



American Water Works
Association

New York Section



July 11, 2022

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224
Attention: Legislative Secretary

Dear Governor Hochul,

New York State is leading the nation by setting strict standards for man-made carcinogenic emerging contaminants, such as PFAS (Per- and polyfluoroalkyl substances) and 1,4-dioxane. We believe the companies that polluted drinking water, and **not taxpayers**, should be responsible for paying the enormous cost of treatment. The Legislature passed two bills, S965 and S8763A, that will allow water providers across New York to hold companies accountable for polluting drinking water.

S8763A makes clear the retroactive intent of an amendment to Subdivision 1, Section 214-h of the civil practice law and rules that was signed into law in 2019. This is necessary to ensure that water providers and municipalities can recover treatment costs from past pollution and hold the polluters parties to account.

Under current law, a polluter who is found liable by a court may be able to reduce their damages by offsetting grants awarded to water providers by New York State. S956 would prevent that from occurring and would provide for reimbursement of state grants by a water supplier when they obtain damages from litigation.

In sum, these bills will ensure that polluters bear the cost of cleaning up their mess, municipalities and water providers are made whole, and taxpayers are not responsible for paying the cost of treatment. We urge you to sign S965 and S8763A as expeditiously as possible. We thank you for your consideration of this important matter.

Sincerely,

Jenny Ingrao
Executive Director

Patricia Cerro-Reehil
Executive Director

Jamie Herman
Chief Executive Officer