

TESTIMONY OF ROBERT A. BILOTT  
BEFORE THE NEW YORK STATE SENATE AND ASSEMBLY  
STANDING COMMITTEES ON HEALTH AND ENVIRONMENTAL CONSERVATION  
ALBANY, NEW YORK  
SEPTEMBER 7, 2016

Good afternoon. My name is Rob Bilott. I am an attorney with the law firm of Taft Stettinius & Hollister LLP, working in the firm's Cincinnati, Ohio, and Northern Kentucky offices.

First, I would like to thank the Committees for extending an invitation to me to appear before you at this hearing to address issues relating to PFOA drinking water contamination in New York. Although I am an attorney who has been involved in litigation on behalf of thousands of community residents exposed to PFOA in their drinking water in various locations across the country for many years, I am not involved in any of the on-going litigation involving New York drinking water supplies and am not here to discuss any of those claims or legal issues.

I am currently involved in on-going litigation against the DuPont company for thousands of Ohio and West Virginia residents who have been exposed to PFOA in their drinking water, including on-going personal injury claims of thousands of those residents against DuPont for diseases caused by that PFOA exposure. I am not, however, here to discuss any of those pending claims or related legal issues.

The DuPont litigation has, however, resulted in certain scientific developments that may be of particular interest to your Committees and the residents of New York who have potentially been exposed to PFOA in their drinking water. I have accepted your invitation to appear today in an effort to assist your Committees in understanding where this important information can be accessed and how it was developed.

---

In 2005, as part of the settlement of a class action lawsuit that I and my co-counsel brought against DuPont for the tens of thousands of people whose drinking water had been contaminated by DuPont's release of PFOA from a West Virginia manufacturing plant along the Ohio River, an independent panel of three highly-respected epidemiologists – the "C8 Science Panel" - was jointly selected by both sides and charged with looking at *all* available data to determine what diseases were linked to class member exposures to PFOA in their drinking water. The class was defined to include those people who had consumed for at least one year water containing 0.05 parts per billion or more PFOA. The Panel also was given unlimited funding (paid by DuPont) to design and perform whatever studies the Panel determined were appropriate to address and resolve their charge. Part of what the Panel had access to and considered in connection with their work was PFOA blood sample results and medical information for tens of thousands of the exposed residents, collected through a program designed, implemented, and funded under the class settlement called the "C8 Health Project."

After spending approximately seven years (at a cost of over \$30 Million) designing, performing, and analyzing the results from some of the most thorough and comprehensive human health studies ever performed anywhere, the Science Panel ultimately determined, after considering all of the existing data, that PFOA exposures among class members had "Probable Links" to six serious human diseases: 1) testicular cancer; 2) kidney cancer; 3) ulcerative colitis; 4) thyroid disease; 5) preeclampsia; and high cholesterol. The Panel also concluded that a number of diseases did not have "Probable Links" to such exposures. Each of the Panel's findings on these "Probable

---

Links” has been posted for the public to see and use, and remains available for review at: [www.c8sciencepanel.org](http://www.c8sciencepanel.org). Papers summarizing the Panel’s various individual studies and associated data/results have been published in the peer reviewed scientific literature, and are also available for the public to review on the Science Panel’s website.

In addition to creating the independent Science Panel that found the six linked diseases, the 2005 class settlement also provided for the creation of a separate, independent panel of three, highly-respected medical doctors – the “C8 Medical Panel” – which was charged with determining what, if any, medical monitoring/testing would be appropriate to detect the early onset of the six linked diseases among class members. In 2013, the Medical Panel released their initial findings and identified each of the various medical tests and procedures that would be appropriate, given class member PFOA exposures. Those recommendations and findings also were posted and made publicly available and can be found at: [www.C-8MedicalMonitoringProgram.com](http://www.C-8MedicalMonitoringProgram.com). The information available on that site includes information that individual PFOA-exposed residents could share and discuss with their own personal physicians and health care providers.

On December 14, 2015, I wrote to the Mayor of Hoosick Falls and the New York State Department of Health to provide links to the Science Panel Probable Link results and related information, after learning that the Hoosick Falls community had discovered PFOA in its drinking water. I suggested that the Village and the State provide links to the Science Panel and related data “so that the community has ready access to as much scientific information as possible with respect to human health effects and risks attributable to their particular community-level exposures to PFOA in drinking water.” I

sent a follow-up letter to the New York State Department of Health on August 8, 2016, in an effort to provide additional information and links that might be helpful to those in the community seeking additional, more current information regarding health effects linked to PFOA exposure.

I hope that this information, including the links to the Science Panel and Medical Panel reports and websites, is of use to your Committees, the State Agencies, and impacted New York residents.

Thank you for allowing me the opportunity to speak this afternoon.

---