

CLEAN & HEALTHY NEW YORK

Building a just and healthy society
where toxic chemicals are
unthinkable

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Clean and Healthy New York 2022 Priorities

Clean and Healthy New York is an environmental health advocacy organization committed to building a just and healthy society where toxic chemicals are unthinkable. We are proud to serve in leadership positions for two major statewide disease-prevention coalitions: the **JustGreen Partnership**, a team of 50 organizations representing over a million New Yorkers, and **Lead Free Kids New York**, a coalition of individuals and organizations working to end childhood lead exposure in New York.

New York State can lead the nation by adopting comprehensive policies that provide the public with necessary consumer information, use credible scientific information to restrict toxic chemicals, and address New York's legacy of toxic chemical contamination. We urge the Black, Puerto Rican, Hispanic & Asian Legislative Caucus to support this legislation to address systemic failures that so disproportionately impact people of color. We offer ourselves as a resource on all issues below, and we encourage you to reach out with questions, comments, suggestions, or support at any time.

Clearing the Toxic Air

S. 4371B (Biaggi, et al.) / A. 6150 (Septimo, et al.)

Passed Senate / In Assembly EnCon

Toxic air pollutants cause heart disease, respiratory infection, lung cancer, and other chronic illnesses. Communities of color and low-income communities disproportionately bear the brunt of toxic air exposure: Black and Hispanic people inhale 56% and 63% more air pollution, respectively, than the overall average for all people. This legislation directs the Department of Environmental Conservation to establish air quality standards for toxic contaminants, with a particular emphasis on low income communities and communities of color. This legislation also **establishes a community benefit fund which will be used to implement environmental benefits projects in economically distressed or minority communities located near large air contamination sources.**

Sponsored by Assembly BPRHA Caucus Member Amanda Septimo.

Cosponsored by Assembly BPRHA Caucus Members Khaleel Anderson, Taylor Darling, Nathalia Fernandez, Chantel Jackson, Zohran Mamdani, Michaelle Solages, and Phara Souffrant Forrest. Cosponsored by Senate BPRHA Caucus Member Kevin Parker.

The Safe Personal Care and Cosmetics Act

S. 3331 (Rivera, et al.) / A. 143 (Gottfried, et al.)

In Senate EnCon / In Assembly EnCon

The personal care industry is not compelled to disclose certain product ingredients and any health and environmental hazards they may pose. This

disproportionately impacts women of color, who use far more personal and hair care products than white women, and whose personal care products are far more likely to contain toxic ingredients such as **formaldehyde in hair relaxers and mercury in skin lightening cream**. The problem is sufficiently endemic that New York has an emerging industry of black entrepreneurs working to create safe personal care products they can use. While their commitment is commendable, we should expect that all personal care products on the shelves are safe to use. To ensure the safety of New Yorkers and drive safer alternatives, this legislation **mandates disclosure of ingredients in hygiene and beauty products and bans some of the worst**.

Cosponsored by Assembly BPRHA Caucus Members Charles Barron, Inez Dickens, Phil Ramos, Karines Reyes, and Phara Souffrant Forrest. Sponsored by BPRHA Caucus Members Gustavo Rivera and Julia Salazar. Cosponsored by Senate BPRHA Caucus Members Brian Benjamin, Samra Brouk, Robert Jackson, Anna Kaplan, John Liu, Zellnor Myrie, James Sanders Jr., Luis Sepulveda, and Jose Serrano.

Cumulative Impacts in Environmental Justice Communities

S. 1031B (Stewart-Cousins, et al.) / A. 2103A (Pretlow, et al.)

Passed Senate / In Assembly EnCon

On average, **black New Yorkers live three years less than their white counterparts**. Here in Albany, New Yorkers living in the census tracts covering Arbor Hill, Sheridan Hollow, West Hill, and neighboring predominantly BIPOC communities lead lives 8 years shorter than those in the neighboring white-majority tract. It is not a coincidence that Arbor Hill and Sheridan Hollow are home to a number of toxic facilities. BIPOC communities of all economic strata and low-income communities bear the brunt of environmental pollution, and the consequences are self-evident in public health data. This bill **requires environmental impact statements to acknowledge whether the siting of a facility will cause or increase a disproportionate burden on environmental justice communities** and establishes provisions regulating the location of environmental facilities to ensure BIPOC communities or economically distressed areas are treated equitably.

Sponsored by Assembly BPRHA Caucus Member J. Gary Pretlow. Cosponsored by Assembly BPRHA Caucus Members Khaleel Anderson, Charles Barron, Carmen De La Rosa, and Karines Reyes. Sponsored by Senate BPRHA Caucus Member Stewart-Cousins. Cosponsored by Senate BPRHA Caucus Members John Liu and Kevin Parker.

PFAS in Apparel

S. 6291 (Hoylman) / A. 7063 (Fahy, et al.)

In Senate EnCon / In Assembly EnCon

PFAS are a class of chemical used across large swathes of product sectors for their resistance to water and stains. They can cause cancer, birth defects, liver disease, thyroid disease, low sperm counts, and more. **New York State has already banned PFAS in fire fighting foam and food service ware**. This legislation bans its use in most clothing and apparel, with the exception of extreme outerwear. While this will have a substantial impact on dermal exposure, the primary impact will be on our **water supply**: as PFAS-laden apparel is run through the wash, those chemicals leak out into sewage, where treatment plants are not prepared to remove them. Left

unabated, this will have a profound impact on all New Yorkers' health, whether they purchase PFAS-treated clothing or not.

Cosponsored by Assembly BPRHA Caucus Member Phara Souffrant Forrest.

Climate and Community Investment Act

S. 4264A (Parker, et al.) / A. 6967 (Cahill, et al.)

In Senate EnCon / In Assembly EnCon

The Climate and Community Investment Act creates the necessary infrastructure and investment needed to **fully implement the Climate Leadership and Community Protection Act passed in 2019**. This legislation places investment in disadvantaged and environmental justice communities at its center while funding the just transition to renewable energy that New York State needs and deserves. It will set the gold standard for national climate justice policy.

Cosponsored by Assembly BPRHA Caucus Members Khaleel Anderson, Charles Barron, Rodneyse Bichotte Hermelyn, Kenny Burgos, Catalina Cruz, Maritz Davila, Carmen De La Rosa, Inez Dickens, Nathalia Fernandez, Mathylde Frontus, Pamela Hunter, Chantel Jackson, Zohran Mamdani, Marcela Mitaynes, Crystal Peoples-Stokes, N. Nick Perry, Victor Pichardo, Karines Reyes, Diana Richardson, Jonathan Rivera, Amanda Septimo, Phara Souffrant Forrest, and Al Taylor. Sponsored by Senate BPRHA Caucus Member Kevin Parker. Cosponsored by Senate BPRHA Caucus Members Jamaal Bailey, Brian Benjamin, Jabari Brisport, Samra Brouk, Leroy Comrie, Robert Jackson, John Liu, Zellnor Myrie, Roxanne Persaud, Jessica Ramos, Gustavo Rivera, Julia Salazar, James Anders Jr., Luis Sepulveda, and Jose Serrano.

Disclosure of Lead at Point of Sale

S. 2142A (Kavanagh, et al.) / A. 6608A (Rivera, et al.)

On Senate Floor / Passed Assembly

New York State has the most dwellings with lead-based paint in the nation, as well as the most childhood lead poisoning cases. Federal law requires sellers or lessors of pre-1978 housing to disclose to buyers or renters any knowledge of lead-based paint in the dwelling. However, the law does not require them to investigate for lead paint, and there is no incentive to do so. Consequently, purchasers and renters unwittingly move into hazardous homes, perpetuating the lead crisis. This legislation closes this gap by requiring residential property owners to test for lead-based paint before selling (if it has not been done previously) and file a report with the New York State Department of Health to better track and address lead poisoning.

Sponsored by Assembly BPRHA Caucus Member Jonathan Rivera. Cosponsored by Assembly BPRHA Caucus Members Nathalia Fernandez, Mathylde Frontus, Chantel Jackson, Crystal Peoples-Stokes, Karines Reyes, Diana Richardson, Robert Rodriguez, and Amanda Septimo. Cosponsored by Senate BPRHA Caucus Members Samra Brouk, Jeremy Cooney, Robert Jackson, Gustavo Rivera, and Julia Salazar.

Closing the Lead Insurance Loophole

S. 3079 (Ryan, et al.) / A. 7488 (Rivera, et al.)

In Senate Insurance / Passed Assembly

New York State has the highest number of residential dwellings in the nation built before lead paint was banned in 1978. Families of children poisoned by lead in residential rental units are often **unable to recoup the costs of lead poisoning due to “lead exclusion” clauses in owners’ insurance policies**. This legislation **would ensure victims can be adequately compensated for medical bills** and other lead-exposure related expenses and damages.

Sponsored by Assembly CPRHA Caucus Member Jonathan Rivera. Cosponsored by Assembly BPRHA Caucus Members Chantel Jackson, Zohran Mamdani, Demond Meeks, Crystal Peoples-Stokes, and Al Taylor. Cosponsored by Senate BPRHA Caucus Members Samra Brouk, Robert Jackson, Jessica Ramos, Gustavo Rivera, and Julia Salazar.

Lead-Safe Renovation, Repair, and Painting Act

S. 6554 (Bailey, et al.) / A. 7117 (Bronson, et al.)

In Senate Labor / In Assembly Labor

The New York State Department of Health has reported a significant number of child lead poisoning cases related to home renovation, repair and painting (RRP) activities, which can spread toxic lead dust if not performed safely. Federal law requires lead-safe work practices and training for RRP work in pre-1978 dwellings, but the EPA’s enforcement capacity in New York is limited. This bill would enable the State to assume administration of RRP rules and to conduct training, certification and enforcement of the RRP. New York would collect contractor fees (currently paid to the EPA) to cover costs and strengthen enforcement. The Community Foundation of Buffalo **estimates this would protect 140,000 New York children under age six from lead exposure in 483,000 homes undergoing RRP work each year**.

Cosponsored by Assembly BPRHA Caucus Members Karines Reyes. Sponsored by Senate BPRHA Caucus Member Brian Bailey. Cosponsored by Senate BPRHA Caucus Members Jeremy Cooney, Gustavo Rivera, and Julia Salazar.

Restore Mother Nature Bond Act

On the 2022 General Election Ballot

In April, Governor Cuomo and the New York State Legislature authorized funding for a variety of environmental health and conservation projects, funded through \$3 billion in bonds issued by the state. Among other stipulations, the act specifies that **at least \$550 million goes toward water conservation and \$700 million to climate change mitigation**. All too often, environmental health and conservation priorities simply are not in the budget; this legislation helps alleviate that concern for legislators while creating good, green jobs for New Yorkers in both urban and rural environments. In addition to the jobs themselves, a **green jobs program creates a worker-friendly job market that raises wages everywhere and incentivizes employers to improve their workplace conditions to attract and retain employees**. The Restore Mother Nature Bond Act will be put to voters on the 2022 general election ballot.