



Testimony before the Environmental Conservation Committees of the New York State Senate and Assembly Regarding the Governor's Proposed FY 2025-26 Budget

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Thank you for the opportunity to provide testimony on Governor Hochul's draft proposed budget for fiscal year 2025-26. My name is Bobbi Wilding and I'm the Executive Director of Clean+Healthy, which has a mission of building a just and healthy world where toxic chemicals are simply unthinkable. We also have the privilege of co-leading with WE ACT for Environmental Justice the JustGreen Partnership, an 18 year old partnership of diverse coalitions working for environmental health and justice for New York's people and communities.

Given the utter disregard for the environment and public health we see in the early actions of the second Trump administration, this is a critical year for New York State to double down on its leadership on these issues. We know that regardless of the actions at the federal level, decisions made here and in statehouses across the country have a profound role in shaping our national landscape and strongly influence corporate decisions.

Therefore, using every opportunity to advance action to curb climate change, promote environmental justice, and to turn the state away from toxic chemicals from production through manufacturing, use, and end of life is more essential than ever.

Today I would like to focus my comments on four areas:

1. Expanding the Environmental Protection Fund to be \$500M in total, with specific line item increases, along with increased funding for Clean Water Infrastructure to \$600M.

2. Reiterate our call to restore staffing levels at the NYS Department of Environmental Conservation to ensure sufficient capacity to implement the vital laws that protect our environment and public health.
3. Comment on the Governor's proposed actions on PFAS
4. Support reauthorization of the State Superfund program and the proposed prioritization of sites located in disadvantaged communities.
5. Request adding language authorizing creation of the GAP Fund and allocating \$200M for the program

1) Increase the Environmental Protection Fund to \$500M annually, increase Clean Water Infrastructure funding to \$600M

Given the federal shift away from concern for the environment, investments by New York State to meet our State Constitutional rights to clean air, clean water, and a healthful environment are more urgent than ever. Given the State's fiscal position and proposed growth in the Governor's proposed FY26 budget, we strongly urge the Senate and Assembly to increase the fund allocation to \$500 million in their one-house budget proposals.

Time and again we see the environmental, social, and economic benefits from the work undertaken with funding from the state's Environmental Protection Fund. As currently funded, The Environmental Protection Fund (EPF) supports 350,000 jobs across New York in a broad spectrum of industries and adds \$40 billion to the state's economy every year.

You can learn more about the impact of the Environmental Protection Fund at <https://www.cleanwaterandjobs.org/epf>

Increase Funding for Children's Environmental Health to \$5M

Childhood environmental exposures are an essential priority among the primary goals of environmental protection and should remain an important component of the Environmental Protection Fund. They cost New York families nearly \$4.35 billion per year in medical costs.

New York State established the NYS Children's Environmental Health Centers in 2017 and they are known as NYSCHECK. A network of seven centers in Albany, Buffalo, Syracuse, Rochester, Westchester, New York City, and Long Island, NYSCHECK centers prevent, diagnose, and treat environmental health conditions during pregnancy, and

throughout infancy, childhood, and adolescence. The centers provide clinical services to diagnose and treat illness due to environmental exposures, as well as provide consultation to other healthcare providers treating patients. NYSCHECK also helps educate and train pediatric primary care and subspecialists to incorporate environmental health screenings into routine care, and help educate the community on ways to prevent and mitigate exposure.

All seven NYSCHECK Centers provide environmental health screening, counseling and referral in a range of clinical settings (General Pediatrics, Pediatric Pulmonary, Pediatric Allergy and Immunology, School-Based Health, and Pediatric Inpatient Services). **New York State is currently the only state in the U.S. systematically integrating children’s environmental health into routine well child care in this way.** Through these collaborative efforts across the seven Centers, **NYSCHECK serves as a sustainable, scalable, and evidence-based model for expanding access to environmental health services and expertise at the state level.**

Enhanced funds will sustain and augment statewide access to vital expertise and precision clinical assets that prevent, diagnose, and treat environmental triggers of disease and other health threats stemming from exposure to air, water, and soil contaminated by uncontrolled industrial emissions, decaying infrastructure, substandard housing, and adverse climate effects. As an example, past additional funding was critical to our ability to rapidly respond to community concerns about air quality in the aftermath of the 2023 Canadian Wildfires.

The increase to \$5 million is urgently need to expand an environmentally competent public health workforce and to further address essential service gaps identified by New York State Department of Health: bringing environmental health services to rural and low-income communities and increasing collaborations with New York State Lead Resource Programs around screening and prevention of childhood lead poisoning.

You can learn more about the NYS Children’s Environmental Health Centers (NYSCHECK) at nyscheck.org.

Support the NYS Pollution Prevention Institute and Interstate Chemicals Clearinghouse

The New York State Pollution Prevention Institute (NYSP2I) gives New York businesses, communities, and nonprofits the practical tools and solutions they need to realize the

benefits of sustainability for our economy, environment, and our society as a whole by preventing pollution instead of mitigating its harmful effects. NYSP2I launched in 2008 on the campus of Rochester Institute of Technology (RIT) through funding by Empire State Development (ESD), and is now a collaboration of five research universities and manufacturing extension partnerships (MEPs) across New York. NYSP2I gives organizations registered with the state the information, resources, and solutions they need to have a more positive impact on our environment.

They bring critical expertise to New York companies and organizations with solutions for:

- more efficient use of energy, raw materials, and water through sustainable processes and technologies
- optimized manufacturing processes that generate more business value
- elimination of hazardous materials for safer workplaces and communities
- competitive market positioning as part of the green economy and by supporting a commitment to environmental stewardship
- adoption of Green Chemistry Principles for sustainable and safe product development.

They have been crucial technical partners to the NYS Department of Environmental Conservation in understanding where and how PFAS (per and polyfluoroalkyl substances) are used by businesses in New York State and they have worked with companies to switch to safer alternatives, creating case studies that can be used by others in the same sector. They have also been essential partners in efforts to curb food waste, and have gone beyond their initial mandate to work with companies to go beyond regulatory compliance to take on separate funding for helping small businesses comply with challenging laws.

We strongly support funding for the Pollution Prevention Institute, starting at a floor of \$4.6 million as allocated last year and proposed by the Governor this year. However, we encourage the Senate and Assembly to consider increasing funding to the P2I focused specifically on PFAS in manufacturing, specifically in the industries that are just now breaking ground to construct new chip manufacturing facilities. There are many currently unavoidable uses of PFAS in technology manufacturing, and also no laws regulating PFAS as a class in waste water or air emissions, leaving no protections for communities in which these facilities operate. We have an opportunity to prevent another round of poisoned communities by working to eliminate the uses of PFAS for which safer, effective solutions exist, and NYSP2I could play a critical role in this, helping ensure the design of the facilities incorporates these solutions and would have the capacity to adapt to PFAS-free solutions as they are developed in the future. Providing an additional \$1M, ideally with matching

language that would require it be spent on PFAS alternatives, would be a wise investment for our state's health and economy. We know that the cost of cleaning up PFAS – especially because they are harmful at incredibly low concentrations (in the parts per trilliion) – far outstrips the economic benefits accrued by the PFAS industry. This is why the NYS P2I was created: to help companies reap the economic, health, worker, and environmental benefits of preventing harm.

We also strongly encourage legislative action to set air emissions limits and to at the very least require testing for PFAS in waste water coming from NY's manufacturers in the 2025-26 legislative session. You can learn more about the NYS Pollution Prevention Institute at <https://www.rit.edu/affiliate/nysp2i/>

Interstate Chemicals Clearinghouse

Within the NYSP2I line in the EPF is funding for the Interstate Chemicals Clearinghouse (IC2). This little-known entity connects state, local, and tribal government agencies working to address toxic chemicals, allowing NYS to leverage work in many other states on assessing alternatives to toxic chemicals, understanding chemicals in commerce, taking action to prevent harm from PFAS, green procurement, and by hosting databases, like the one that will host NYS's mandated data on toxic chemicals in children's products, which saves all participating states money through centralized infrastructure. Just as in the previous Trump Administration, the IC2 operates as a nationalization of action to move away from toxic chemicals through the efforts of states like New York. Our state's funding of this program is essential, and we look forward to seeing it continue.

You can learn more about the IC2 at www.theic2.org.

Codify funding for the Center for Sustainable Materials Management with \$3.25M

The Center for Sustainable Materials Management, is a relatively recent center created by the Department of Environmental Conservation using funds from the Environmental Protection Fund. Housed at the State University of New York College of Environmental Science and Forestry, and in collaboration with Syracuse University, the Center for Sustainable Materials Management (CSMM) is working to bring together people and organizations to innovate the way we manage materials in New York. They are preparing a NYS Recycling System Needs Assessment, promoting waste reduction and product stewardship, advancing closed-loop, responsible purchasing (including supporting the

ongoing upgrades to the state's green procurement program), expanding recycling markets, and conducting research. They partner with Alfred University Center for Glass Innovation, Stony Brook University, and University at Buffalo.

Funding for both the NYS P2I and the CSMM positions New York State to fully engage in building the private and public infrastructure needed for a nontoxic, circular, regenerative economy. **We urge the Senate and Assembly to include a specific line for the Center for Sustainable Materials Management in the Environmental Protection Fund for \$3.25 million.**

You can learn more about the Center for Sustainable Materials Management at <https://www.centerforsmm.org>

Increase staffing levels at the NYS Department of Environmental Conservation to ensure sufficient capacity to implement the vital laws that protect our environment and public health

Despite some recent growth, the Department of Environmental Conservation remains an agency with depressed staffing numbers, having never recovered from cuts in the early 2000s and in response to the financial crisis in 2008. Additionally, the State has recognized the need for the DEC to take action on toxic chemicals beyond just addressing pollution present in the outdoor environment, and while the staffing in that program – the Division of Materials Management and specifically the Pollution Prevention Unit, they do not have adequate staff to carry out their obligations under the nation-leading policies this legislature has passed in recent years. For example, they have still not released draft regulations for the disclosure of toxic chemicals in children's products, despite a deadline for implementation of 2022.

Therefore, we have the following recommendations:

Focus infrastructure funding to ensure local municipalities and water systems that serve at-risk communities have funds to test and filter PFAS and other emerging contaminants.

- Add \$2.4 million for staffing of the Division of Materials Management; and expanding staff in the Pollution Prevention Unit (P2 Unit) to implement existing laws. The P2 Unit implements critical environmental health and justice policies like the Toxic Chemicals in Children's Products law, the Family and Fire Fighter Protection Act, and other laws requiring regulation of toxic chemicals in products sold in NYS.
- Continue \$250,000 funding for product testing in line with above mentioned existing laws.

Urgent need for action on PFAS in New York State

Each day since his inauguration, President Trump has made it clear he intends to roll back environmental and public health protections, including specifically in regard to PFAS – a class of over 15,000 different chemicals collectively known as “forever chemicals” because they do not degrade to chemicals outside this class for centuries. Governor Hochul has proposed limited action on PFAS, including concerning language that would remove the ability to require safe disposal of the toxic AFFF fire fighting foam banned by NYS in 2019 and instead cover “safe destruction” of these chemicals – something that is not technically feasible at this time. There is no method of breaking down these chemicals that has been shown to be safe. We strongly recommend not adopting that proposed change in Part SS of the TEDE Article VII bill.

The Governor also proposes to ban PFAS in fire fighter gear. Fire fighters should be protected from PFAS in the gear they rely upon day in and day out. Our understanding is that some gear made without PFAS is made with other harmful halogenated flame retardants that NYS has banned in other products with the support of fire fighters. Any policy ending the use of PFAS in fire fighting gear should ensure that replacement gear does not contain regrettable substitutions that continue to threaten fire fighters’ health.

Support reauthorization of the State Superfund program and the proposed prioritization of sites located in disadvantaged communities.

We strongly support Governor Hochul’s reauthorization of the State Superfund Program and her amendments that will prioritize sites in disadvantaged communities, which often bear a disproportionate number of facilities and sites that harm public health and the environment. Close scrutiny should be given to any changes in liability, which we are continuing to analyze.

Green Affordable Pre-Electrification (GAP) Program Fund

We urge the Senate and Assembly to add \$200 million for a GAP Program into our state budget: the GAP Fund addresses home hazards for those who most need it– low-income community members that experience health and safety issues due to lead and/or mold. These harmful circumstances preclude them from receiving the weatherization upgrades that will lower their energy bills– savings that could have a great impact on their household budget. This legislation adds a new public authorities law section 1872-b to establish a green affordable pre-electrification program (“GAP Program”) to be administered by NYSERDA, in consultation with the Division of Housing and Community Renewal, to fund and provide technical assistance for homes and buildings in need of a wide-range of

currently unfunded retrofits that are necessary for healthy buildings and achievement of New York's climate mandates. These unfunded retrofits prevent many households and building owners from being able to participate in energy efficiency and weatherization programs, because some residential buildings need certain types of rehabilitation work before they can do so. This pre-electrification work is usually too costly for homeowners and building owners to take on themselves.

Thank you very much for the opportunity to provide this testimony.