



EANY SUPPORTS Expanding Drinking Water Testing



Memo #3

[A.126-A \(Gottfried, et al.\)](#)
[S.1759-A \(Skoufis, et al.\)](#)

Explanation:

Every New Yorker deserves to know if their water is safe to drink. This bill creates New York's first emerging contaminant testing list, which will ensure that all water utilities across the state monitor for potentially harmful chemicals. The list is drawn from contaminants [known to occur in New York](#) as well as new threats like PFAS chemicals. Furthermore,

Under federal regulations, only water utilities serving more than 10,000 people have been required to test for emerging contaminants, such as strontium, chromium-6, and vanadium. This gap in testing has resulted in smaller communities across the state being kept in the dark about what's in their water. Such was the case in the small village of Hoosick Falls, NY, which was unaware for years of the toxic PFOA in its water.

In response to the crisis in Hoosick Falls, New York codified the Emerging Contaminant Monitoring Act (ECMA) in 2017. The law instructs the NYS Department of Health (DOH) to create and regularly update a list of emerging contaminants that every water utility, regardless of size, is required to test for and notify the public. However, over three years later, DOH has failed to implement the law.

One example of the effect of this failure was seen in December 2020, when DOH issued a ["Do Not Drink the Water"](#) order to the 1,800 residents of Mayville, NY, where dangerous levels of the emerging contaminant PFNA was discovered. Had DOH implemented the ECMA in 2017, residents could have been alerted to and protected from this toxic exposure years earlier.

This legislation is needed to ensure more water contamination crises do not go undetected. Two and a half million New Yorkers still don't know if there are chemicals in their water that could make them sick. This legislation is critical to hold DOH accountable and finally jump-start statewide testing. New Yorkers living in small communities need the same drinking water protections as other state residents.

Summary:

This bill amends section 1112 of the Public Health Law to create New York's first emerging contaminant testing list.