



State of New York
Executive Chamber
Albany 12224

Andrew M. Cuomo
GOVERNOR

February 11, 2017

Catherine McCabe
Acting Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator McCabe:

Across the country, the protection of water quality has emerged as a critical priority. Ensuring clean drinking water is an issue that affects communities in every corner of the nation, and it demands decisive federal leadership.

Currently, New York and many other states are working to address emerging unregulated contaminants like 1,4-dioxane, a compound commonly used in industrial activity and found in a wide range of everyday products. Under the federal Safe Drinking Water Act, the U.S. Environmental Protection Agency (EPA) has primary authority to regulate drinking water quality.

The EPA has yet to establish an enforceable maximum contaminant level (MCL) for 1,4-dioxane, and this lack of clear direction could impact the health and well-being of Americans nationwide. New York State has already felt the impact of the EPA's failure to regulate emerging contaminants. While working to address unregulated contaminants like PFOA and PFOS, states have been given shifting, contradictory guidance from the federal government, which has left communities anxious, fearful, and confused.

Given the absence of federal leadership on these issues, New York has stepped in to fill the void. The state created the Water Quality Rapid Response Team to swiftly identify contamination wherever it occurs and to develop a comprehensive plan for action. This year's Executive Budget also proposes a historic \$2 billion investment in critical water infrastructure throughout the state.

On Long Island, a new, full-scale demonstration project utilizing Advanced Oxidation

Process technology to remove 1,4-dioxane from the water supply has been approved by the New York State Department of Health in Suffolk County. In addition, New York State recently invested \$5 million in the Center for Clean Water Technology at SUNY Stony Brook to leverage innovation and promote advances in clean water technology. This work will include the development of treatment technologies for 1,4-dioxane.

Because of a gap in federal law that exempts public water systems serving less than 10,000 people from testing for unregulated contaminants like 1,4-dioxane, fewer than 200 of the 9,000 public water supplies in New York are required to test, despite formal requests from New York State to remedy this issue. To address this inadequate federal monitoring program, the state's Rapid Response Team is moving ahead with an aggressive action plan to ensure sampling of all public water systems on Long Island no matter their size.

As new contaminants continue to emerge on a regular basis in communities across the nation, states should no longer be left to fend for themselves. The federal government should provide actionable guidance on best practices for removing 1,4-dioxane from drinking water, invest in cutting-edge treatment technologies, and set an MCL to protect public health.

If the EPA fails to act in a timely manner, New York State will convene an advisory panel of experts to set an MCL at the state level. Make no mistake, this is a national issue that demands a consistent, national standard, but New York State is prepared to act in the absence of federal leadership. We are collectively urging the EPA to promulgate a regulation that sets a clear, enforceable MCL for 1,4-dioxane in order to equitably protect not just New Yorkers, but all Americans.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Cuomo". The signature is fluid and cursive, with a large initial "A" and "C".

ANDREW M. CUOMO

NEW YORK STATE OFFICIALS AND CITIZENS CALLING ON THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY TO ESTABLISH A MAXIMUM CONTAMINANT LEVEL FOR 1,4-DIOXANE

The following officials and citizens of the State of New York concur in the letter of Governor Andrew M. Cuomo dated February 11, 2017.



Howard Zucker, MD
Commissioner
NYS DOH



Basil Seggos
Commissioner
NYS DEC



Steven Bellone
Suffolk County Executive



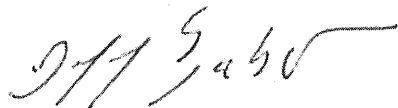
Steve Englebright
NYS Assembly
Chair, Environmental
Conservation Committee



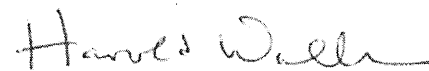
James L. Tomarken, MD
Commissioner
Suffolk County Health Department



Kara Hahn
Suffolk County Legislator
District 5



Jeff Szabo
CEO
Suffolk County Water Authority



Harold Walker, Ph.D.
Co-Director
Stony Brook Center for
Clean Water Technology