



330 N. Hubbards Lane  
Louisville, KY 40207  
(502) 589-8008

*Working to Protect, Restore, and Celebrate Kentucky's Waterways* [www.KWAlliance.org](http://www.KWAlliance.org)

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## **FOR IMMEDIATE RELEASE**

February 24, 2026

### **Contact:**

Michael Washburn, Executive Director  
Kentucky Waterways Alliance  
[michael@kwalliance.org](mailto:michael@kwalliance.org) 646-575-1787

## **Kentucky Waterways Alliance Warns SB 178 Would Weaken Science-Based Protections for Clean Water and Public Health**

LOUISVILLE, KY — Kentucky Waterways Alliance (KWA) today warned that if passed into law Senate Bill 178 would significantly weaken Kentucky's ability to protect clean water and public health, using the language of "best available science" to justify sweeping new limits on environmental safeguards.

SB178 is not a science bill. It is a deregulation bill disguised as science. It replaces modern public and environmental health protection with administrative handcuffs and requires residents to be harmed before the state can act.

Kentucky regulators already used peer-reviewed science, federal research, and risk assessment when adopting safeguards; the question raised by SB179 is when science would be considered sufficient enough for the state to act. KWA has prepared and released a detailed annotated version of SB 178 translating the bill's technical language and outlining its real-world implications for Kentucky communities, public health, and waterways. That analysis is available [here](#).

If enacted, SB 178 would prohibit Kentucky from adopting environmental protections stronger than federal minimum standards and impose unprecedented evidentiary barriers that would make preventive action against pollution and contamination extremely difficult.

"This bill repeatedly invokes the phrase 'best available science,' but in practice it does the opposite," said Michael Washburn, Executive Director of Kentucky Waterways Alliance. "SB 178 uses the rhetoric of science to limit the ability of scientists, regulators, and public health professionals to act on scientific evidence before people are harmed."

### **Federal minimums would become Kentucky's maximum protections**

SB 178 would prevent Kentucky from adopting environmental or public health regulations more protective than federal standards on the same topic, effectively turning federal minimum requirements into a ceiling for the Commonwealth.

For a state with legacy industrial pollution, vulnerable groundwater resources, and increasing development pressure, this loss of flexibility would limit Kentucky's ability to respond to local conditions and emerging threats to drinking water and public health.

"Federal environmental laws were designed as a floor, not a ceiling," Washburn said. "SB 178 would prevent Kentucky from responding to its own environmental realities and leave the state dependent on whatever federal standards exist at any given moment."

### **Bill would require proof of illness before preventive action**

While SB 178 repeatedly references "best available science" and "weight of scientific evidence," the bill defines these concepts in ways that would make it extraordinarily difficult for Kentucky to adopt new protections.

For regulations intended to protect public health, the bill would require proof of a direct causal link between exposure to a pollutant and present, diagnosable bodily harm in humans before action can be taken.

"This is not how science or public health works," Washburn said. "Modern environmental and public health protections rely on risk assessment, toxicology, and accumulating evidence to prevent harm before it occurs. SB 178 would require proof that people are already sick before Kentucky can act to reduce exposure.

SB 178 would dismantle the idea that environmental protection exists to prevent harm and replace it with a system that can only respond after harm is already visible as illness. By locking Kentucky to the weakest federal standard and requiring proof of present, diagnosable human injury before new safeguards can be adopted, the bill deliberately removes risk from the equation. Elevated cancer risk would not count. The presence of toxic chemicals in drinking water or in people's blood would not count. Increased likelihood of developmental harm to children would not count. Heightened exposure would not count. Unless Kentuckians are already demonstrably sick, and that illness can be directly tied to a specific pollutant, the state would be barred from acting."

Broad implications for Kentucky communities and waterways

KWA warned that SB 178 would make it significantly harder for the state to regulate emerging contaminants, respond to new pollution threats, or adopt proactive safeguards to protect drinking water and community health.

"This is not a technical adjustment to regulatory process," Washburn said. "It is a fundamental shift away from prevention and toward a system that requires damage to occur before it can be addressed. Kentuckians expect their state to protect their water and their health. SB 178 would make that far more difficult."

KWA urged lawmakers to reject the bill and preserve Kentucky's ability to act on credible scientific evidence to protect public health and waterways.

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### **About Kentucky Waterways Alliance**

Kentucky Waterways Alliance is the only statewide nonprofit organization dedicated solely to protecting, restoring, and celebrating Kentucky's waterways. Through policy advocacy, restoration initiatives, and community partnerships, KWA works to ensure clean, healthy water for all Kentuckians.