



NEW YORK RIVER WATCH

January 28, 2026

Senator Liz Krueger
Chair, Senate Finance Committee
New York State Senate
172 State Street, The Capitol
Room 416
Albany, NY 12247

Assemblymember J. Gary Pretlow
Chair, Assembly Committee on Ways and Means
Legislative Office Building Room 923
Albany, NY 12248

**RE: New York River Watch FY2026-2027 Funding Priorities, Landfill
Leachate Rule**

Dear Senator Krueger and Assemblymember Pretlow,

We write to you as co-founders of New York River Watch, a statewide organization taking a system-wide approach to protecting New York's

rivers. Thank you for the opportunity to provide public comment to the record today.

Our primary focus is addressing the long-standing regulatory gap known as the “Leachate Loophole,”¹ which allows raw landfill leachate to be trucked or piped to municipal sewage treatment plants that are not designed to remove toxic contaminants such as PFAS, 1,4-dioxane, and heavy metals. These pollutants are then discharged into New York waters, putting public health and the environment at risk.

In her 2026 State of the State address, Governor Kathy Hochul highlighted these risks:

“Clean water, vibrant agriculture, and a healthy environment go hand-in-hand. Currently, due to the lack of treatment for liquid waste from landfills that may contain heavy metals and PFAS, this waste may flow into municipal wastewater treatment plants that are unable to remove these substances. This risks discharging ‘forever chemicals’ and other harmful contaminants into our drinking water. To build upon New York’s nation-leading efforts to address emerging contaminants, the Department of Environmental Conservation (DEC) will establish new regulations that instruct landfills to treat leachate for harmful contaminants at the source before discharge; and provide funding for local governments to comply. By treating leachate at the source, we can better protect our environment and our drinking water sources, and save taxpayers millions in future cleanup costs.”

We appreciate that the Governor explicitly links this practice to drinking water impacts. Yet landfill leachate is routinely trucked or piped to municipal sewage treatment plants under current regulations, which are not designed or equipped to remove these toxic chemicals. These pollutants are discharged into rivers and lakes that supply drinking water, creating a persistent, statewide threat to waters. Downstream drinking water plants

¹ [The Threat of Landfill Leachate to Drinking Water in Hudson/Mohawk Rivers](#)

and ratepayers are left to shoulder the costs, even though most New Yorkers who consume this water are unaware of this practice.

As the New York State Department of Environmental Conservation (DEC) develops new rules for onsite treatment and disposal of leachate at landfills to address this crisis, they must get it right - not only for New York, but as a potential national model, since this would likely be the first rule of its kind. As the rule advances, the state must provide adequate and accessible budget support so that all municipalities can comply and the regulations are effective.

Therefore, as the Legislature considers the 2026 Executive Budget, we urge attention to the following:

- Adequate and accessible funding for municipalities, particularly those operating municipal landfills, to design and construct leachate treatment infrastructure without shifting costs to local taxpayers;
- Access to funding for all landfills that generate leachate, to avoid incentives for noncompliance;
- Safeguards to prevent consolidation or monopolization of leachate treatment infrastructure by private entities;
- A full evaluation of environmental justice impacts to ensure that new treatment facilities at landfills do not further burden frontline communities that live next to and are already affected by landfill pollution.

New York River Watch stands ready to work with DEC and the Legislature to prioritize New York's rivers and the environment, upholding protections against pollution to sustain the life that depends on them.

Thank you for your time and consideration.

Sincerely,

Rebecca Martin and Jen Epstein

New York River Watch

www.newyorkriverwatch.org

cc:

Senator Pete Harckham, Chair, Senate Committee on Environmental Conservation

Assemblymember Deborah J. Glick, Chair, Assembly Committee on Environmental Conservation