



S.3780 (THOMPSON ET AL.)

Summary

This bill would amend New York State's Environmental Conservation Law to prohibit certain household cleansers from containing more than trace amounts of phosphorous, prohibit the sale of dishwashing detergents that contain more than five tenths percent phosphorus, and prohibit the sale of cleansing products used in food and beverage processing equipment and dairy equipment which contain more than eight and seven-tenths percent phosphorus. The bill would also ban the use of fertilizers containing phosphorus under certain conditions.

Explanation

Phosphorus overloads cause potentially toxic algal blooms that choke waterways and deprive ecosystems of oxygen which, in turn, lead to fish kills. The Clean Water Act treats phosphorus as a pollutant, and the Department of Environmental Conservation (DEC) has identified at least 43 water bodies that are so polluted by the nutrient that they require strategies to protect and restore water quality.

Phosphorus enters New York's rivers and lakes through a number of vectors—runoff from fertilized lawns and fields enters sewer systems or flows directly into water bodies, water treatment facilities that do not remove the nutrient discharge directly into our lakes and streams, and defective septic systems all contribute phosphorus to the environment. This bill will limit the amount of phosphorus that enters from sources we can easily control, such as dishwasher detergent, certain household cleansers, and lawn fertilizers. It's important to note that there are several types of detergents and fertilizers that do not contain phosphorus and are as effective as those that do.

According to the DEC, dishwasher detergents, which often enter the environment through wastewater treatment plants and septic systems, may contain up to 9 percent phosphorus and can account for 9 to 34 percent of total phosphorus in municipal wastewater. Lawn fertilizer contains up to 3 percent phosphorus and can account for up to half of the soluble phosphorus in storm water runoff.

Other states and municipalities have instituted similar restrictions and seen positive results. For example, according to the United States Geologic Survey, Atlanta, GA has seen the amount of phosphorus downstream of the city decrease 77 percent from its highest levels in 1984, as a result of both voluntary and mandatory restrictions on phosphorus detergents in the city. This has helped to ease the excessive algae growth in West Point Lake, the lake that receives Atlanta's wastewater.

New York's lakes and rivers would greatly benefit from the phosphorus restrictions proposed in this bill. Additionally, cost-savings will be passed on to municipalities that will incur less cost from phosphorus removal processes at wastewater plants.

Environmental Advocates of New York supports this bill.

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