

EXHIBIT S1 TO DECLARATION OF
STEPHEN G. SCHWARZ IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION

United States Senate

WASHINGTON, DC 20510

January 28th, 2016

Mr. Tom Kinisky
President and CEO
Saint-Gobain Performance Plastics
1199 South Chillicothe Road
Aurora, OH 44202

Dear Mr. Kinisky:

As you are aware, an urgent public health crisis has developed in Hoosick Falls, NY involving the unfortunate discovery of elevated levels of the highly toxic chemical perfluorooctanoic acid (PFOA) in area drinking water sources. This situation has appropriately attracted the attention of the federal Environmental Protection Agency (EPA), which on November 25, 2015 officially recommended "that people not drink the water from the Hoosick Falls public water supply or use it for cooking." More recently the New York State Department of Environmental Conservation asked the EPA to list certain areas in and around Saint-Gobain facilities, which used PFOA in its manufacturing process for many years, on the federal Superfund list. And, just yesterday, the state Department of Environmental Conservation took further action adding the area to the state's Superfund list.

These developments, and others, have cast a pall of uncertainty and fear over the Hoosick Falls community, with wide ranging impacts from health and emotional well-being to the local economy. The only way that this uncertainty and fear can be addressed is by speedily defining all potential sources of the contamination, the nature of the contamination, the threat the contamination poses to human health and how far it has spread. Then, it must be cleaned up – and paid for by those responsible for causing the pollution. And on all these matters the immediate cooperation of Saint-Gobain is essential.

I write, therefore, to urge Saint-Gobain Performance Plastics to work promptly, proactively and transparently with the U.S. Environmental Protection Agency (EPA) and the New York State Department of Environmental Conservation (DEC) to define and clean-up the perfluorooctanoic acid (PFOA) contamination in Hoosick Falls. It is absolutely crucial that Saint-Gobain maximally cooperate with all federal, state, and local stakeholders to address this situation and the risk it poses to our environment and human health in the region.

While it is possible within the enforcement process to stall for time, to litigate, to stonewall and frustrate – and, unfortunately, other polluting companies have chosen that route – the urgency of this situation cries out against Saint-Gobain using that option. From experience in other similarly-impacted communities in New York, I know that working cooperatively and transparently to confront this challenge is in the best interests of both the people of Hoosick Falls and Saint-Gobain.

As you know, Saint-Gobain has had a presence in the Hoosick Falls, New York area since 1999, when they purchased the plant on McCaffrey Street. The McCaffrey Street plant, which is located only a short distance away from the community's water treatment facility, used PFOA to manufacture products for an extended period of time, both before and after Saint-Gobain's ownership. According to the EPA, PFOA levels of more than 400 parts per trillion (PPT), are considered unsafe for consumption. On June 4, 2015, four samples of drinking water were collected from the public water supply in Hoosick Falls. These sample contained more than 600ppt, while additional groundwater testing at the Saint-Gobain facility were found to have levels as high as 18,000 ppt. This high level of PFOA contamination presents a wide variety of environmental and health risks to the Hoosick Falls community, which needs to be remediated as soon as possible.

Now that enforcement actions have commenced, it is imperative that Saint-Gobain work with the Hoosick Falls community, the EPA, and the DEC to develop a plan to ensure that the PFOA contamination can be remedied as soon as possible. I appreciate the steps that Saint-Gobain has taken to assist the community, for example, by purchasing drinking water for residents and by paying for the planned installation of both a temporary filter and a permanent carbon-filter system at the village treatment plant that would remove PFOA from the water. That is an important start, but it is by no means sufficient. Specifically, Hoosick Falls must have an aggressive and comprehensive testing regime that covers public and private drinking water sources -- to define the scope and content of the pollution. All sources must be identified and those sources require regular monitoring. Further, if a pollution plume exists, it must be precisely defined and then remediated.

As mentioned above, Saint-Gobain is in a unique position to move this community from uncertainty to certainty. This is best accomplished via a cooperative and speedy effort to define the facts -- and by pledging to support the clean-up efforts so that the community may recover as soon as possible. Saint-Gobain has been a valuable employer in upstate New York, and your assistance in delivering clean water to the people of Hoosick Falls is appreciated, but the scope of the contamination must be determined and the pollution removed to restore the physical and economic health of Hoosick Falls. Thank you for your attention to this important request. I look forward to working with your company to address these concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles E. Schumer".

Charles E. Schumer
United States Senator