

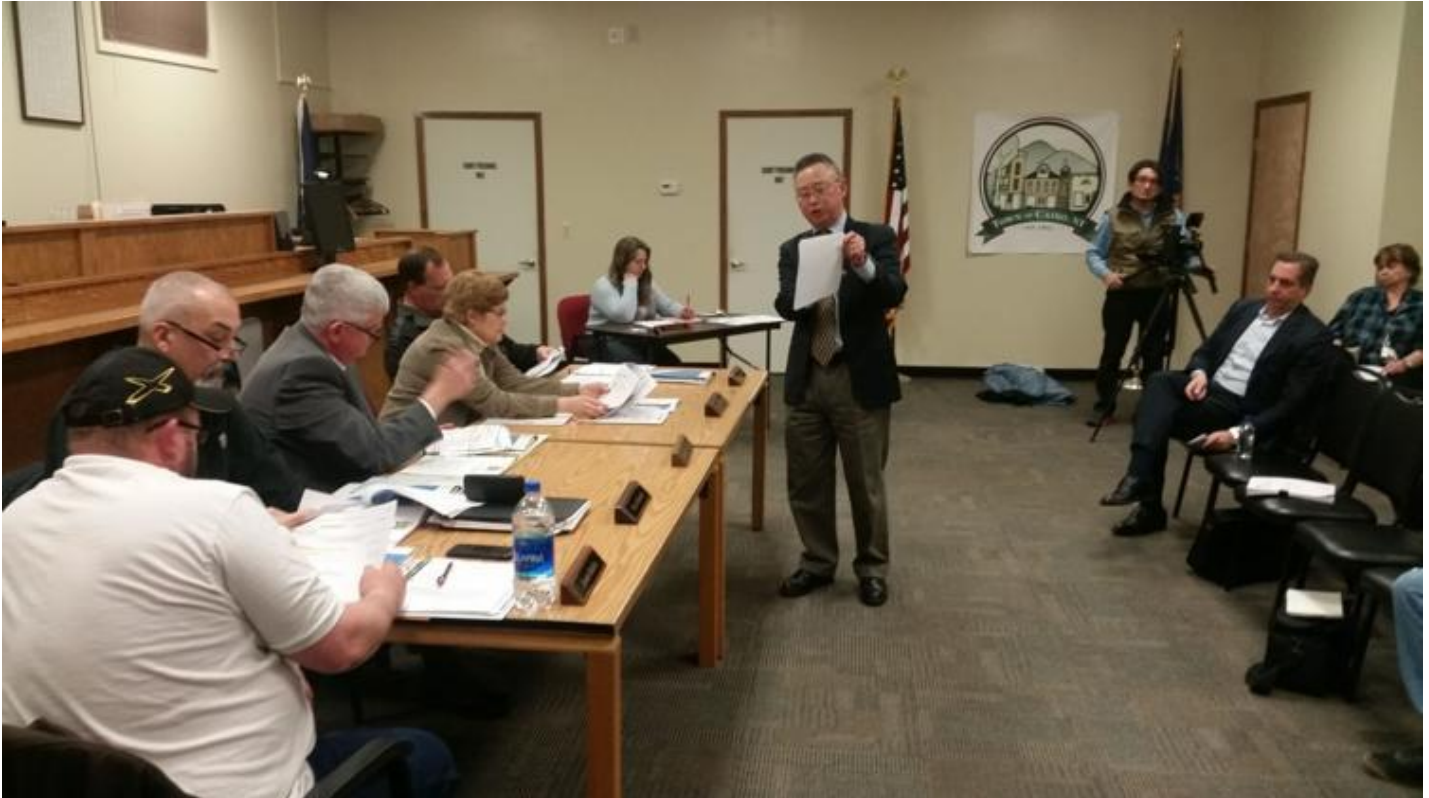
[https://www.hudsonvalley360.com/news/greencounty/greene-to-join-fight-against-pfas/article\\_8a867foe-2beb-5388-a083-c21c42ecfa2d.html](https://www.hudsonvalley360.com/news/greencounty/greene-to-join-fight-against-pfas/article_8a867foe-2beb-5388-a083-c21c42ecfa2d.html)

## Greene to join fight against PFAS

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Toxics Targeting President Walter Hang presented to the Cairo Town Board in March with attorney Paul Napoli of Napoli Shkolnik. The town will have another presentation in August by a firm from Ulster County. Greene County authorized a retainer agreement with Napoli Shkolnik. Sarah Trafton/Columbia Greene Media

CATSKILL — Greene County lawmakers Wednesday night approved a retainer agreement with a Long Island-based law firm in a lawsuit against the manufacturers of chemicals used at the county's firefighting training center in Cairo, which are present in the municipal drinking water.

A lawsuit filed by the state Attorney General's Office in November identified Cairo as one of several locations affected by PFAS. PFAS form a group of man-made chemicals that includes PFOA, PFOS, GenX and many others. PFAS, or per- and polyfluoroalkyl substances are contaminants that resist degradation and accumulate in the human body.

They have been linked to serious illnesses such as kidney and testicular cancer, thyroid disease, liver damage, preeclampsia and other conditions, according to [ag.ny.gov](http://ag.ny.gov).

PFAS were commonly used in firefighting foam. The county's training center is located on Mountain Avenue. Cairo's public drinking water is supplied by a well at Angelo Canna Town Park, which is fed by groundwater, according to the town's annual water report.

The law firm enlisted by the county, Napoli Shkolnik, also presented to the Cairo Town Board in March.

"We decided to speak to another firm in Ulster County and then COVID hit," Town Supervisor John Coyne said. "It's back on our radar."

The firm will be presenting at the town board's meeting on Aug. 3. Coyne did not immediately recall the name of the firm.

Legislator Michael Bulich, R-Catskill, asked at the Government Operations Committee meeting Monday how much the county would be paying the firm.

Greene County Attorney Edward Kaplan said the agreement was on a contingency basis and the firm will be entitled to 25% of any awards to the counties involved in the suit.

"Greene County wishes to protect itself and the taxpayers of potential contamination by these chemicals on its property(ies) and remediation of any contamination should not be borne by the taxpayers but by those that are responsible for manufacturing and distributing such chemicals," according to the resolution.

Legislator Thomas Hobart, R-Coxsackie, asked why the product was used.

The district shut down March 17 due to the coronavirus pandemic and was closed for the remainder of the academic year. It is unclear if schools will return to in-person instruction in the fall.

The lawsuit filed by Attorney General Letitia James alleges that the defendants — 3M Company, Tyco Fire Products LP, Chemguard Inc., Buckeye Fire Equipment Company, National Foam Inc., Kiddie-Fenwal Inc., Amerex Corporation, Fire Service Plus Inc., E.I. Du Pont De Nemours & Company and the Chemours Company — had prior knowledge of the risks their products posed to human health.

“In 1975, 3M concluded that PFOS was present in the blood of the general population,” according to court papers. “Since PFOA/S is not naturally occurring, this finding should have alerted 3M to the possibility that their products were a source of this PFOS. The finding should have also alerted 3M to the possibility that PFOS might be mobile, persistent, bioaccumulative and biomagnifying, as those characteristics could explain the absorption of PFOS in blood from 3M’s products.”

In 1976, 3M found the contaminant in the blood of its employees, according to court papers.

Two years later, a study conducted by 3M showed that PFOA reduced the survival rate of fathead minnow fish eggs, according to court papers.

“Other studies by 3M in 1978 showed that PFOS and PFOA are toxic to rats and that PFOS is toxic to monkeys,” according to court papers. “In one study in 1978, all monkeys died within the first few days of being given food contaminated with PFOS.”

In 1983, 3M found that PFOS caused cancerous tumors in rats, according to court papers.

Both 3M and DuPont paid fines to the U.S. Environmental Protection Agency for failing to disclose the health risks of their products. 3M paid \$1.5 million and DuPont paid \$10.25 million, according to court papers. In April 2016, the state Department of Environmental Conservation designated both PFOA and PFOS hazardous substances.

Pending a decision by the state Legislature or Congress, there is no maximum containment level for PFAS.

In January, the PFAS Action Act, passed the House of Representatives.

The act requires the EPA to set a maximum contaminant level for PFOA and PFOS in drinking water, establish a grant program to help communities pay to remove PFAS from drinking water and designate PFOA and PFOS chemicals as hazardous materials under the EPA’s Superfund program. It will also require

“If it was for training anyway, why didn’t they use soap suds?” he said.

Hobart and Bulich cast the only dissenting votes on the resolution.

The study conducted by the state Attorney General’s Office found 13.3 parts per trillion of PFAS in drinking water at the site. A new test was performed by Delaware Engineering, Coyne said in March, which showed the levels are now at 3 parts per trillion.

The EPA has a nonenforceable health advisory level of 70 parts per trillion for PFAS, according to wqa.org.

In December 2018, the state Department of Health proposed a legal limit for PFOA and PFOS in drinking water at 10 parts per trillion each, according to health.ny.gov.

“We join clean water advocates, concerned legislators and impacted communities in appreciating the importance of New York’s proposal to implement one of the most protective drinking water standards nationwide of 10 parts per trillion for PFOA and PFOS and the nation’s first standard at 1 part per billion for 1,4-dioxane,” according to a statement from DOH. “This process is a result of intense collaboration over many months with an array of experts and using the best available industry science to ensure achievable standards that are protective of public health.”

The Department of Health’s Public Health and Health Planning Council will hold a meeting on July 30, where adoption of these maximum contaminant limits will be discussed.

Drinking and cooking water for Cairo-Durham Elementary School, which uses the municipal drinking supply, was secured in March.

The district ordered water coolers and water to supply the water foundations and the kitchen, according to meeting minutes.

“The water and water coolers are on site and will be operational when we return to school from the current closure,” Cairo-Durham Superintendent Michael Wetherbee said in March. “At this point we are unsure how much water will be needed. That is something we will evaluate as we move forward. This does only impact the elementary campus. The other campus (Middle/High School) is not on town water. The district is working in conjunction with the town and county to supply the water.”

drinking water utilities to monitor for PFAS as part of the EPA's unregulated contaminant monitoring program.

"Communities in upstate New York continue to struggle with the impacts of PFAS contamination in drinking water," U.S. Rep. Antonio Delgado, D-19, said in a statement about the proposed legislation. "Residents of Hoosick Falls and Petersburg in Rensselaer County are living every day with the impacts of PFAS contamination, which we know include thyroid disease, birth defects, autoimmune disorders and cancer."

The proposed legislation has not passed the Senate.

Congress held hearing Wednesday on the Water Resources Development Act of 2020. Included in the act is a section that would require an inventory by the U.S. Army Corps of Engineers of all civil works facilities that are contaminated or could become contaminated by PFAS and submit results of the inventory to Congress.