

**RESOLUTION NO. 389**

**AUTHORIZING AND DIRECTING THE WATER PURIFICATION DISTRICT TO REQUIRE TESTING FOR PERFLUOROCTANOIC ACID AND PERFLUOROCTANESULFONIC ACID OF PRETREATED AND LEACHATE WASTE STREAMS**

Introduced: 10/12/21

By Messrs. Fein, A. Joyce, Miller, Mss. Cunningham, Lekakis, McLean Lane, Messrs. Reinhardt, Simpson, Feeney, Beston, Bruschi, Ms. Chapman, Messrs. Clay, Cleary, Commisso, Domalewicz, Ethier, Kuhn, Mayo, Mss. Mclean Lane, Plotsky, Messrs. Reidy, Ricard, Smith, Touchette, Ward, Ms. Willingham and Mr. Peter:

WHEREAS, In 2008 this honorable body adopted rules and regulations for the Water Purification District governing the pretreatment and disposal of sewage and waste, and

WHEREAS, The Water Purification District currently permits thirteen (13) facilities to send their waste to the district's treatment plants, and

WHEREAS, The Water Purification District also receives waste in the form of leachate from various facilities, and

WHEREAS, The County of Albany is obligated to promote and protect the public health and welfare of its residents, and

WHEREAS, The introduction of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) into the waterways of the county should be limited if at all possible, and

WHEREAS, In order to determine whether the amount of PFOA and PFOS being discharged to the wastewater treatment plants operated by the Water Purification District is deemed unacceptable in the opinion of the Executive Director, the district first must determine the sources of the PFOA and PFOS, and

WHEREAS, In accordance with Local Law 3 for 2008, the Water Purification District requires that permitted industrial users to discharge waste to the district's plants must sample and/or test their waste for certain constituents, and

WHEREAS, This list of constituents may be extended to include PFOA and PFOS chemicals, and

WHEREAS, The same requirements can be put forward for any contract the district maintains with facilities that transfer leachate waste to the district's plants, now, therefore, be it

RESOLVED, That the Water Purification District is hereby authorized in accordance with Code of Federal Regulations (CFR 403) to require sampling and/or testing of wastewater for the presence of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) for all facilities permitted under Local Law 3 for 2008 and all facilities that have indirect discharges to the Districts' plants, and, be it further

RESOLVED, That the Water Purification District is hereby authorized to require sampling and/or testing of wastewater for the presence of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) for all facilities that introduce leachate waste to the district's plants, and, be it further

RESOLVED, That the Executive Director of the Water Purification District is hereby authorized to establish rules in accordance with CFR 403 regarding the types of testing required of these facilities as well as the frequency of such testing, and, be it further

RESOLVED, The any rules promulgated by the Executive Director with relationship to the types of testing and frequency of testing shall be provided for in the permits and or contracts the district maintains with the relevant facilities, and, be it further

RESOLVED, That any costs associated with the sampling and/or testing of the wastewater by these facilities shall be borne entirely by the facilities required to sample and/or test under the authority granted by this resolution, and, be it further

RESOLVED, That the results of any sampling and/or testing authorized under this resolution shall be provided to the Clerk of the Albany County Legislature so that it may be distributed to the membership, and, be it further

RESOLVED, That this authorization shall go into effect immediately, and, be it further

RESOLVED, That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to the appropriate County Officials.

*Referred to Conservation, Sustainability, and Initiatives Committee – 10/12/21*

*Favorable Recommendation Conservation, Sustainability, and Initiatives Committee – 10/26/21*

*Adopted by unanimous vote – 11/8/21*