



MEMORANDUM OF SUPPORT

S.2129-A (Krueger)/A.3351-A (Dinowitz) CLIMATE CHANGE SUPERFUND ACT

The NYS Public Health Association urges you to support the Climate Change Superfund Act S.2129-A (Krueger)/A.3351-A (Dinowitz). We are a 700-member organization of New York State public health professionals in government, non-profit organizations, healthcare, business, academia, and education.

NYS PHA cares deeply about the dire and worsening effects on public health, of extreme weather caused by increasing Green House Gas (GHG) emissions. Scientific evidence shows that GHG's are sickening, and even killing us! People at all socioeconomic levels, but especially in Black, Brown, and low-income communities, are suffering, increasingly, from asthma, heart and lung disease, heatstroke, vector-borne diseases, trauma, and mental illness. We need ACTION NOW to eliminate fossil fuels, the source of our harm, and move fairly and equitably toward a safe and clean environment.

NYS PHA joins NYRenews, a 370-member coalition and the force behind NYS's progressive climate law, the Climate Leadership and Community Protection Act (CLCPA), in urgently supporting the immediate passage the Climate Change Superfund Act (S.2129-A/A.3351-A). NYSPHA is part of the NY Renews coalition. As part of NY Renews' Climate, Jobs & Justice Package, the Climate Change Superfund Act makes the state's worst polluters, major oil companies, pay for the harm they've caused. Modeled on the successful existing superfund, the bill assesses and collects a fee representing a company's share of the cost of damages that the state's ten worst climate polluters caused through harmful climate pollution.

NY's Climate Act sets out aggressive, science-based, solutions to the climate crisis, but the law does not establish an ongoing, robust funding stream to implement these goals—and those costs will be enormous. A 2022 federal report found that disaster events cost New York State between \$50 to 100 billion dollars and up to \$20 billion in 2021 alone. Had the fossil fuel industry alerted us to the threat the crisis posed or world governments acted sooner, of course, the climate crisis could have been averted. Instead, for the better part of the late 20th century, oil companies did all they could to undermine the science and torpedo solutions.

The Climate Change Superfund Act establishes a revenue stream to address the state's growing climate costs. Like the state's existing Superfund program, which charges toxic polluters, the legislation is based on the rule that the entities responsible for pollution should be financially liable for the resulting harm. Under the Act, the most polluting major fossil fuel companies would be assessed—based on the percentage of the company's greenhouse gas emissions during the period 2000-2018—\$30 billion over ten years to New York State as compensation for a portion of the costs incurred by the state and its localities in dealing with the climate change crisis. If enacted, this first-in-the-nation plan would also be designed to ensure that the assessments paid under the Act would not be passed on to the public, but instead, be a cost borne by the companies.

NYS PHA urges you to demonstrate real climate leadership today by passing the Climate Change Superfund Act.

For more information, contact advocacy@NYSPHA.org