



A. 5477-C/S. 3337-C (Thiele/Gaughran)

AN ACT to amend the civil practice law and rules, in relation to the statute of limitations for public water suppliers and wholesale water suppliers to commence an action for injury to property

The New York League of Conservation Voters supports A. 5477-C/S. 3337-C (Thiele/Gaughran), which would extend the statute of limitations for public water suppliers to take legal action against persons responsible for contaminating public water.

Over the past few years, contaminants that are harmful to public health have been discovered in public water supplies in Hoosick Falls, Newburgh, and Long Island. It is highly likely that other water supplies in the state also have worrying levels of chemical contamination, and that other contaminants will be discovered as we learn more about the impact of certain contaminants on human health. These contaminants are a legacy of New York's industrial past, left by companies that in many cases no longer do business in New York, if they continue to exist at all. There is a danger that public water suppliers cannot recover expenses associated with water filtration and cleanup from the companies or persons responsible for the contamination.

A. 5477-C/S. 3337-C addresses this concern by giving public water suppliers three years from the detection of a contaminant in excess of danger levels, the last act of contamination by a responsible party, or the date of the last detection of a contaminant in excess of danger levels to file suit against responsible parties to seek damages. Protecting public water and public health is becoming more expensive, and prices could rise further, as we grapple with the legacy of industrial pollution. It is appropriate for the entities responsible for water contamination, rather than taxpayers, to pay clean up costs.

For these reasons, the New York League of Conservation Voters strongly urges passage of A. 5477-C/S. 3337-C.

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