



Hoosick Area Community Participation Work Group
c/o The Paige Group
hoosickfallscpwg@paigegroup.com

February 11, 2021

Steven DeSantis
NYSDEC
625 Broadway
Albany, NY 1223-3250
Air.regs@dec.ny.gov

Dear Mr. DeSantis:

Please accept the following comments from the Hoosick Area Community Participation Work Group (CPWG) regarding DAR-1 Guidelines for the Evaluation and Control of Ambient Air Contaminants Under 6NYCRR Part 212.

I. Introduction

The Hoosick Area CPWG urges New York State DEC and partner state agencies to take a collaborate and proactive approach to studying new and emerging compounds. We request that this include additional testing at the McCaffrey Street site combined with correlation of data being gathered by NYS Department of Health related to the PFAS multi-site study.

While adding PFOA is a start, it is perplexing that the latest guidelines include only one PFAS chemical, one that has supposedly been phased out. It is our understanding from NYSDEC that the next set of listings will not be issued for another three years, and between now and then there is no plan to add other PFAS to the guidelines. However, it also is our understanding that if new research identifies a compound with high toxicity the DEC can add to the list at any time. By expanding its scope to address new and emerging compounds, NYSDEC can more quickly identify and act on those toxic substances that pose imminent harm to people and the environment.

It is essential that history not repeat itself for the Hoosick area and similar communities that have suffered from toxic chemicals — chemicals which themselves were just emerging many years ago. Today we find ourselves in the same situation, once again being exposed to a variety of toxic PFAS, and it is more important than ever that the total body burden of mixtures should be a factor in decision making. Thus, we'd like to again echo the many experts calling for PFAS being regulated as a class.

II. Historical Context and Current Concerns

Context for the Hoosick Area CPWG's concerns is a history that illustrates the consequences of reactive versus proactive approaches to setting regulatory guidelines. Chemicals that at one time were approved for use under certain guidelines have now proved toxic to the point of lethal for members of the Hoosick community, and have also caused the loss of the community's drinking water source.

We recognize that the regulatory structure of the NYSDEC is reactive by design, and that the staggering number of chemicals being created for industrial use is outpacing the ability to scientifically understand their impacts on public health and the environment. This reality calls for stewards of public health and environmental safety to take a more forward thinking and targeted approach.

While PFOA contamination is now undergoing remediation in Hoosick Falls, more data is needed on the continuing use of other compounds. We acknowledge that, to date, PFAS air emission tests have not yielded enough data to assign a toxicity value or require further remediation by the responsible party, but there are much larger human factors that must be considered.

III. Comments on New Proposed Guidelines

1. Hoosick Falls and Petersburg were contaminated via air emissions, and our bloodwork has shown a variety of PFAS in the bodies of our families. It was our expectation that additional PFAS would be included in the new guidelines, such as PFOS and PFHXS, to name a few. For example, PFOS has been deemed a hazardous substance in New York State, has a longer half-life than PFOA, appears to fit the criteria for consideration, and was detected in our water supply.
2. PFBA/PFBS have toxicological profiles, are currently being emitted, and have scientific data showing health concerns, yet these chemicals also weren't addressed. Increasing our concern, PFBA has recently been identified with regard to lung infiltration and has potentially more severe consequences with COVID-19.
3. PTFE is listed, but is rather confusing as it is a mixture, it is not explained or broken down with potential byproducts, and the perfluorinated compounds of which it is comprised are not identified. Further clarification should be provided.
4. With the increasing rate of scientific data and health studies being released, we feel that not addressing other known PFAS with this listing is a risk to human health. This includes chemicals that are known to have already contaminated our water via emissions, some of which are still being emitted in Hoosick Falls. Given one of DEC's basis for consideration includes location and near "sensitive individuals," we are the very definition of this criterion with industrial plants directly next to homes and in the midst of our community. Likewise, we are completely vexed more PFAS haven't been considered for this round of listings given the mobility and ubiquitous nature of PFAS air emissions. *Point of fact, DEC's guideline states "If a sensitive receptor is within the modeling domain, the potential for short-term and annual exposures to these individuals should be considered. The modeling domain of the air dispersion model can be established from the fence line of the facility out to 50 km."*
5. Bioaccumulation with PFAS chemicals is a fact. We feel NYSDEC isn't taking this most significant and serious health concern into account despite what has been learned in Hoosick Falls, and the wealth of health information and data available. Being exposed to a variety of toxic PFAS and the total body burden of mixtures should also be a factor in decision making.
6. Given the strong stance and ongoing regulation regarding drinking water, it is surprising, to say the least, that air emissions aren't being given the same expedience, as many communities in the state are contaminated due to this very pathway. As we've tragically learned, what toxins go up must come down, and end up contaminating someone's water supply, passing through unfiltered stacks, entering water treatment facilities, and traveling into nearby bodies of water.

Sincerely,

Loreen Hackett
Brian Bushner
Co-Chairs, Hoosick Area CPWG