



CITY OF NEWBURGH

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Michael G. Ciaravino, City Manager

July 13, 2016

Hon. Howard A. Zucker, M.D., Commissioner
New York State Department of Health
Corning Tower
Empire State Plaza,
Albany, NY 12237

Re: City of Newburgh Perflourooctane Sulfonate (PFOS)
Drinking Water Contamination
Biological Testing and Health Assessment Program

Dear Commissioner Zucker:

I am writing to you on behalf of the City of Newburgh to request your guidance and assistance in the establishment of an appropriate response to the health and safety concerns of the residents of our community relating to the purity of our drinking water.

As I am sure you are aware, the City was advised by the NYS Department of Environmental Conservation and NYS Department of Health earlier this year that an off-site source had contaminated tributaries to Washington Lake and the Lake itself with Perfluorooctane Sulfonate (PFOS). Through measures implemented on an emergency basis, the City was able to switch its water source to Brown's Pond and ultimately to the Catskill Aqueduct so that, on a temporary basis, the City is not relying on Washington Lake for its drinking water because our drinking water originates from the Catskill Aqueduct. There is now no sign of PFOS contamination in the City's drinking water.

Many of our City Council members are being asked by residents whether the City or the State is going to offer blood testing and health assessment programs to help residents understand the significance of the exposure they have already experienced. At the public information meeting sponsored by EPA and held in the City of Newburgh, many residents asked the same question, particularly mothers who are concerned about their young children. At that meeting, Dr. Graber responded that the Department of Health was looking into the issue and would address it at a future time.

In this regard, I note that according to the Hoosick Falls website, the Department of Health is collecting blood samples as part of a PFOA biomonitoring study for people who live in or near Hoosick Falls. Participation in this program is voluntary. The Village website reports, "The results of the first round of sampling have been compiled, and residents who have had blood tests have begun receiving their individual results. The NYS Health Department has prepared a PFOA Blood Testing Program Fact Sheet to help residents understand how their results compare with other populations that are being monitored for elevated PFOA exposure." The Village website, as well as the Department of Health's website, also indicates that the Department of Health will conduct an investigation to see if there are unusual elevations of cancer among Hoosick Falls residents.

As a starting point for a blood testing program, and with the permission of the City Council, the City would be prepared to offer space in one of the City's municipal buildings for a clinic, to set up a testing facility to draw and process blood test results. We understand that there are only a few testing agencies in the entire country that perform tests for the presence of PFOS. The City's Fire Captain, Paul Pullar, identified the three laboratories that the local laboratory has been in contact with: Vista Analytical Laboratory in El Dorado Hills, California, ALS- Keslo in Kelso, Washington, and Pace Analytical Ormond in Ormond Beach, Florida.

We understood from the public information meeting held in the City that the Department of Health's Wadsworth Laboratory is now testing for PFOS and PFOA. If the Department of Health is able to conduct the testing program, we would again be willing to provide to you whatever facilities you would need in the City of Newburgh, including, if appropriate, space for a laboratory facility.

To our knowledge, the Department of Environmental Conservation has not declared the source of the PFOS contamination to be a State Superfund site, nor has the airport been listed on the registry of inactive hazardous waste sites. However, the Department appears to be following the rules for responding to a release from an inactive hazardous waste site. It therefore seems appropriate that the provisions of Public Health Law section 1389-b(1)(a) would apply. That section makes the NYS Department of Health responsible for "assessing (i) serious health problems at, and in the immediate vicinity of, inactive hazardous waste disposal sites and (ii) any health problems deemed by the department to be related to conditions at such sites."

In light of the recent health advisory from EPA reducing the guidance limit for PFOS from 200 ppt to 70 ppt, and in light of the fact that the City has no way of knowing the duration of, and at what levels our residents have historically been exposed to PFOS in their drinking water, we believe there is adequate justification for the Department of Health to institute a biological testing program and health assessment study in the City of Newburgh.

I am certain I speak for everyone in the City administration and for all elected officials in saying that we will offer you full cooperation in establishing such programs in the City. We look forward to working with you on this important issue.

Sincerely,



Michael G. Ciaravino
City Manager
Newburgh, New York

cc: Fire Chief Terry Ahlers, City of Newburgh
Captain Paul Puller, City of Newburgh
Captain William Horton, City of Newburgh
Police Chief Daniel Cameron, City of Newburgh
Thomas Scaglione, Governor's Office
Judith Enck, Regional Administrator, USEPA
Basil Seggos, Commissioner, NYSDEC
Kenneth Lynch, Executive Deputy, NYSDEC
Martin Brand, Acting Deputy Commissioner, NYSDEC
Kelly Turturro, Acting Director, Region 3
Dr. Nathan Graber, Director of the Center of Environmental Health, NYSDOH
Catherine McCabe, Regional Administrator, USEPA
Pat Evangelista, Region 2, USEPA
Mark Maddaloni, Region 2, USEPA
Paul Simon, Region 2, USEPA
Angela Carpenter, Region 2, USEPA
John Martin, Region 2, USEPA
Cecilia Echols, Region 2, USEPA
Robert Schick, Division Director of Environmental Remediation, NYSDEC
George Heitzman, Director, Environmental Remediation Region 3& 6, NYSDEC
James Tierney, Division of Water, NYSDEC
Jeffrey R. Conway, Region 3, NYSDEC
William Gilday, Bureau of Water Supply Protection, NYSDOH
Dr. Eli N. Avila, Commissioner, Orange County Department of Health, OCDOH
Keith Miller, Orange County Department of Health, OCDOH
Daniel Shapley, Water Quality Program Manager, Riverkeeper
Judy Kennedy, Mayor, City of Newburgh
City Council, City of Newburgh