

**Minutes of the EMC General Meeting  
May 13, 2009**

**Voting Members Present (16):** Spring Buck, Kenny Christianson, Roberta Dixon, Martha Ferger, Dan Lamb, Kariann Mackie-Cunningham, Stan Marcus, Jim McGarry, Tony Nekut, Steve Nicholson, Amy Risen, Larry Sharpsteen, Kristine Shaw, Jacie Spoon, Andrea Turner, Marissa Weiss

**Voting Members Excused (6):** Michael Miles, Roger Segelken, Gary Stewart, Lucia Tyler, Mark Whitmore, Roger Yonkin

**Voting Members Absent (1):** Joanne Trutko

**Non-Voting Members Present (3):** Carol Chock, Peter Harriott, Dooley Kiefer

**Guests Present:** Katie Kelly, Deborah Marcus

**Staff Present:** Scott Doyle, Kathy Wilsea

**Call to Order** – The meeting was called to order by Chair Amy Risen at 7:04 p.m.

**Privilege of the Floor** – There were no guests who wished to speak.

**Changes to the Agenda** – There were no changes to the agenda. New member Andrea Turner was introduced, and she spoke about why she is interested in EMC.

**BPA in Tompkins County – what can we do about it?** – Amy introduced Katie Kelly, who has applied for membership in EMC. Katie is the Child-Safe Products Campaign Coordinator for Clean New York. Katie said Clean New York was formed in 2006. It is a member of Just Green Partnership, a group of over 45 environmental health and justice organizations. When the Toxic Substances Control Act was enacted in 1976, 75% of chemicals were grandfathered in, including Bisphenol A (BPA). BPA was created in 1891 as a synthetic estrogen. It can be built into strong polycarbonate plastic, and has been used for containers and liners of cans. Acidity and high heats increase leaching of BPA. “Safe” levels are based on outdated research. Low levels of BPA can trigger a response pathway for estrogen, which leads to early puberty, breast and prostate cancer, change in brain structure, genital malformations, obesity and diabetes. BPA is found in over 90% of US adults and children.

The Food & Drug Administration still classifies BPA as safe, although 93% of government low-dose studies found harm. None of the published industry studies have found harm. According to the Science Advisory Panel, the FDA margin of safety should be classified as inadequate. Canada has deemed BPA unsafe. Some retailers are voluntarily phasing out products with BPA. Some manufacturers are voluntarily phasing it out. Some manufacturers are phasing it out of container liners and sports bottles. The slowest improvement is seen in food can linings. Japan has phased out BPA in packaging and is seeing reduced presence of BPA in human testing.

Canada is implementing a ban. The United States is considering the BPA Act of 2009. 20 states are acting independently. Within New York State, Suffolk has passed a ban, and Schenectady, Albany and Nassau counties are considering bans. Chicago passed a ban today. These laws are primarily aimed at protecting young children from the effects of BPA.

There are several reasons to support local action. Voluntary actions don't provide good coverage, federal laws take longer to update, local laws can be stronger, local laws create momentum and bring attention to the issues. BPA is not

the only chemical we need to act on, but right now it is seen as the “poster child”. Katie reviewed the points in the draft resolution.

In the discussion period, Katie said the ban is specific to products that can be ingested – does not include safety windows, eyeglass coatings, etc. Some products are now marked “BPA free”. BPA polycarbonates are the strong, transparent products in use, and some are #7 recyclables. Some proposed policies require labeling, but none of those have passed. Katie’s work involves speaking to small groups, discussing possible changes and how to choose alternative products. Clean New York is funded from donations and some small contracts. Getting BPA children’s products out of the marketplace has been the easiest step, and major changes are occurring. Opposition to bans is being voiced by lobbyists and unions. Some of the alternatives to BPA are already deemed safe. Old products can continue to leach when exposed to heat and detergents. Part of Katie’s job is doing outreach to daycares and nursery schools.

**Resolution 02-2009: In Support of a Tompkins County Ban on Products Containing Bisphenol A** – This resolution comes from the Consumer Products Committee. Amy said they also met with some PDEQ members and drafted intent for the County. In discussions with the PDEQ chair, it was pointed out the County will need to establish how to implement a ban and monitor compliance. The last whereas clause and two bullets in the resolved clause were amended to read:

Whereas, *The Tompkins County Environmental Management Council* is committed to protecting our natural environment and the public health and welfare of our County’s residents who are vulnerable to the health hazards caused by BPA.

Therefore, let it be resolved that the Tompkins County Environmental Management Council supports this effort to reduce toxins in our environment and requests the Tompkins County Legislature pass legislation with the following components:

- Immediate ban on the sale of children’s products in Tompkins County containing BPA, including baby bottles, and sippy cups and children’s toys intended for children under age three.
- Phased in ban *in Tompkins County* on the sale of infant formula packaging (*including powdered and liquid infant formula*), *children’s toys intended for children under age three, and sports bottles in Tompkins County* containing BPA, ~~including powdered and liquid infant formula.~~

Dan Lamb said some people will ask why we should pass something we can’t enforce. Carol Chock said there will be lots of discussion at the County Legislature on that, but EMC shouldn’t balk on their own resolution because of possible enforcement complications. Amended resolution moved by Larry Sharpsteen, seconded by Stan Marcus, and passed by vote of 13 yes, 1 no, 1 abstention.

**Committee Reports** – Environmental Review: Jim McGarry reported they commented on projects for Sixmile Creek streambank stabilization and Lansing Commons, and chose not to comment on some other projects. They are looking for more members, especially those willing to take on lead roles on occasional projects, so they can rotate responsibility. Associate members are also welcome. Work involves occasional site visits and extra meetings. Communications: Roberta Dixon reported the committee organized the display for Earth Day and will do the Ithaca Festival’s Gorges Green Expo on 5/31. A signup sheet was passed around. They met with Scott Doyle and the County’s Public Information Officer about the EMC website. Efforts will be made to streamline the process for posting information. Scott thanked Earth Day participants. Amy pointed out the EMC News is a good way to distribute information on all committees.

**Project Reports** – City of Ithaca Project Advisory Committee for Dredging: Cliff Babson was not present. Adopt-A-Highway: The first cleanup for 2009 will be held 6/13 from 10AM to noon.

**Municipal Reports** – Village of Dryden: Martha Feger reported the Village has three wells for their water supply. The Health Department says they need a new supplementary supply. DEC will not allow the suggested backup. The

Village is working with the Town of Dryden to share a site outside the Village. The annual water report to residents came out recently, and water quality is good. The report included conservation suggestions. The Village has a Beautification Brigade, and volunteers are working on parks and streets. Village of Groton: Jacie Spoon reported that she has emailed her contacts that she needs to cut back on participation due to changes at work and time constraints, and will be resigning from EMC. She reviewed some news from Groton and shared newspaper articles and notices. Resource Conservation & Development will hold their annual meeting soon and she will share background info with anyone who is interested is serving on RC&D. She passed around information on the Migration Celebration that will take place this weekend at the Lab of Ornithology. Stan Marcus said he has always appreciated Jacie's participation on EMC. Village of Lansing: Tony Nekut reported that he had a recent conversation with the mayor on development issues. There is a development project proposed for the bluffs near the Bolton Point intake. The Village is now negotiating for the possible purchase of some of the land for protection purposes. The project includes trails. Plans are not finalized. Larry Sharpsteen commented that the project is putting a tremendous amount of money into infrastructure.

**Approval of Minutes** -- The minutes of April 8, 2009 were accepted without change. Final minutes are available on the EMC webpage: [www.tompkins-co.org/emc](http://www.tompkins-co.org/emc).

**Chair's Report** – Amy Risen reported that she and Tony Nekut attended Focus the Nation, a meeting on climate change policy. Dan Lamb spoke at the event and reported to EMC that the process changes day by day. There is a draft federal law to reduce greenhouse gas emissions. The carbon cap and trade permit system has opponents; the house leadership plans to get cap & trade legislation to the floor of the House by the end of July. \$80 billion has already been spent by oil and coal industry for lobbyists. Amy said there is no speaker arranged for the June EMC meeting, and it was agreed to use the first hour of the monthly meeting for committee meetings.

**Staff Report** – Kathy Wilsea distributed updated membership lists. Scott Doyle had an agenda available for the Ithaca-Tompkins County Transportation Council's meeting next week. Stimulus project updates are on the agenda. NYS Ag & Markets will announce the next round of Purchase of Development Rights grants tomorrow. Locally, the towns of Dryden and Ithaca have farms receiving grants. PDR could be a topic for an EMC meeting.

**Legislature Liaison's Report** – Carol Chock reported that the County Legislature adopted a Climate Pledge, and she reviewed the points. Today PDEQ passed a resolution on the DEC scoping document for gas drilling. One point is that they request a 60-day public comment period on the draft SGEIS. The County entered into a biodiesel fuel purchasing partnership. The Legislature set a tax levy goal of 3%. They would need to fund mandatory programs at a higher rate and reduce some other programs. She welcomes comments on how Tompkins County can function better environmentally while meeting budget goals. Larry Sharpsteen said they need to cut services to balance the budget; the government needs to tighten their belts.

**Member Items** – Steve Nicholson announced the DEC update will take place June 15. He is attending and others can carpool with him. Roberta Dixon announced local landlord Frost Travis will be offering composting to his tenants in a pilot project. The kickoff event is Saturday. Dooley Kiefer said the PDEQ resolution passed this afternoon included suggestion of a severance tax to fund DEC staffing for overseeing gas drilling projects. The tax levy set by the County Legislature involved much discussion and a wide range of opinion. The Energy and Greenhouse Gas Emissions Element that was recently added to the County Comprehensive Plan includes an action item on tracking state and federal legislation. She wondered if an EMC committee can take this on in leadership or support roles. Dan Lamb suggested checking with the Association of Counties to see if they already do this. Dooley said they do so, but with a minimum number of items.

**Adjournment** – The meeting was adjourned at 9:09 p.m.

Respectfully submitted,  
Kathy Wilsea, Secretary  
Tompkins County Planning Department  
Approved by Council on June 10, 2009