



NEW YORK STATE SENATOR

Rachel May

Senator May Advances Key Watershed Governance Priorities with Passage of PFAS Discharge Disclosure Act and Open Water Data Act

DAN MESSINEO June 8, 2023

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Albany, NY - Tuesday's bipartisan vote on two of Senator May's water protection bills, S227-B and S239B, signals strong support for greater statewide protections of New York's vast freshwater resources.

The PFAS bill will give the state its first look at how much PFAS is discharged into its waters by establishing a nation-leading testing protocol for a large swath of permit holders currently granted the authority to discharge pollutants into our waterways. With no current PFAS discharge limits, but in the context of new state drinking water standards, this legislation will fill the void in data that is critical to our regulation and understanding of the sources of this class of persistent chemicals.

Adding to the effort, the Open Water Data Bill will provide comprehensive and collaborative data-sharing standards and make water data accessible for everyone who works to protect this important resource.

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“Our state's freshwater resources are the envy of the world, but they are increasingly vulnerable to pollution and the effects of a warming climate,” said Senator Rachel May (D-Onondaga, Cayuga). “The Open Water Data Act and PFAS Monitoring bill will both help state and local governments and watershed associations understand, identify, and manage threats to our watersheds while maintaining the high quality of life that residents, employers, recreational boaters and fishing enthusiasts, and tourists from around the world have come to expect. I am especially proud that we passed the most comprehensive point source disclosure bill on PFAS of any state in the nation, recognizing the danger these “forever chemicals” pose to the health of children, pregnant women, and other vulnerable populations.”

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Rob Hayes, Director of Clean Water with Environmental Advocates NY, said, “The passage of this bill expanding PFAS testing marks a landmark step in our fight for clean water. For too long, polluters have been able to hide the scale and extent of toxic PFAS that they are dumping into our lakes, rivers, and groundwater. The PFAS Discharge Disclosure Act will shine a light on this contamination and provide the data to eventually limit and eliminate this

threat to public health. We would like to thank Senator May and the NYS Senate for their leadership and look forward to further action on this bill to ensure the healthier future that New Yorkers deserve.”

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“Toxic, man-made PFAS, known as ‘forever chemicals,’ are infamous in New York for the harm they have caused in communities across the state. It’s imperative New York identifies the PFAS sources to our waterways in order to protect public health and wildlife. The PFAS Discharge Disclosure Act will identify sources of toxic PFAS contamination and will provide critical information to ensure that polluters, not communities, pay to stop PFAS exposures. We thank Senator May and Senate leadership for passing this critical legislation, and we urge the Assembly to swiftly follow suit,” said Jill Heaps, Senior Attorney with Earthjustice.

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“Given the numerous threats to water quality and the changes to our waterways face from the impacts of climate change, the public deserves a comprehensive and easy-to-understand portal for water data,” said Riverkeeper Senior Manager of Government Affairs, Jeremy Cherson. “The Open Water Data Act is an important piece of legislation to ensure data is easily accessible, transparent, and accurate. Riverkeeper thanks Senator May for championing this legislation.”

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“Seneca Lake Guardian applauds Senator May and the State Senate for passing the PFAS Discharge Disclosure Act. Until our state’s polluters are required to test for and disclose levels of PFAS coming from their facilities, municipalities can’t take action against contamination. Senator May’s bill is a fundamental step toward understanding the sources and volume of PFAS entering New York waterways. We urge the Assembly to pass this bill and send it to the Governor for her signature before the end of session,” said Yvonne Taylor,

Vice President of Seneca Lake Guardian.

Both the PFAS Discharge Disclosure Act and the Open Water Data Act are sponsored in the Assembly by Anna Kelles (D-Cortland, Thompkins). Kelles continues to fight for their passage on the Assembly side A3296-A and A3299-B. The bills are currently referred to the environmental conservation committee, chaired by Assemblymember Deborah Glick.