain perfluoroalkyl and polyfluoroalkyl substances as intentionally added chemicals and does not contain perfluoroalkyl and polyfluoroalkyl substances at or above a level established by the department of environmental conservation by regulation pursuant to paragraph (c) of subdivision 5 of section 391-u of the general business law, as added by chapter 58 of the laws of 2025.

3. Disposal. The fire commissioner or an authorized vendor shall make efforts to dispose of firefighting personal protective equipment collected through the program established under this subdivision in accordance with all applicable federal, state, and local regulations.

c. Implementation. The program established under subdivision b of this section shall commence on January 1, 2028, or on a different date prescribed by the New York state legislature for commencement of the prohibition set forth in paragraph (c) of subdivision 5 of section 391-u of the general business law with respect to any particular component of firefighting personal protective equipment. The duration of such program shall continue for the useful life, as determined by the fire commissioner, of any component of firefighting personal protective equipment for which notice was required pursuant to subdivision b of section 15-151 of the administrative code of the city of new York, as added by a local law of the city of New York for the year 2025, relating to notice and provision of firefighting personnel of firefighting personal protective equipment

containing perfluoroalkyl and polyfluoroalkyl substances, as proposed in introduction 1452.

d. Report. No later than 1 year after the first commencement date of the program established under subdivision b of this section, and annually thereafter for the total duration of such program, the fire commissioner shall submit to the mayor and the speaker of the council, and post on its website, a report regarding the firefighting personal protective equipment collected through such program. The report shall include, at a minimum, the following information for the previous 12 months:

1. The total number of components of firefighting personal protective equipment collected;
2. The types of components of firefighting personal protective equipment collected and the number of each type of component collected;
3. The remaining number of components of firefighting personal protective equipment issued to employees of the fire department prior to January 1, 2028, or a different date prescribed by the New York state legislature for commencement of the prohibition set forth in paragraph (c) of subdivision 5 of section 391-u of the general business law with respect to any particular component of firefighting personal protective equipment, to be collected;
4. The number of instances in which an employee of the fire department attempted an exchange under paragraph 2 of subdivision b of this section and the number of instances in which such an exchange was accomplished; and
5. The number of components of firefighting personal protective equipment disposed of under paragraph 3 of subdivision b of this section and a summary of the methods used for such disposal.

§ 2. This local law takes effect immediately, except that subdivision b of section one of this local law takes effect on January 1 2028, or on a different date prescribed by the New York state legislature for commencement of the prohibition set forth in paragraph (c) of subdivision 5 of section 391-u of the general business law with respect to any particular component of firefighting personal protective equipment.

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