



NEW YORK STATE SENATOR

Todd Kaminsky

Legislature Passes Bill By Kaminsky, Englebright To Ban Harmful Uses of TCE, A Known Toxin and Carcinogen

TODD KAMINSKY July 31, 2020

(Albany, New York) — Today Senator Todd Kaminsky and Assemblyman Steve Englebright announced that legislation they introduced (S.6829/A.8829) to ban the most harmful uses of trichloroethylene (“TCE”), a known carcinogen and cause of fetal heart defects, passed both the Assembly and Senate. The cancer-causing chemical is still in groundwater, and has been the cause of many high-profile environmental disasters, including the Bethpage Plume. Senator Kaminsky and Assemblyman Englebright’s bill now heads to Governor Cuomo’s desk for his signature.

“Now, more than ever, it is imperative that we put our health and safety above polluters’ pockets,” **said Senator Todd Kaminsky, Chair of the Senate Environmental Conservation Committee.** “My legislation will protect New Yorkers from this cancer-causing chemical and ensure the safety of our communities. Notwithstanding the Trump administration’s inaction, our water is too precious to be contaminated by carcinogens, and I look forward to this bill’s enactment into law.”

“This legislation to ban this dangerous chemical is necessary as a result of federal inaction. The U.S. Department of Human Health Services classifies TCE as known to be a human carcinogen. Banning this chemical is essential to protect human health and the

environment,” said Assemblyman Steve Englebright, Chair of the Assembly Environmental Conservation Committee.

The environmental and human health harms associated with TCE are severe and well-documented. TCE enters the body through air, water, food, and soil — through ingestion, inhalation, or even skin contact. Long-term exposure is strongly linked to various types of cancer, including lymphoma and leukemia as well as fetal heart defects. The U.S. Department of Health and Human Services classifies TCE as “known to be a human carcinogen” and the EPA characterizes it as “carcinogenic in humans by all routes of exposure.” A 2003 study published in the Environmental Health Perspectives, indicated that TCE also caused fetal heart defects. Furthermore, short-term exposure can cause harmful effects on the nervous system, liver, respiratory system, kidneys, blood, immune system and heart.

The EPA has known of the serious health risks linked to TCE for years, but has repeatedly failed to take action. Earlier this year, the White House forced the agency to reject scientific findings on how low dose exposure to TCE causes fetal heart defects. This evaluation was dismissed and instead, a less stringent benchmark was used to determine unsafe exposure, which will hinder any federal proposals to ban or limit TCE. On Long Island, TCE was discovered in the Bethpage Plume and was used by Northrop Grumman to clean airplane parts. However, once Grumman discovered that this carcinogen was spreading from its property, it took steps to obscure and deny its use, according to a [Newsday investigation](#).

“No reasonable jury could conclude that in June 1976, Grumman lacked sufficient information’ to reasonably know its pollution could leave it on the hook for damages,” according to a 2019 ruling by second district court judge Lorna G. Schofield, highlighted in the [investigative piece](#).

Senator Kaminsky and Assemblyman Englebright's bill would bar the most harmful uses of this cancer-causing chemical, including its uses as a vapor degreaser, extraction solvent, refrigerant and intermediate chemical used to produce other substances.

"The science that justifies turning off the tap on toxic TCE is unambiguous, and the entire state owes Chairman Kaminsky a huge debt of gratitude for his extraordinary leadership on behalf of all New Yorkers," **said Kathy Curtis, Executive Director of Clean and Healthy New York and Co-Leader of the JustGreen Partnership.** "We will continue working with the Chairman until New Yorkers can trust that all substances in commerce that end up in our air, water and bodies are safe for us and our families."

"TCE is one of the most notorious toxic chemicals in our nation's history and is highly damaging to public health. This toxic is a serious threat to surface and drinking water systems because it moves easily through water. Once TCE is in a water supply it is not only a threat due to consumption but can also become air borne and breathe in by the public when showering or cooking. The abundant body of science on this toxic chemical necessitates that we ban it. Under the previous federal Administration the EPA was poised to ban TCE, however, the current EPA has turned a blind eye to this cancer causing contaminate. Kudos to Senator Kaminsky for forging ahead to protect public health when the federal government has once again failed to act." **said Adrienne Esposito, Executive Director of Citizens Campaign for the Environment.**

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