

RANKING MINORITY MEMBER

JUDICIARY

INVESTIGATIONS &
GOVERNMENT OPERATIONS

COMMITTEES

CODES

CULTURAL AFFAIRS, TOURISM, PARKS
& RECREATION

ENVIRONMENTAL CONSERVATION
HEALTH



**SENATOR
BRAD HOYLMAN**
27TH SENATORIAL DISTRICT
STATE OF NEW YORK

DISTRICT OFFICE:
322 EIGHTH AVENUE, SUITE 1700
NEW YORK, NEW YORK 10001
PHONE: (212) 633-8052
FAX: (212) 633-8096

ALBANY OFFICE:
ROOM 413
LEGISLATIVE OFFICE BUILDING
ALBANY, NEW YORK 12247
PHONE: (518) 455-2451
FAX: (518) 426-6846

e-mail:
hoylman@nysenate.gov

website:
hoylman.nysenate.gov

February 27, 2017

Hon. Thomas F. O'Mara
Chair, Environmental Conservation Committee
New York State Senate
307 Legislative Office Building
Albany, NY 12247

Hon. Kemp Hannon
Chair, Health Committee
New York State Senate
Capitol, Room 420
Albany, NY 12247

Dear Chairmen O'Mara and Hannon:

I am writing to urge you to immediately release for public review the documents your committees have received in response to the subpoenas duces tecum issued in September 2016 to Saint-Gobain, Taconic Plastics, and Honeywell International related to perfluorooctanoic acid (PFOA) contamination, other perfluorinated compounds (PFCs), and water quality and contamination. The public release of these documents is especially pressing as they could help shed light on whether the Board of the Village of Hoosick Falls should accept a \$1.04 million settlement agreement with Saint-Gobain and Honeywell.

Last month, you allowed my staff and me to review the documents that had, to date, been produced by the companies in response to the subpoenas. While I appreciate the opportunity as a member of the Senate Environmental Conservation Committee to conduct a limited review of the documents (under supervision by your staff), I am more convinced than ever that the public has a right to see for themselves the information that these companies have produced - or failed to produce - to your offices about their usage, handling, disposal or testing of PFOAs or other PFCs.

In the documents we reviewed, we found no documents that if released would compromise your review of the water contamination crisis in Hoosick Falls and Petersburg. No documents included trade secrets, constituted an unwarranted invasion of personal privacy, risked impairing contract awards or collective bargaining agreements, were compiled for law enforcement purposes, or would have fallen in any

Chairmen O'Mara and Hannon

February 27, 2017

Page 2

of the other exceptions to the general presumption that government records should be available for public inspection under New York's Freedom of Information Law (FOIL). While FOIL's application to the State Legislature is limited, I still believe your committees owe it to the people of New York State to make these documents available for public inspection consistent with the spirit of FOIL

Time is of the essence. Tonight, the Village of Hoosick Falls is considering whether to enter into a \$1.04 million agreement with Saint-Gobain and Honeywell in exchange for a waiver of the Village's ability to initiate a civil suit against the companies for contaminating public water with PFOA. Representatives of the Village should be given the opportunity to delay negotiations over any settlement agreement until these documents are released to the public and thoroughly reviewed.

Thank you for the consideration of this urgent request.

Sincerely,

A handwritten signature in black ink that reads "Brad Hoylman". The signature is written in a cursive, flowing style.

Brad Hoylman
27th Senate District

cc: Hon. John Flanagan, Senate Majority Leader