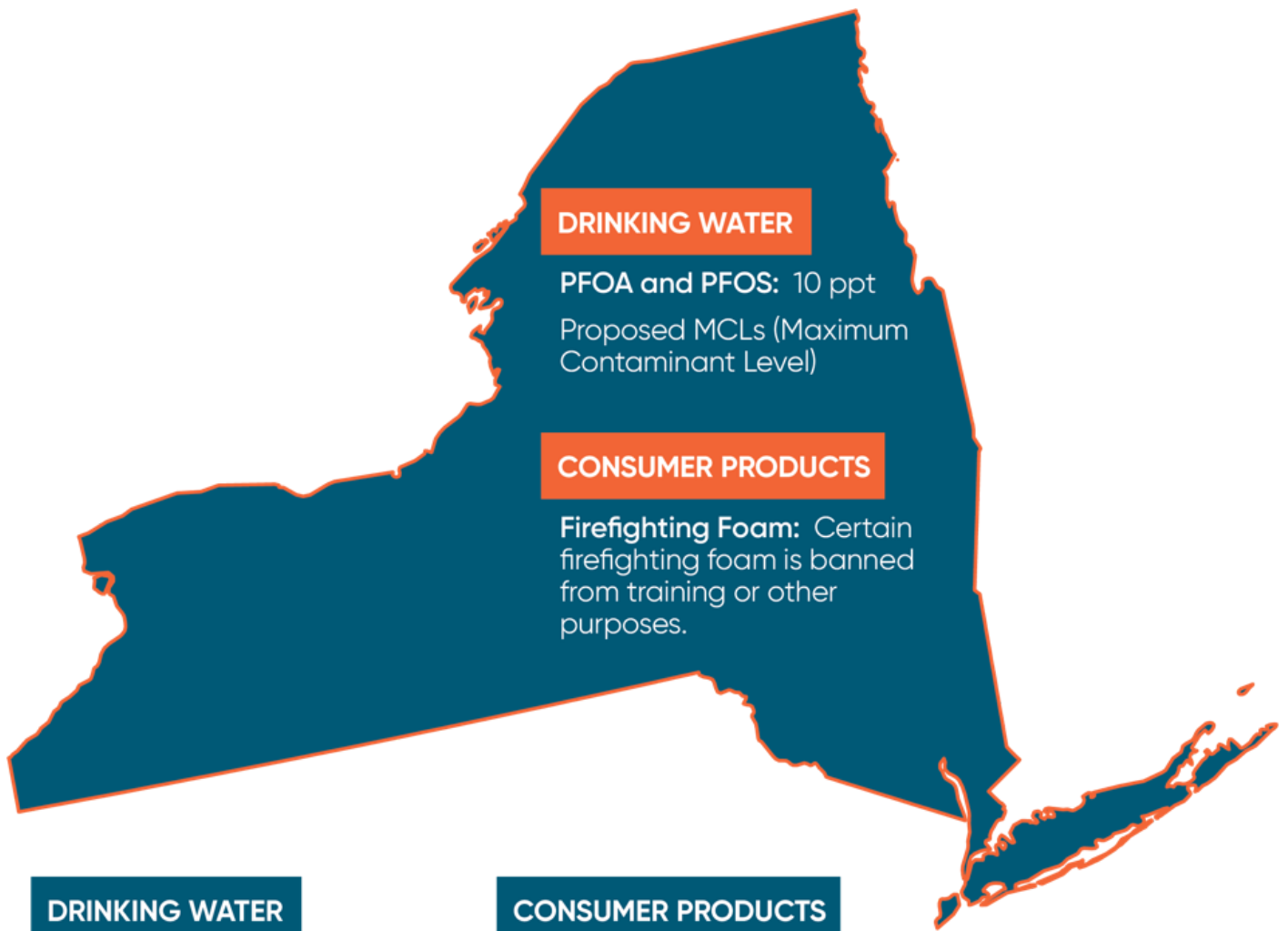


**Insights**

**PFAS STATE SNAPSHOT: NEW YORK PFAS REGULATION**

Jan 09, 2020

New York is one of several states that has started regulating per- and polyfluoroalkyl substances (“PFAS”) in drinking water and consumer products. This client alert reflects the status of PFAS regulations in New York as of December 30, 2019.



### DRINKING WATER

The New York Drinking Water Quality Council, which advises the New York Department of Health, has recommended a 10 ppt Maximum Contaminant Level for PFOA and PFOS. These pre-regulatory recommendations may be adopted as a formal MCL.

### CONSUMER PRODUCTS

**Firefighting Foam:** No person may use a specified type of foam (Class B AFFF firefighting foam) comprised of various PFAS substances for training purposes. Pursuant to 6 NYCRR 597.3, PFOA and PFOS, and their acids and salts, are listed as hazardous substances, and therefore, cannot be used for training in firefighting foam and must be reported properly if released.

**Important Note:** There are also several other proposed consumer product regulations including the regulation of PFAS in food packaging, children's products, manufacturers of PPE, personal care products, pet products, and PFAS as an "emerging contaminant." Any of these consumer product regulations could be adopted shortly as several have been delivered to the governor for signature.

6 NYCRR 597.3: [https://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/part597text.pdf](https://www.dec.ny.gov/docs/remediation_hudson_pdf/part597text.pdf)

For more information on PFAS chemicals, and the regulatory and litigation risks that they pose, please visit our [PFAS webpage](#). If you have a question about how to manage PFAS risk in New York, or any other jurisdiction, please contact Tom Lee, Susan Brice, or any other member of our PFAS team at Bryan Cave Leighton Paisner LLP.

## RELATED PRACTICE AREAS

- PFAS Team
- Environment
- Mass Torts & Product Liability

## MEET THE TEAM



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