

1 **2023 NYSAC Fall Seminar**  
2 **Standing Committee on Economic Development, Environment, and Energy**  
3 **Resolution #2**

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5 **Calling on the State of New York to Develop a Comprehensive Approach to**  
6 **Regulating PFAS and Holding Manufacturers Accountable for PFAS Use**  
7 **and Treatment Costs**

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9 **WHEREAS**, counties recognize the importance of managing per- and polyfluoroalkyl  
10 substances (PFAS) in the environment due to their widespread presence in consumer  
11 products and the public health risks they pose; and

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13 **WHEREAS**, the ubiquity of PFAS in the environment necessitates a comprehensive  
14 approach to mitigate their impacts, including holding manufacturers accountable for  
15 PFAS use and treatment costs and implementing measures to prevent the introduction  
16 of PFAS into waste management facilities; and

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18 **WHEREAS**, the New York State Department of Environmental Conservation (DEC)  
19 introduced Draft Program Policy 7 (DMM7) to establish interim PFOS and PFOA  
20 criteria for biosolids that are recycled in New York State and actions that will be taken  
21 based on those results; and

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23 **WHEREAS**, counties commend DEC for its efforts to address PFAS concerns through  
24 DMM7 yet believe that stronger measures are necessary to prevent PFAS from entering  
25 landfills and to ensure manufacturers are held responsible for treatment costs; and

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27 **WHEREAS**, DEC's emphasis on end-of-the-line treatment facilities in the current  
28 approach is less effective than preventing PFAS entry at the source and warrants a  
29 stronger stance to prevent PFAS from entering landfills; and

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31 **WHEREAS**, additionally, the DMM7's proposal to restrict the beneficial uses of  
32 biosolids could result in increased landfill disposal, exacerbating the PFAS issue within  
33 landfills already grappling with contaminated leachate; and

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35 **WHEREAS**, New York State's promotion of new organics diversion facilities, including  
36 anaerobic digesters and food waste composting facilities, raises additional concerns  
37 related to PFAS management that have not been adequately considered.

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39 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
40 Counties (NYSAC) calls upon the State of New York to adopt a comprehensive approach  
41 to regulating PFAS that prioritizes public health and environmental protection and  
42 promotes a fair distribution of responsibilities and costs associated with PFAS  
43 management and remediation; and

1 **BE IT FURTHER RESOLVED**, DEC shift its focus from end-of-the-line treatment  
2 facilities to source reduction and prevention in order to prevent the introduction of  
3 PFAS into waste management facilities; and

4 **BE IT FURTHER RESOLVED**, DEC carefully consider the PFAS ramifications of  
5 organics diversion initiatives prior to their widespread implementation; and

6 **BE IT FURTHER RESOLVED**, that Governor Hochul and the New York State  
7 Legislature establish mechanisms to hold manufacturers – not local taxpayers –  
8 accountable for PFAS use and treatment costs; and

9 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of  
10 New York encouraging member counties to enact similar resolutions; and

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12 **BE IT FURTHER RESOLVED**, copies of this resolution be forwarded to Governor  
13 Kathy Hochul, the New York State Legislature, DEC Commissioner Basil Seggos, Acting  
14 DOH Commissioner James V. McDonald, and all others deemed necessary and proper.