

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

ENVIRONMENTAL PROTECTION COMMITTEE

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HELD AT: 250 Broadway-Committee Room

B E F O R E: Costa G. Constantinides

COUNCIL MEMBERS:

Stephen T. Levin  
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## A P P E A R A N C E S (CONTINUED)

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Director of Air and Noise Policy Enforcement at  
the Department of Environmental Protection

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Asthma Coalition of Queens

Louis Bailey

WEACT

Ling Cho

United for Action

Catherine Skopic

People's Climate Movement

1  
2 CHAIRPERSON CONSTANTINIDES: Morning, I am Costa  
3 Constantinides of the Environmental Protection  
4 Committee and today the committee will hold an  
5 oversight hearing on in-city power plants and  
6 resolution 320 calling on the state of New York to  
7 phase out the use of four and six fuel oil in power  
8 plants in it's plan to meet the carbon dioxide  
9 reduction goals. Before I begin my statement, I want  
10 to... if anyone hasn't signed in to testify please see  
11 the Sergeant at Arms. Please fill out one of these  
12 forms, please make sure that you are able to testify  
13 using one of these forms. Thank you. Today New York  
14 City's electrical grid serves more than three million  
15 costumers, including 8.3 million people. These  
16 costumers consume about 1.4 percent of all  
17 electricity produced in, in the country with peak  
18 daily demand loads between 11,000 and 13,500  
19 megawatts of electricity. According to ConEdison the  
20 peak demand record for the city's electrical grid  
21 13,322 megawatts was set on July 19th, 2013 at five  
22 p.m. The electrical grid system generally consists of  
23 three parts; power generation, transmission lines,  
24 and distribution network. The city's system consists  
25 of 24 electricity of generating power plants that are

1  
2 located within or directly connected to the city, 24  
3 sub... of sub... transmissions to substations, 16 import  
4 lines that originated outside the city, 50 area  
5 substations underground distribution, overhead  
6 distribution. This hearing will focus on the 24 in  
7 city power plants and their impacts on the  
8 communities that surround them. The Department of  
9 Environmental Conservation, the state DEC, issues  
10 permits for the emission of air pollutants including  
11 the permits which are issued to in city power plants  
12 pursuant to the Clean Air Act of 1990. The Clean Air  
13 Act regulates the emission of pollutants into ambient  
14 air. Individual companies own and operate in-city  
15 power plants and sell the power they have produced to  
16 the NYS... S... the NYISO, utilities such as ConEd or  
17 directly to consumers. The vast majority of in-city  
18 power plants are located along the water front with  
19 more than half of the cities in city power generation  
20 capacity concentrated in Astoria and Long Island  
21 city, Queens. Nearly two-thirds of the in city power  
22 plants are also located within the 100th year flood  
23 plain and are expected to be impacted by projected  
24 future sea level rises of up to 2.5 feet by 2050.  
25 These locations pose a risk to the city's resiliency

1  
2 and security in the face of climate change and rising  
3 sea levels. In addition to being concentrated along  
4 the water front the in city power plants are  
5 concentrated in close proximity to environmental  
6 justice communities, low income communities,  
7 communities of color or both. Power plants emit air  
8 pollutants as they burn fossil fuels in order to  
9 generate electricity and the pollutants are very bad  
10 for human health and particularly bad for children  
11 with developing lungs. These pollutants include  
12 particulate matter, nitrogen oxides, and sulfur  
13 dioxide, particulate matter, especially PM2.5, the  
14 fine particles which may deeply penetrate lung tissue  
15 are also formed secondarily from gaseous precursors  
16 such as sulfur dioxide, oxides of oxygen and organic  
17 compounds. Inhalation of particulate matter cause  
18 shortness of breath, aggravated asthma, chronic  
19 bronchitis, decreased lung function, allergies and  
20 acute respiratory systems. Nitrogen oxides combine  
21 with volatile organic compounds in the air to form  
22 ground level ozone or smog which can cause a variety  
23 of respiratory problems including aggravated asthma,  
24 decreases in lung capacity, and increase  
25 susceptibility of respiratory illness. Inhalation of

1  
2 sulfur dioxide results in adverse effects on  
3 breathing, respiratory illness, alterations in  
4 pulmonary defenses, and aggravation of existing  
5 cardiovascular disease. A closer a community is  
6 located to a source of pollution the greater the  
7 impact of the pollution. Power plant siting is  
8 usually permanent and researched using the Department  
9 of... the New York City's Department of Health and  
10 mental hygiene environmental and health data portal  
11 has associated the following negative impacts with  
12 such siting. Each community which hosts power plants  
13 either has worse air quality than those that do not  
14 host such facilities and communities down wind of  
15 such plants generally suffer from greater rates of  
16 respiratory disease than other communities. Studies  
17 have found a significant elevation in rates of  
18 hospitalizations for respiratory diseases among  
19 individuals who live near a fossil fuel fired power  
20 plant after adjusting for age, sex, race ethnicity,  
21 and urban rural residents. According to research  
22 respecting the, the effects of particulate matter 2.5  
23 on respiratory hospital admissions in children there  
24 is an association with a man made combustion sources  
25 and hospital admissions for childhood respiratory

1  
2 disease. Some in, in city power plants have become  
3 less polluting over recent years mainly due to the  
4 transition to natural gas as a primary source of fuel  
5 however other in city power plants continue to use  
6 number four and number six oils, residual fuels that  
7 contain a higher percentage of contaminants and  
8 produce greater particulate emissions than two oil or  
9 natural gas. At least five in-city power plants  
10 burned 19,262,000 gallons of six oil last year in  
11 2015. To achieve further pollution reductions and air  
12 quality improvements the power plants must be  
13 improved further. The elimination of number six oil  
14 will reduce particulate matter emissions by about 95  
15 percent, sulfur dioxide emissions by about 68  
16 percent, and nitrogen oxide by about 65 percent.  
17 Switching from number six oil to natural gas which we  
18 should still try to do better than natural gas would  
19 reduce particulate matter emissions by 96 percent,  
20 sulfur dioxide emissions by 99 percent, and nitrogen  
21 oxide by about 75 percent. In terms of global warming  
22 pollutions switching from number six to number two  
23 oil reduces heat trapping CO2 emissions by about  
24 seven percent and natural gas reduces carbon and two  
25 emissions by about 30 percent compared to number six

1  
2 oil. These fuels have the highest sulfur content of  
3 all fuels commonly used for heating. Heavy residual  
4 fuel oils also contains large amounts of impurities  
5 such as nickel and other metals. As a result burning  
6 number six oil releases fine particulate matter with  
7 high levels of nickel than either two oil or natural  
8 gas. Number fuel oil... number four fuel oil is a mix  
9 of number six residual oil and a cleaner burning  
10 number two oil and emits significant amounts of  
11 nickel. Another way to improve air quality in  
12 communities impacted by a power plant is re-powering,  
13 re-powering these plants would combine cycle units  
14 that are able to capture and reuse the waste heated  
15 heat to generate additional electricity can boost  
16 efficiency from 30 percent to 60 percent. All other  
17 plants could be replaced with newer more efficient  
18 combined cycle power plants to make the in-city power  
19 plants cleaner. Everyone enjoys the benefits of a  
20 modern society including the ability to turn on  
21 lights and electrical equipment but the burden of  
22 electricity generation falls heavily on environmental  
23 justice communities. Equity demand that the burden be  
24 lessened on our most vulnerable communities. I'd like  
25 to now hear from our administration, I want to thank



1  
2 you all for being here today and I hope you all had a  
3 wonderful Thanksgiving holiday. Samara if can swear  
4 in our witnesses please.

5 SAMARA SWANSON: There we go. Thank you.  
6 Okay. Would you please raise your right hand, do you  
7 swear affirm to tell the truth, the whole truth and  
8 nothing but the truth today?

9 SUZANNE DEROCHE: Good morning Chair  
10 Constantinides and members of the committee. I am  
11 Suzanne Deroche, Deputy Director of Infrastructure  
12 Policy in the Mayor's Office of Recovery and  
13 Resiliency. I am testifying today on behalf of both  
14 ORR and the mayor's office of sustainability. Thank  
15 you for this opportunity to speak about in city  
16 power plants and the De Blasio administration's  
17 efforts to improve air quality in New York City. I  
18 am joined here today by my colleagues Anthony  
19 Fiore, deputy commissioner of the Department of  
20 Citywide Administrative Services; Geraldine Kelpin,  
21 Director of Air and Noise Policy Enforcement at the  
22 Department of Environmental Protection and Iyad  
23 Kheirbek Director of Air Quality Program at the  
24 Department of Health and Mental Hygiene. Before I  
25 begin I would like to thank the Speaker and

1  
2 Chairperson for their support of the De Blasio  
3 Administrations Action on Climate Change. The  
4 political dynamics in Washington have made the  
5 council and administration's partnership more  
6 important than ever. While the incoming  
7 presidential administration raises more questions  
8 than answers for now I want to assure the council  
9 that whatever changes occur the De Blasio  
10 administration will continue working every day to  
11 prepare our city for the impact of climate change  
12 as well as provide more just environmental outcomes  
13 for all New Yorkers. To understand how the city's  
14 power plants affect air quality it is necessary to  
15 look at the broader emissions landscape in New York  
16 City. Air pollution is mainly a result of fuel  
17 combustion within and outside the city. According  
18 to the U.S. Environmental Protection Agencies  
19 national emissions inventory in New York city 49  
20 percent of all fine particulate matter, PM2.5  
21 emissions come from buildings, 24 percent from  
22 traffic, 19 percent from non-road mobile sources,  
23 seven percent from electric power generation, and  
24 one percent from other sources. According to the  
25 New York City Community Air Survey, NYCCAS, from

1  
2 2009 to 2014, the most important predictors of high  
3 neighborhood levels of PM2.5 and nitrogen dioxide  
4 are indicators of traffic density and building  
5 density. Looking more closely at power plants there  
6 are 24 in city power plants containing 221... I'm  
7 sorry, 121 generating units with a combined  
8 capacity of approximately 10,000 megawatts enough  
9 to meet over 80 percent of the city's peak demand  
10 as required by New York Independent System Operator  
11 or NISSO. The majority of the generating units rely  
12 on natural gas as their primary fuel and different  
13 types of fuel as back up which is required to meet  
14 reliability standards. Burning natural gas and fuel  
15 oil impact air quality in particular heavier fuels  
16 emit harmful air pollutants at a higher rate than  
17 other fuels used in power plants in the city. The  
18 age of the power generating equipment is another  
19 factor impacting air quality. In Astoria Queens,  
20 which is home to the densest cluster of power  
21 plants in New York City, there are five major plant  
22 facilities with 29 generating units of which three  
23 are ten years or younger operate primarily on  
24 natural gas and use fuel oil number two and  
25 kerosene for back up. These three newer plants

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2 which generate 91 percent of energy produced in  
3 Astoria are more efficient and emit less air  
4 pollution and green house gases relative to each  
5 unit of energy produced than the older plants.  
6 While all New Yorkers have a stake in improved air  
7 quality there are disparities within the city in  
8 both exposures and pollution attributable health  
9 outcomes. Exposures to air pollutants can affect  
10 the cardiovascular and respiratory system, increase  
11 risks of hospitalization, emergency room visits,  
12 and premature death. Poor health outcomes can also  
13 result in lost work and school days adversely  
14 impacting individual and city wide economic  
15 prosperity. The DOHMH has clearly documented that  
16 poor health outcomes resulting from poor air  
17 quality occur disproportionately in high poverty  
18 communities. For example, the rate of asthma  
19 emergency room visit... visits attributable to PM2.5  
20 is three times higher in the most disadvantaged  
21 neighborhoods compared to the most affluent ones.  
22 Reduction in pollution admissions from predominant  
23 sources throughout the city will help reduce these  
24 health disparities. While there is clearly work to  
25 be done air quality in our city has greatly.. has

1  
2 improved greatly in the past decades with harmful...  
3 levels of harmful air pollutants in the past few  
4 years well below concentrations of just ten years  
5 ago. According to the NYCCAS the largest ongoing  
6 street level urban air monitoring program of any  
7 U.S. city between 2009 and 2014 the average annual  
8 concentration of PM2.5 declined significantly by  
9 about 16 percent. As a result, the city's air  
10 quality ranking among major U.S. cities has  
11 improved from 7th place to 4th place. A key factor  
12 in this has been the phase out of the use of the  
13 dirtiest heating oils in buildings. In 2011 DEP  
14 issued regulations requiring buildings to convert  
15 from number six to number four heavy heating oils  
16 to cleaner fuel. The phase out of all number six  
17 heating oil was completed June 30th, 2015 while the  
18 deadline for the phase out of number four is  
19 January 1, 2030. To date DEP has achieved 99.8  
20 percent compliance with the regulation. Nearly  
21 6,000 buildings have converted to cleaner fuels  
22 with assistance provided through the New York City  
23 Clean Heat Program. By January 2030 when the phase  
24 out is complete the city will have prevented nearly  
25 1500 tons of PM2.5 from entering our air. As these

1  
2 buildings have switched to a cleaner burning fuel  
3 New York City's air quality has improved preventing  
4 approximately 210 premature deaths and 540  
5 hospitalizations annually. Neighborhoods with the  
6 highest density of boiler conversions such as  
7 northern Queens, northern Manhattan, and the south  
8 Bronx saw the greatest improvement in air quality  
9 with the greatest proportion of health benefits  
10 occurring in vulnerable high poverty areas.  
11 Moreover, in May 2015 the city working with the  
12 council enacted changes to the air pollution  
13 control code local law 38 of 2015. the law went  
14 into effect in May 2016 and requires all permitted  
15 entities including in city power plants using steam  
16 generating boilers for electricity generation to  
17 completely phase out the use of number six by 2020  
18 and number four by 2030 thereby prohibiting any use  
19 of number six or number four fuel oil in the city.  
20 We are not stopping there, in September 2014 the  
21 city committed itself to reducing green house gas  
22 emissions by 80 percent by 2050 with an interim  
23 target of 40 percent by 2030 and we took immediate  
24 steps to achieve that goal. We committed billions  
25 of dollars to reduce our own, our own carbon

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2 footprint with investments in energy efficiency for  
3 municipal buildings. In 2015 with the release of  
4 one NYC we expanded our commitment to 80 by 50 with  
5 new investments in renewable energy, electric  
6 vehicles, and solid waste management that are  
7 catalyzing air quality improvements across the  
8 city. We want this trend to continue. That is why  
9 we are moving away from fossil fuels. Since Mayor  
10 De Blasio took office the city has nearly  
11 quadrupled it's solar energy capacity from 25  
12 megawatts to 96 megawatts. This puts us on track to  
13 meeting our... to meet our goals of installing 100  
14 megawatts of solar power on public buildings and  
15 250 megawatts on private buildings by 2025. This  
16 past September the mayor set a new goal of 1,000  
17 megawatts per... for a citywide solar capacity by  
18 2030. To put this in context 1,000 megawatts of  
19 solar capacity can meet the power needs of more  
20 than 250,000 households. To better utilize this  
21 energy the mayor also set the city's first ever  
22 energy storage target of 100 megawatt hours by  
23 2020, this target will help reduce reliance on  
24 fossil fuels and increase the city's energy  
25 resiliency. With 1NYC the city is committed to

1  
2 inclusive energy... inclusive climate action that  
3 works for all New Yorkers. This means continuing to  
4 improve air quality city wide and in particular,  
5 alleviating disparities across communities  
6 especially for vulnerable populations. Here are...  
7 there... here are the several steps we intend to  
8 take; first give the... given the share of air  
9 pollutants coming from older power plants like  
10 those in Astoria the city will continue to  
11 encourage re-powering of older generation  
12 equipment. Although previous attempts to remove  
13 potential barriers to re-powering were unsuccessful  
14 the city will continue to evaluate possible rule  
15 changes and other options to encourage the closure  
16 or re-powering of older power plants. Replacement  
17 or re-powering of older plants will also help meet  
18 our 80 by 50 goal. Second, the city will continue  
19 to pursue expansion of the electric transmission  
20 system to provide its residents and businesses  
21 greater access to renewable sources... resources  
22 located in other regions. To this end, in September  
23 2016, the city submitted comments to the NISSO  
24 encouraging it and the New York state Public  
25 Service Commission to undertake a comprehensive



1  
2 review of the infrastructure required to deliver  
3 large scale, clean, renewable energy from upstate  
4 New York to the city. Lastly, the city is actively  
5 working to integrate large scale renewable  
6 resources directly into New York City's supply mix.  
7 We are evaluating the technical and financial phase  
8 ability as well as the benefits of direct links  
9 between the electric system in the city and  
10 different types of renewable resources. Combined,  
11 these steps will help facilitate the retirement of  
12 older, less efficient plants while preserving the  
13 reliability of the electric system. Equally  
14 important they will also continue to move us  
15 towards our 1NYC goal of having the cleanest air of  
16 any large city in the country. Thank you for the  
17 opportunity to testify. We share your goals and to  
18 protect and improve air quality in New York City to  
19 benefit all New Yorker's health and the city's  
20 economic prosperity. We are happy to answer your  
21 questions.

22 CHAIRPERSON CONSTANTINIDES: Thank you for  
23 your testimony. And on a side note just I  
24 wholeheartedly agree with your testimony when it talk...  
25 comes to the new administration and our partnership

1  
2 has never been more important to protect air quality  
3 so thank you for the great work that you do and please  
4 pass that along to the mayor. So, talking about in  
5 city power plants was... just going to do a little bit  
6 of a dive, is there any technical reason that they  
7 need to... that these power plants need to burn four and  
8 six oil that they can't make that transition sooner,  
9 that, that they've chosen to continue to burn it even  
10 though that we know that this date's coming up where  
11 they have to phase it out?

12 ANTHONY FIORE: So the, the technical  
13 issues really rely, you know around changing  
14 equipment in order to use number two. There's,  
15 there's no technical reason that number two can't be  
16 used as an alternative fuel but those that use number  
17 six currently have to change equipment and you know  
18 accommodate the new fuel.

19 CHAIRPERSON CONSTANTINIDES: And those  
20 that have number two capacity... I mean I know that  
21 you're not, you're not the power company so I'm just  
22 asking you to speculate but is that a choice on their  
23 part to burn number six over number two or that's  
24 just... is there still other... some type of technical  
25

1  
2 reason 'cause there are some plants that have... that  
3 are burning two that are also burning six?

4 ANTHONY FIORE: Yeah, I think if you look  
5 at the plants that are burning number six there... only  
6 apply to one type of technology and that's, that's  
7 steam turbine so if you look at all the other  
8 technologies that are out there that are generating  
9 electricity including gas turbines and combined  
10 cycles and so forth none of those are, are using  
11 number six fuel oil. So it's really only with the  
12 steam turbines and...

13 CHAIRPERSON CONSTANTINIDES: Right...

14 ANTHONY FIORE: ...seems to be a... you know  
15 maybe a legacy issue of, of that technology.

16 CHAIRPERSON CONSTANTINIDES: I  
17 understand. You think it's... there's an economic  
18 reason at all, that it's just cheaper to burn six or...

19 ANTHONY FIORE: It certainly is cheaper  
20 to burn six.

21 CHAIRPERSON CONSTANTINIDES: Yeah, I kind  
22 of referred to it as the fast food of, of, of fuel  
23 oil, it's, it's the cheapest, it's easiest to get and  
24 it's the worst for you but it... there, there's  
25

1  
2 probably an economic reason for it, you could make  
3 that case right?

4 ANTHONY FIORE: I would, I would think at  
5 this time market conditions make number six cheaper  
6 to burn than...

7 CHAIRPERSON CONSTANTINIDES: ...right...

8 ANTHONY FIORE: ...other fuels.

9 CHAIRPERSON CONSTANTINIDES: And I'm...  
10 because I'm, I'm looking forward to 2020 and seeing  
11 this phased out I just felt that it was important  
12 that we have this conversation and highlight that  
13 there's still so much being burned in New York City  
14 within these five plants, I see 20 million gallons  
15 burned last year was more than I thought when we  
16 started down this road that was going to be so I am...  
17 I'm looking forward to getting to that point that we  
18 have passed. What kind of conversations have we had  
19 with these... with the industry moving forward? Have  
20 they already started the technology change overs, are  
21 they in process, what progress could we expect to see  
22 in 2017, 2018, 2019?

23 GERALDINE KELPIN: So... excuse me...  
24 conversations have been started with these companies,  
25 they have brought on consultants to look at this and

1  
2 to come up with a schedule to do the conversions as  
3 Anthony was saying it's not... it's certainly not  
4 impossible for them to change but the... essentially...  
5 this may not be the best way... the most scientific way  
6 to put it but the guts of these plants have to be  
7 changed out and it has to be balanced so that we  
8 always have the reliability from the plants so that  
9 balance is being looked at and we expect that  
10 transition to be happening by 2020, I don't know  
11 really if we will see anything sooner than 2020.

12 CHAIRPERSON CONSTANTINIDES: And that's  
13 because of this, this technology it's guts that have  
14 to be sort of changed over?

15 GERALDINE KELPIN: Partly that and I  
16 think that their going to sort of hang on to the  
17 economics as long as they can.

18 CHAIRPERSON CONSTANTINIDES: Yeah, as we  
19 talked about it it's the cheapest way to do business...

20 GERALDINE KELPIN: ...yeah...

21 CHAIRPERSON CONSTANTINIDES: ...yeah...

22 GERALDINE KELPIN: Yeah.

23 CHAIRPERSON CONSTANTINIDES: I mean it...  
24 it's... yeah, in, in a community... I represent a  
25 community that... you know Astoria Long Island city

1  
2 that has many of these power plants so it's... you know  
3 where we've long been frustrated by power plants and  
4 we've heard a lot of promises from them that we're  
5 going to change over, we're going to re-power you  
6 know in the, in the early, early part of this decade  
7 we heard how we're going to have you know massive re-  
8 powering projects done in Astoria only to see them go  
9 by the wayside and you know what would of been a  
10 creation of good union jobs for construction purposes  
11 been great for the city as far as energy efficiency  
12 and great for the city for emissions reductions and  
13 as you talked about those, those barriers we, we got  
14 a whole lot of nothing from them. So, do we see one  
15 moving forward what regulatory structures do we have  
16 to force a re-power. And then secondly do we see any  
17 push back from them from stopping to use six, do we  
18 see from... are, are they looking... are they actually  
19 going to comply or are they going to fight back  
20 either in court or other, other means with us?

21 GERALDINE KELPIN: At this point they  
22 appear to be working towards the goals of switching  
23 their fuels.

24 CHAIRPERSON CONSTANTINIDES: Okay.

25

1  
2           GERALDINE KELPIN: And that, that's about  
3 the best I can say at this point.

4           CHAIRPERSON CONSTANTINIDES: And do we  
5 know if they... how, how... what, what structure do we...  
6 what can we do, I... so you talked a little bit about  
7 removing these barriers and looking at it regulatory...  
8 Is there something that we can do as a city to force  
9 them to re-power or are we... what, what... in our, in  
10 our, in our legal structure I know there's a lot of...  
11 lot of set of fingers in the pies of, of... in city  
12 power generation how do we... how can we move forward  
13 and, and sort of have these conversations?

14           ANTHONY FIORE: So you know, you know I'd  
15 just like to separate two issues one is what the fuel  
16 is being used to generate electricity and, and then  
17 re-powering...

18           CHAIRPERSON CONSTANTINIDES: ...right...

19           ANTHONY FIORE: ...'cause they're, they're  
20 a bit different...

21           CHAIRPERSON CONSTANTINIDES: ...right,  
22 absolutely.

23           ANTHONY FIORE: And, and the, the air  
24 code regulatory changes that were instituted in, in  
25 2015 with you know the help of the council to get,

1  
2 get that changed really is the, the stick to have the  
3 fuel oil changed so I think, I think we've  
4 accomplished that component...

5 CHAIRPERSON CONSTANTINIDES: ...right...

6 ANTHONY FIORE: ...of it that... The other  
7 question is about re-powering still many of these  
8 units in the city are old right in there and they're  
9 less efficient than, than newer units as you talked  
10 about combined cycles versus other, other  
11 technologies and so forth and we, we have been  
12 working for many years now to... with our state  
13 partners and, and federal regulatory agencies to  
14 incentivize re-powering right now that regulatory  
15 structure disincentives re-powering. We submitted  
16 comments to the federal and regulatory commission  
17 with proposals to change that so far without success  
18 in terms of re-powering although we have had some  
19 success in, in having regulatory changes that will  
20 make it easier for renewable technology to come into...  
21 to the market so we... there's a steady progress that  
22 we've seen happening but we will continue to work  
23 with the New York independent system operator, the  
24 New York state public service commission and others



1  
2 to encourage regulatory changes that will incentivize  
3 re-powering.

4 CHAIRPERSON CONSTANTINIDES: I... I'm  
5 wholeheartedly with you and do you think... I mean this  
6 is... I've heard stories of, of frac gas being part of  
7 the reason that it could of depressed the market and  
8 you know as, as EPI will call it the, the frac  
9 revolution we'll call it the frac devolution.

10 ANTHONY FIORE: Yeah, I mean i... I think  
11 that certainly there's a, there's a concern with the,  
12 the reliance on natural gas that, that's happening,  
13 right just from a fuel diversity perspective and I  
14 think one of the things that the city needs to do  
15 and, and this administration is.. in working to do  
16 and, and happy to work with council in, in doing that  
17 is increase transmission in, into the city, right we,  
18 we need to increase the transmission capacity into  
19 the city so that the city has access to cleaner  
20 renewable fuels that are, are being located up state  
21 will increase reliability and will in essence  
22 decrease the amount of in city generators that are  
23 needed so that's, that's one of the biggest areas  
24 where we could work together to push our, our state  
25 and, and federal regulatory agencies.

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CHAIRPERSON CONSTANTINIDES: I, I, I

agree with you. Many... these plants they, they've... in our community they have technology in many places that's what 30, 40 years old that...

ANTHONY FIORE: ...and more...

CHAIRPERSON CONSTANTINIDES: ...and more

and, and we're... you know we're, we're constantly dealing with seeing the... those emissions, dealing with the asthma impacts, dealing with the... all the consequences of those plants and we're looking forward to seeing four and six oil phased out and looking forward to holding them to that and I hope they're here today to testify or at least be heard because we, we are looking forward to hearing them say on the record that they're ready to comply and get there to four and six as we ready to see that 20 million gallons disappear but it's, it's time for us to come up with new ways to you know move, move past these plants and, and not have that dependence in our communities and I think all of our communities are looking forward to that so I'm looking forward to our good partnership and so... looking at... do we monitor the air pollutants that are coming from these plants separately, I know that the state has regulation and

1  
2 do we... you know sort of look at the impacts they have  
3 on our local health?

4 ANTHONY FIORE: So, so we had the New  
5 York city community air survey monitoring program  
6 where we've measuring pollutants throughout the city  
7 between 60 to 150 sites and what we... you know we have  
8 data on our portal so the pollutants that are emitted  
9 by these power plants are the same pollutants that  
10 are emitted by trucks, cars, you know buildings and  
11 so forth. And so you know what, what we're measuring  
12 is the overall pollution levels across these  
13 communities and you cited our, our online portal that  
14 we have all that data at the community level looking  
15 at the... both the air quality and the public health  
16 impacts of these, of these pollutants.

17 CHAIRPERSON CONSTANTINIDES: So we're,  
18 we're constantly keeping an eye on these plants and  
19 seeing what, what...

20 ANTHONY FIORE: ...well we're measuring the  
21 over... [cross-talk]

22 CHAIRPERSON CONSTANTINIDES: ...right...  
23 [cross-talk]

24 ANTHONY FIORE: ...the ambient air quality...  
25 [cross-talk]

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CHAIRPERSON CONSTANTINIDES: ...right...

[cross-talk]

ANTHONY FIORE: ...throughout the city,  
yes.

CHAIRPERSON CONSTANTINIDES: Okay. And,  
and so looking at worse case scenario nationally  
unfortunately we're, we're, we're stuck with looking  
in this paradigm will the... if, if for some reason the  
clean power plant does not go into effect and we, we  
lose that sort of regulatory structure is our ability  
to phase out four and six affected any way, is there  
any way they can challenge it or, or... you know we  
have it in law here in the city is... can we, can we  
expect some sort of fight on those grounds at all?

ANTHONY FIORE: No, I, I don't expect so  
in, in the city in terms of the use of number four  
and number six, it... the, the local regulations  
require it and I would also say that you know New  
York state is a member of the regional green house  
gas initiative and the reductions that are occurring  
under that program exceed at the reductions that were  
required by the clean power plant and so New York is  
already a little bit ahead of where the clean power  
plant needs to go for New York itself, nationally the

1  
2 clean power plant would be of benefit and we  
3 understand that you know many of the air quality  
4 impacts here in the city are not just from what's  
5 generated in the city, they're from...

6 CHAIRPERSON CONSTANTINIDES: ...right...

7 ANTHONY FIORE: ...plants you know in the  
8 Midwest and the pollutants that are transported and  
9 deposited here and so to that extent you know that's  
10 troubling for, for us but for what we can do here in  
11 the city and what the state is doing I, I think are  
12 somewhat insulated from what's happening at the  
13 national level.

14 CHAIRPERSON CONSTANTINIDES: A small  
15 silver lining. There's not a whole lot of those going  
16 around right now, so we'll take them where we can get  
17 them. And then looking at the equipment that's  
18 utilized by these plants you know they, they have  
19 boilers, turbines do we think that all of these will  
20 be captured within our purview here we... you know we  
21 talked about steam generation four and six is there  
22 any other technology they utilize that allow them to  
23 still burn four and six that we did not cover through  
24 their code?

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2 ANTHONY FIORE: So no the, the only  
3 technology that we see that is using number six fuel  
4 oil is... are the steam turbines and, and that's just  
5 the, the older technology. The, the gas turbines, the  
6 jet engines, the combined cycles none of those are,  
7 are using number six fuel oil.

8 CHAIRPERSON CONSTANTINIDES: Alright, so  
9 that's, that's good to hear. Alright, so let me... at,  
10 at this point I'll recognize, he's not a member of  
11 our committee but he does have two plants in his  
12 district that did burn over six, six million gallons  
13 last year of, of six oil, I know he was very  
14 interested in his topic, Council Member Ben Kallos  
15 from the upper east side, thank you for being here  
16 Council Member. Do you have any questions about it  
17 or... I know you just walked in, do you have a... need a  
18 minute, yeah, okay...

19 COUNCIL MEMBER KALLOS: ...give me a moment  
20 I do have a question.

21 CHAIRPERSON CONSTANTINIDES: Alright.  
22 Alright, so I, I have... as far as over the next four  
23 years we talked about technology that reliability  
24 factor so they need to burn four and six as a back up  
25

1  
2 to the... to natural gas in many cases and, and they  
3 utilize the back up?

4 ANTHONY FIORE: They need to burn fuel  
5 oil...

6 CHAIRPERSON CONSTANTINIDES: ...right...

7 ANTHONY FIORE: They're currently burning  
8 number six...

9 CHAIRPERSON CONSTANTINIDES: ...right...

10 ANTHONY FIORE: I think we suspect that  
11 many of them will switch to number four before they  
12 go to number two but those are not direct  
13 conversations that we've had yet. There, there may be  
14 some that go directly to, to number two so from...  
15 because of reliability rules there needs to... they,  
16 they need to be dual fuel but there's, there's no  
17 reason that they can't run on number two rather than  
18 number six with the necessary investments to get  
19 there and you know our, our only concern is that we  
20 do that in a way that manages the reliability of the  
21 system and, and cost impacts to, to the rate payers.

22 CHAIRPERSON CONSTANTINIDES: I asked the  
23 question as far as going... is there any way to, to, to  
24 kind of shrink the time for number four, I mean as  
25 we're, we're shrinking the timeline for number four

1  
2 we know we have 2030, we're hoping to get there  
3 sooner than that is there a way to require them to go  
4 sooner than 2030 to... from number four?

5 ANTHONY FIORE: That would require a  
6 legislative change.

7 CHAIRPERSON CONSTANTINIDES: Okay. Well  
8 I'm definitely open to that. And do any of them have  
9 coal capacity at all; is anyone using coal in the  
10 city of New York any longer?

11 ANTHONY FIORE: No, no... no one's using  
12 coal in the city of New York and the state has a plan  
13 to phase out the last couple of coal plants in the  
14 state by 2020.

15 CHAIRPERSON CONSTANTINIDES: Okay, great.  
16 And you're...

17 COUNCIL MEMBER KALLOS: I'm ready.

18 CHAIRPERSON CONSTANTINIDES: Alright, so  
19 at this time I'll turn it over to my colleague Ben  
20 Kallos before I come back...

21 COUNCIL MEMBER KALLOS: Thank you very  
22 much to our Environmental Protection Chair  
23 Constantinides for being on the vanguard of  
24 environmental issues and focusing on every single  
25 issue I... I represent the upper east side; east



1  
2 Harlem, east Midtown and Roosevelt Island and I'm not  
3 sure if you know but air quality throughout the  
4 entire city of New York has been getting better where  
5 has it still stayed poor according to the air quality  
6 surveys?

7 ANTHONY FIORE: So as, as you mentioned  
8 air quality has improved throughout the city over the  
9 past several decades...

10 COUNCIL MEMBER KALLOS: Except where?

11 ANTHONY FIORE: And we... well it's  
12 improved in all neighborhoods but we can look at the  
13 rankings currently at the most recent data we have in  
14 2014 and we see the worst air quality fine  
15 particulate matter... if we're speaking specifically  
16 about fine particulate matter and nitrogen dioxide  
17 are in areas of Manhattan and the western Bronx.

18 COUNCIL MEMBER KALLOS: And which  
19 specific area of Manhattan?

20 ANTHONY FIORE: So I can point you to the  
21 rankings of fine particulate matter the top five  
22 neighborhoods are Midtown, Stuyvesant town, Chelsea  
23 financial district and then Greenwich Village in the  
24 upper east side.

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COUNCIL MEMBER KALLOS: So I, I represent multiple of the locations where you have some of the worst air quality and for... what is one of the reasons that we're seeing such high levels of particulates?

ANTHONY FIORE: Right... So in those neighborhoods you have a confluence of high building density and high traffic density which are the major contributors to variation of air pollution throughout the city so what happens in, in Manhattan and a lot of the... and in these neighborhoods is basically an overlap of some of the highest building density and traffic density so you have the most fossil fuel combustion in those areas.

COUNCIL MEMBER KALLOS: And is there... is, is the burning of number one, two, and six diesel oil and liquid waste is... are those contributing factors to that?

ANTHONY FIORE: So I don't... number two fuel and natural gas, sure and number four and six.

COUNCIL MEMBER KALLOS: And so within my district according to our committee report and some of the great research done by the Environmental Protection Committee staff at 74th Street in my

1  
2 district 3,846,000 gallons were burned is that, is  
3 that accurate?

4 ANTHONY FIORE: We, we don't have the  
5 quantity of fuel burned, we can, we, we have by  
6 megawatt hours generated.

7 COUNCIL MEMBER KALLOS: So I guess one  
8 question is do you think it would be prudent for the  
9 city to be tracking that information, it's currently  
10 being tracked by other agencies but for the city to  
11 be tracking how many gallons are being produced, do  
12 you... or do you have a link between the number of  
13 megawatt hours generated and, and the carbon  
14 footprint for that generation?

15 ANTHONY FIORE: Do you have emissions  
16 data?

17 SUZANNE DEROCHE: Yeah. So we have  
18 emission data that we use from the EPA that gives us  
19 the emissions data for each plant... for each  
20 generating unit, excuse me.

21 COUNCIL MEMBER KALLOS: And, and could  
22 you just share that for the record for folks who are  
23 in the audience, we have a great audience here today,  
24 the room's entirely full, I'm sure we have folks  
25

1  
2 watching the live stream and who are also going to be  
3 watching on television later?

4 SUZANNE DEROCHE: Sure, so earlier in the  
5 testimony we discussed the plants that were using  
6 fuel oil number six that are steam and in... for... the  
7 east river six and east river seven ConEdison  
8 facilities we have the CO2 data as well as some  
9 other, some other data so for CO2 for those... for the  
10 first plant, six is...

11 COUNCIL MEMBER KALLOS: Where's that  
12 located?

13 SUZANNE DEROCHE: East river six, that's  
14 in the upper east side.

15 COUNCIL MEMBER KALLOS: Okay, thank you.

16 SUZANNE DEROCHE: So I can give you that  
17 number and this is tons, 500... let's see, about  
18 520,000 tons.

19 COUNCIL MEMBER KALLOS: And, and that's  
20 500,000... 520,000 tons of...

21 SUZANNE DEROCHE: Excuse me, let me make  
22 one correction, these two plants are in the lower  
23 east side.

24 COUNCIL MEMBER KALLOS: Okay, do you have  
25 the upper east side location as well?

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SUZANNE DEROUCHE: So these are...

ANTHONY FIORE: Yeah, 74th Street...

SUZANNE DEROUCHE: 74th Street, okay, yes.

So these...

ANTHONY FIORE: They don't burn six.

SUZANNE DEROUCHE: They don't burn number six and from this EPA data it says that there is zero emissions. So the EPA does not have emissions date for those plants.

COUNCIL MEMBER KALLOS: And, and what...

SUZANNE DEROUCHE: The data that we have from the EPA does not include emissions date from those plants.

COUNCIL MEMBER KALLOS: If, if a person from... do you have... somebody from the audience had a comment if you can make sure to fill out a comment slip or if you want to write your note and hand it to the Sergeant at Arms I'd be interested in, in reviewing it so what kind of fuel is being burned at 74th Street?

SUZANNE DEROUCHE: Kerosene.

COUNCIL MEMBER KALLOS: And so for the kerosene, kerosene has no emissions?

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SUZANNE DEROCHE: So we'll have to get back to you, the data that we have... that I have in front of me does not have that information.

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COUNCIL MEMBER KALLOS: Okay and I, I also represent Roosevelt Island which is right next to a, a, a station that we, we actually referred to as big Alice and when they spin up the turbines at big Alice we can actually hear that for days, we get complaints from the residents and we have to tell them that the high pitched sound that they hear is actually from big Alice they're not crazy or at least that's not a contributing factor or it might be... can you tell us about how much... what the carbon impact is of the Ravenswood generating station?

16

17

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19

SUZANNE DEROCHE: So Ravenswood has a number of different units, it looks like five... something around 20 units so I will need to total that up and get back, back to you.

20

21

COUNCIL MEMBER KALLOS: Can you give us the... which... from the, the highest...

22

ANTHONY FIORE: For use.

23

COUNCIL MEMBER KALLOS: Used unit?

24

SUZANNE DEROCHE: I see, okay. So...

25

1  
2 COUNCIL MEMBER KALLOS: ...give us the  
3 highest and the lowest and we'll figure out the...

4 SUZANNE DEROCHE: ...sure...

5 COUNCIL MEMBER KALLOS: ...average.

6 SUZANNE DEROCHE: So we have about  
7 600,000 tons of CO2 for number one, about 550,000 for  
8 number two, and 95,000.

9 COUNCIL MEMBER KALLOS: For the, for the  
10 least?

11 SUZANNE DEROCHE: Yeah... no, sorry,  
12 950,000 for number three.

13 COUNCIL MEMBER KALLOS: Wow, okay so, so  
14 and, and, and the least on that location is how, how  
15 much?

16 SUZANNE DEROCHE: The least?

17 COUNCIL MEMBER KALLOS: Yes.

18 SUZANNE DEROCHE: Number two...

19 COUNCIL MEMBER KALLOS: Which was how  
20 much...

21 ANTHONY FIORE: Just, just to clarify  
22 the, the numbers that Suzanne gave you were for the  
23 three units that burn number six fuel oil.

24 COUNCIL MEMBER KALLOS: Okay, the other  
25 ones don't?

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ANTHONY FIORE: The other ones do not.

SUZANNE DEROCHE: Correct.

COUNCIL MEMBER KALLOS: And are, are we currently working with Ravenswood to, to limit the... for the... figure out ones... what are the carbon emissions?

SUZANNE DEROCHE: So...

COUNCIL MEMBER KALLOS: So the other ones that don't burn number six...

ANTHONY FIORE: So, so I just want to...

COUNCIL MEMBER KALLOS: Yeah...

ANTHONY FIORE: ...make sure that we understand the, the carbon emissions that were, were read to you are a factor of, of both the fuel that it uses and the run time, right so there's two different factors that contribute to, to those emissions. So you know there, there is another unit that has much less run time and would have fewer emissions.

COUNCIL MEMBER KALLOS: Okay, so at, at the varying cites what is the city doing to ensure that locations like Ravenswood and, and... on the east side and other places where people live where, where we actually have residential neighborhoods are, are,



1  
2 are zero emissions and are not releasing particulate  
3 matter and not causing health impacts?

4 ANTHONY FIORE: So you know air code  
5 changes were instituted in 2015 that will phase out  
6 the use of number six and number four fuel oil in the  
7 city by 2020 and 2030 respectively so working with  
8 the council to get that legislation put in place, we  
9 now have the regulatory authority to, to do that.  
10 There will continue to be a need for generators in  
11 the city because we don't have the transmission  
12 capacity to serve all of our powering needs. Those  
13 generating units will continue to run on fossil fuels  
14 whether it's natural gas and or a combination of a  
15 fuel oil such as number two after 2030, right there  
16 will be number... no more residual fuel oil left in the  
17 city but until we have increase transmission capacity  
18 in the city that meets the city's demand we will  
19 continue to need to rely on in city generation.

20 COUNCIL MEMBER KALLOS: And, and I... I'm...  
21 I believe to be sustainable we need to do that and I  
22 think... I, I join our Chair in supporting solar  
23 wherever we can get it especially on city buildings  
24 as well as putting up wind farms wherever we can do  
25 so without impact to marine life as well as what we

1  
2 actually have in my district which is the Roosevelt  
3 Island title energy project which I believe is now on  
4 phase three and hopefully can lead to increased  
5 deployment. So specifically with regards to local law  
6 38 that which we passed in 2015 where are we in terms  
7 of on track to phasing out number six by 2020, are we  
8 going to hit that goal, how many, how many locations  
9 are still burning and since 2015 how many locations  
10 have stopped using number six and how many are left  
11 to go and what is our plan?

12 GERALDINE KELPIN: So buildings that had  
13 been powered by their heating systems using number  
14 six we have 99.8 percent of those buildings off of  
15 six.

16 COUNCIL MEMBER KALLOS: And all that  
17 happened since 2015 or that happened prior to 2015?

18 GERALDINE KELPIN: During the phase out  
19 between 2012 and 2015, that's when those buildings  
20 converted. We had a handful maybe 100 of the 5300 we  
21 had identified finishing up the conversion by 2015  
22 in, into 2016.

23 COUNCIL MEMBER KALLOS: Okay, so how  
24 many...

25 GERALDINE KELPIN: We are now...

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COUNCIL MEMBER KALLOS: Yeah.

GERALDINE KELPIN: Now there are as far as I know, I know of two locations that have permits that were... are actually not buildings they are industrial boilers that will phase out by 2020. So the... that's where our 98... 9.8 percent of the buildings stock...

COUNCIL MEMBER KALLOS: ... so just those two buildings represent the point two percents or are there...

GERALDINE KELPIN: Plus... excuse me, I'm sorry, go ahead finish your question.

COUNCIL MEMBER KALLOS: That was it I was trying to identify how many buildings we're talking about.

GERALDINE KELPIN: So buildings, so that's, that's it for the buildings. The power plants and the steam generating units are sort of our next phase and we expect them to be out by 2020.

COUNCIL MEMBER KALLOS: Okay, so of the 53 hundred buildings there's two permits that's standing and once those two buildings... those two permits are completed then we're at 100 percent of

1  
2 buildings so that's commercial and residential, non  
3 power plant buildings, non industrial?

4 GERALDINE KELPIN: Correct.

5 COUNCIL MEMBER KALLOS: Okay and the  
6 permits are for work that's starting now or starting...  
7 when will that work for those two buildings be done  
8 and where are those buildings?

9 GERALDINE KELPIN: They're actually oil  
10 terminals I believe and one is in... I know one is in  
11 Brooklyn, I'd have to get you the address of the  
12 other one, I don't... remember off hand, sorry.

13 COUNCIL MEMBER KALLOS: If you could get  
14 it to the council that would be great. So... and then  
15 for the number six burning power plants how, how, how  
16 many turbines are we talking about and what is the  
17 year by your projection, are we looking at everything  
18 happening by 2020 or are we looking at things  
19 happening this year, what is the..

20 GERALDINE KELPIN: We don't have a  
21 breakdown we, we expect it to be all done by 2020,  
22 some of it may be sooner but we're, we're relying on  
23 it being done by 2020 and our latest calculation is  
24 that there are like six units that are still burning  
25 six...

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ANTHONY FIORE: Seven, seven unit...

GERALDINE KELPIN: ...seven...

ANTHONY FIORE: ...seven units...

GERALDINE KELPIN: Sorry...

ANTHONY FIORE: That burn number six,  
five as a primary fuel, two as a, as a secondary  
fuel.

COUNCIL MEMBER KALLOS: And where are  
those seven units?

ANTHONY FIORE: There's two in Manhattan,  
there's two in Staten Island and the rest are in  
Queens.

COUNCIL MEMBER KALLOS: Okay and the one...  
the two in Manhattan are...

ANTHONY FIORE: Lower east side...

COUNCIL MEMBER KALLOS: So lower east  
side so... and then the five in Queens and so... and  
you're working with each of the local members as well  
as the delegations the respective borough presidents  
on making sure that that happens?

SUZANNE DEROCHE: Yes.

COUNCIL MEMBER KALLOS: That is good and  
then for, for number four what are we looking at for  
that 2030 is quite a ways off?

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2           GERALDINE KELPIN: That's what the  
3 legislative date is, we expect transition over than  
4 the 2030... 2020 to 2030 period just due to... if  
5 anything... any of the equipment fails it can, it can  
6 only be replaced with to a natural gas so it'll be  
7 sort of a natural transition over those ten years but  
8 the end date is 2030.

9           COUNCIL MEMBER KALLOS: Okay, so, so  
10 you're not even... so, so versus we pass along 2015  
11 with a date by 2020 and what you're telling me is  
12 that most of the work had already started in 2012 so...  
13 is there... you're saying that there's a phase out from  
14 2012 to 2016?

15           GERALDINE KELPIN: Right, so...

16           COUNCIL MEMBER KALLOS: So I'm asking  
17 about for number four do we have another phase out  
18 where perhaps we can start focusing on that versus  
19 just waiting for equipment to fail and then replace?

20           GERALDINE KELPIN: The 2030 was  
21 legislated in the, in the...

22           ANTHONY FIORE: Yeah...

23           GERALDINE KELPIN: 2015, it would take...  
24 which we already mentioned legislation could be  
25

1  
2 opened up to change the date. There was a rational  
3 when we did it you know things change certainly.

4 COUNCIL MEMBER KALLOS: Okay, I, I guess  
5 could you just share with the committee just the  
6 phase out plan and how you hope to hit that goal by  
7 2015 and if... sorry, 2030 and if there's a opportunity  
8 to expedite even though the, the requirement on the  
9 law is 2030 we don't necessarily have to wait that  
10 long, that's a lot of years of pollution to deal  
11 with.

12 GERALDINE KELPIN: So there are a number  
13 of efforts going on to encourage buildings that are  
14 still on four to change out sooner than 2030. We do  
15 see some percentage of buildings changing out each  
16 year. I don't... we'd have to look... I don't have those  
17 numbers off hand...

18 COUNCIL MEMBER KALLOS: And that being...

19 GERALDINE KELPIN: ...and then...

20 COUNCIL MEMBER KALLOS: ...said by 2020  
21 there'll no longer be number six burned in the city,  
22 it won't be for sale in the city, it'll just be gone  
23 from the city of New York?

24 ANTHONY FIORE: That's our understanding...

1  
2 GERALDINE KELPIN: ...that's, that's our  
3 understanding, yes.

4 COUNCIL MEMBER KALLOS: And then by 2030  
5 same story for number four?

6 GERALDINE KELPIN: Correct.

7 COUNCIL MEMBER KALLOS: Including in  
8 power plants, including in manufacturing we won't see  
9 it, it won't burn, no carbon emissions from it, we're  
10 done with it?

11 GERALDINE KELPIN: That's the way the  
12 law's written, yes.

13 COUNCIL MEMBER KALLOS: Great and I guess  
14 one question just as we were talking about areas of  
15 high concentrations of air pollution I, I, I have the  
16 privilege of representing a, a portion of east  
17 Harlem, east Harlem has the highest asthma rates,  
18 asthma has been linked to high particulates, what is  
19 the impact of these power plants on particulates and  
20 asthma rates and what, what is the city doing to help  
21 these environmental justice communities?

22 ANTHONY FIORE: So the impact I would  
23 refer to... the, the, the emissions inventory so we  
24 know they account for about seven percent of total  
25 PM2.5 emissions in the city and so they're a



1  
2 contributor to our overall PM2.5 burden and pollution  
3 burden which we know effects public health so we know  
4 that fine particulate matter contributes to over  
5 2,000 deaths in the city and 6500 emergency  
6 department visits and hospitalizations and you know  
7 and, and when you're speaking specifically about  
8 asthma air pollution is one risk factor of asthma,  
9 there's many other risk factors of asthma and so the  
10 pollutants are a risk factor and the power plants are  
11 one contributor to that risk factor.

12 COUNCIL MEMBER KALLOS: And has the city  
13 met with power plant owners to discuss their  
14 emissions and whether or not the city can assist them  
15 in reducing their emissions?

16 GERALDINE KELPIN: I think we're just  
17 starting those conversations, a lot of the emission  
18 controls for the power plants are set by their title  
19 five permit which is a state permit so I don't... I  
20 would have to say we're only starting our  
21 conversations with them now.

22 ANTHONY FIORE: And I will just add that  
23 you know the city recently released it's 80 by 50  
24 plan and, and during that year... or say six months run  
25 up to that publication we held a number of stake

1  
2 holder meetings and focus groups of which all the  
3 generators in the city were asked to attend and, and  
4 many of them did and there was consensus among them  
5 about what needs to happen in order for the city to  
6 achieve it's 80 by 50 goal so there was no outright  
7 resistance from those generators to switching to  
8 cleaner fuels and I would say you know from a, from a  
9 broad perspective they even welcomed renewable  
10 generation you know there's a transition period that,  
11 that has to happen but there was... during that... those  
12 meetings there was not one generator that stood up  
13 there and said this is never going to happen with,  
14 with our facilities. We understand that as technology  
15 is today to bring in large amount of renewable energy  
16 we'd still need to be coupled with a much smaller  
17 percentage of natural gas, fire generation to balance  
18 the intermittency of, of that large scale renewables  
19 and that's, that's from the technology that exists  
20 today, we would expect to see a switch from a base  
21 load of fossil fuel generation to a base load of  
22 renewable generation that then is supported by the  
23 natural gas plants that can ramp up and down quickly  
24 to match the changes in load and generation from  
25 intermittent renewable resources.

1  
2 COUNCIL MEMBER KALLOS: Thank you, this  
3 is... I'll conclude my first round of questioning again  
4 I want to thank our environmental protection Chair  
5 Constantinides, his counsel Samara Swanson and his  
6 policy analyst, Bill Murray.

7 CHAIRPERSON CONSTANTINIDES: Thank you  
8 Council Member Kallos and just to quickly... I'll  
9 share... definitely share these documents with you  
10 sadly we had to foil them, they weren't giving up by  
11 courtesy but I have some DEC documents relating to  
12 number six oil usage in the past year so for 2015 we  
13 have for Ravenswood generating station 3,264,000  
14 gallons of six oil that were burned; for 74th Street  
15 it was 3,846,292 gallons and then Astoria, Astoria  
16 generating station was 3,039,000 so we were able to  
17 acquire these documents via foil, I'm happy to share  
18 them with you 'cause I know maybe EPA... there seems to  
19 be a discrepancy between the EPA documents and DEC so  
20 I definitely want to make sure that we're always on  
21 the same page with one another so I'm happy to share  
22 these... my staff will get them to, to you but I, I  
23 think you share our deep concern here relating to  
24 burning six oil in our city and making sure that  
25 these phase outs happening on time and if we can

1  
2 accelerate those phase outs for... from 2030 through a  
3 legislative action is... as you pointed out I think  
4 those conversations would be worth wild for us to  
5 have 'cause I'm looking at... you know there was two  
6 oil burned in, in, in the 74th Street station, they  
7 burned... they burned a little bit of two oil, I  
8 definitely want to see that increased, there was some  
9 kerosene that was burned in both Ravenswood and  
10 Astoria gen so we will... there are other ways to sort  
11 of do that but as you pointed out this is a cheap... we  
12 talked about this before this being the cheapest, the  
13 fast food of, of fuel oil, it's cheap, it's easy to  
14 get and it's the worst for you so we definitely want  
15 to see that, that phase out happen on time. Ben if  
16 you have any other questions I'm, I'm going to...

17 COUNCIL MEMBER KALLOS: I, I, I guess my,  
18 my only question so we have a discrepancy between  
19 what we're getting from the EPA and what we're  
20 getting from DEC and how, how do we... what is the next  
21 proper step, who do we report it to in order for  
22 their to be oversight and, and making sure that the  
23 EPA's getting good numbers that they're obviously  
24 basing their decisions on also making sure that  
25 there's a better working relationship between the

1  
2 city and the state so that we don't actually have to  
3 foil these but this is information that you have?

4 GERALDINE KELPIN: So just to clarify  
5 EPA... when we were using EPA we were meeting federal  
6 government's numbers, these aren't our... these aren't  
7 city numbers...

8 COUNCIL MEMBER KALLOS: ...right...

9 GERALDINE KELPIN: ...it's...

10 COUNCIL MEMBER KALLOS: ...I mean i...

11 GERALDINE KELPIN: ...the city and...

12 COUNCIL MEMBER KALLOS: ...that was clear,  
13 yeah...

14 GERALDINE KELPIN: ...it's state and, and  
15 EPA's stuff that are inconsistent at the moment.

16 COUNCIL MEMBER KALLOS: Yeah, they should  
17 be talking to each other a little bit better.

18 ANTHONY FIORE: Yeah, I, I, I think you  
19 know it, it may just be a very small number of run  
20 hours for a certain plant and you know when you look  
21 at the... that in comparison to a much larger run time  
22 for other plants the, the emissions come up you know  
23 very, very small and so the data set that we're using  
24 doesn't mean that there were no emissions it just may  
25 have meant that because it was associated with plants

1  
2 that had such a small run time the, the emissions  
3 were very low but we would be happy to look at the  
4 data that you have and appreciate you sharing that  
5 with us and we'll work to reconcile both data sets so  
6 that, that we have that and I, and I just also want  
7 to you know act out that we do share your concerns  
8 and the administration is pushing hard to have the  
9 best air quality of any large city in the United  
10 States, that goal has not gone away. We are pushing  
11 on all fronts including getting large scale renewable  
12 energy into the city including much greater  
13 penetration of distributed generation, a renewable  
14 generation in the city, we had it... a goal of 350  
15 megawatts of solar by 2030, we are on track to meet  
16 that and we increased that goal to 1,000 megawatts of  
17 distributed solar now combined with 100 megawatt  
18 hours of energy storage so we share those initiatives  
19 with council and we're pushing very hard on all  
20 fronts to achieve better air quality.

21 COUNCIL MEMBER KALLOS: What are the... as,  
22 as the solar technology becomes better and cheaper  
23 what are the plans for upgrading that solar  
24 technology so that's something that was installed ten  
25 or 20 years ago is replaced with newer solar cells so

1  
2 that we are getting the, the most bang for our, our  
3 buck and having the highest energy efficiency and  
4 light too energy conversion?

5 ANTHONY FIORE: So you know I, I think  
6 there's a combination of things there; one, one is  
7 just the market dynamics right so if, if those prices  
8 fall enough then the sunk investment in, in... you know  
9 generally 20 year life expectancy from a, from a  
10 solar system may flip and, and may make economic  
11 sense to change out the system sooner than their life  
12 expectancy. What the city is doing specifically is  
13 working to reduce the soft cost involved with putting  
14 solar generation in, in the city so permitting and  
15 streamlining that so it makes it easier and, and, and  
16 less expensive to install solar. We're also rolling  
17 out programs to combine different groups so that the  
18 solar installation cost gain some economies of scale  
19 so we ran a pilot in, in Brooklyn this past year  
20 where the city helped the community board aggregate  
21 customers so that the solar installer had a much  
22 larger pool that they worked with which brings down  
23 their cost which translates into reduced cost to  
24 those customers. We're going to expand that program  
25 this year into, to a greater number of participants

1  
2 and a wider diversity of participants. So I think  
3 there, there are a number of things that we're doing  
4 that will help.

5 COUNCIL MEMBER KALLOS: And, and I hate  
6 to bring up a vendor or any vendor but one vendor in  
7 particular seems to be doing exciting things I'm  
8 curious about what interaction we've had with, with  
9 solar city, solar one, solar roofs, battery back ups  
10 for buildings I, I see what Tesla's doing everyday  
11 and I, I just... I chose my path but if I could do  
12 something else it would be solar energy and rocket  
13 ships.

14 ANTHONY FIORE: Interesting combination.  
15 So great question in the city two Friday's ago  
16 actually held a solar roundtable at City Hall Samara  
17 was, was, was part of that, we had all the solar  
18 companies there asking them what it is that we can do  
19 better as a city to help facilitate that, we got some  
20 great responses that, that dialogue is ongoing and  
21 we'll continue to work with the solar industry to do  
22 that and I can tell you from the department of city  
23 wide administrative services we have a program that  
24 we're starting now that is combining solar with  
25



1  
2 energy storage on a number of our, our public  
3 buildings.

4 CHAIRPERSON CONSTANTINIDES: Thank you  
5 Council Member Kallos, I want to thank this panel for  
6 your testimony and I... as we started I'll, I'll... and  
7 we begin this... our partnership with one another  
8 becomes infinitely more important in the new climate  
9 that we are entering in next year so... you know  
10 reducing... increasing our use of solar, geothermal,  
11 hydropower, wind power as a partnership becomes even  
12 more important you know making sure that we're  
13 phasing out six and four and these power plants  
14 become even more important and I, I look forward to  
15 working with you to getting these things done to make  
16 sure that we protect our city from climate change and  
17 continue to be the world's leader and, and... no matter  
18 what happens in Washington we're, we're, we're  
19 leading the way in, in the good partnership that we  
20 always have.

21 ANTHONY FIORE: We share those  
22 intentions, thank you.

23 CHAIRPERSON CONSTANTINIDES: Thank you...

24 SUZANNE DEROCHE: Thank you.  
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CHAIRPERSON CONSTANTINIDES: Alright,  
next panel will be Miss Claudia Coger from the  
Astoria Resident Association, Michael Seelbach from  
the American Lung Association, and Claudia Guglielmo,  
I know with a name Constantinides I should pronounce  
last names better, Asthma Coalition of Queens. And,  
and Louis Bailey from WEACTION as well. Alright, so I  
guess if Samara you can swear in the witnesses  
please.

SAMARA SWANSON: Can you please raise  
your right hands, do you swear affirm to tell the  
truth, the whole truth and nothing but the truth  
today?

CHAIRPERSON CONSTANTINIDES: Alright,  
thank you. I guess we'll start on this side work our  
way over.

CLAUDIA GUGLIELMO: Good morning, thank  
you Chairman and members of the Environmental  
Conservation Committee for holding this important  
hearing today. My name is Claudia Guglielmo and I am  
the director of the Asthma Coalition of Queens. The  
Asthma Coalition of Queens is one of eight regional  
asthma coalitions across New York State funded by the  
New York state Department of Health. The Asthma

1  
2 Coalition of Queens was established in 2012 with a  
3 contract with the American Lung Association of the  
4 northeast. Working in the very diverse county of  
5 Queens our mission is to reduce the burden of asthma  
6 by engaging patients, families, health care  
7 providers, and the community. Asthma is a chronic  
8 disease of the lungs that causes airways to tighten  
9 and swell, the tightening inflammation and excess  
10 mucus during an asthma attack narrows the airways  
11 significantly which makes breathing extremely  
12 difficult. This happens as a result of exposure to  
13 asthma triggers. Asthma is a multi-factorial disease  
14 that develops from various risk factors many of them  
15 environmental. Pollution and other particulate matter  
16 can trigger an asthma attack and make asthma symptoms  
17 worse. Here are four, four important things to note  
18 about the impact of asthma on our community; asthma  
19 costs New York state about 1.3 billion dollars  
20 annually in both direct medical expenses and lost  
21 productivity. Over 200,000 children suffer from  
22 asthma city wide. In an average classroom of 30  
23 students three will have asthma. The asthma  
24 hospitalization and emergency department visit rates  
25 for children in New York City is an alarming three

1  
2 times higher than the state rate. It's important to  
3 understand that we refer to children's rates of  
4 asthma because they bear the most burden of the  
5 disease. As you have heard this morning in New York  
6 City local power plant production is concentrated in  
7 western Queens with increased power plants comes  
8 increased power plant emissions which are a major  
9 trigger for people with asthma. In council district  
10 22 and the surrounding areas we have rates of asthma  
11 hospitalizations and emergency department visits that  
12 exceed the Queens county average. This is especially  
13 striking for children zero to seven years old  
14 emergency department visits in Long Island City,  
15 Astoria, east Elmhurst and Jackson Heights. Anything  
16 we could do to reduce air pollution from all sources  
17 will benefit the health of residents living not only  
18 near these sources but will improve the air that all  
19 New Yorkers breathe. To be clear improving air  
20 quality is not a magic bullet that will cure asthma  
21 but asthma trigger reduction will result in  
22 improvement in health outcomes for people who suffer  
23 from asthma on a daily basis in our most disparate  
24 communities. Thank you.

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CHAIRPERSON CONSTANTINIDES: Thank you and I just want to read off the medications that... on a bad asthma day that many of the students... when I take my son to the doctor will have to take and these, these, these medications aren't... this isn't an exhaustive list but they aren't cheap either. So every morning to take a pill of Singular, take 7.5 milliliters of, of Allertec then when, when asthma is bad have to take Albuterol, Ipratropium, Prednisone which is a steroid, it's not the best thing for young people's lungs then in addition have to take some form of a antibiotic to make sure that there isn't a infection forming so just... I, I list that as one, two, three, four, five, six, seven medications when asthma... when an asthma attack is really bad. So those costs to families in western Queens and throughout the city are, are tough ones to bear. So I, I appreciate you being here today to talk about how we have these increase in asthma rates and can make some correlation to, to this power generation. And Mike.

MICHAEL SEELBACH: Thank you Chairman Constantinides and members of the Environmental Protection Committee. My name's Michael Seelbach and I'm the vice president of public policy and

1  
2 communications for the American Lung Association of  
3 the northeast. Healthy air is central to our mission  
4 which is to save lives by improving lung health and  
5 preventing lung disease. We know polluted air can  
6 shorten lives, can cause or worsen lung diseases like  
7 lung cancer, asthma, and COPD. Air pollution can harm  
8 anyone even healthy adults but for many pollution can  
9 threaten their lives and leave them with long term  
10 consequences. Children and teens, older adults,  
11 people who have chronic lung diseases, diabetes,  
12 those with low incomes are all even more vulnerable.  
13 Children and adolescents are at risk of developing  
14 conditions now that could follow them around for the  
15 rest of their lives. Lives that may be cut short from  
16 exposure to harmful air pollutants. We need to take  
17 every step we can to provide cleaner, healthier air  
18 for all of us. For far too long communities  
19 surrounding our power plants have breathed the worst  
20 of the air pollution including ozone particle  
21 pollution and a cocktail of other toxic emissions.  
22 While the clear air act along with strong state and  
23 local regulations have forced power plants across the  
24 country to drastically reduce their levels of  
25 pollution we know residents are still being exposed

1  
2 to elevated levels. For the health of all New Yorkers  
3 its imperative the, the city continue it's efforts to  
4 expand renewable energy production including wind,  
5 solar, tidal, geothermal. The American Lung  
6 Association puts out an annual state of the air  
7 report each year which grades communities across the  
8 country for levels of air pollution. We look at ozone  
9 and particle pollution both those pollutants are  
10 dangerous to public health and can be lethal. Our  
11 most recent report illustrated once again why further  
12 action is needed to clean our air. While the report  
13 has shown that in New York City and across the  
14 country we've seen drastic improvements since the  
15 1960's and 70's especially as you've heard today  
16 particle pollution it hasn't just improved here in  
17 New York City but it really has across the country  
18 but the report shows that millions of New Yorkers  
19 continue to live in counties that received failing  
20 grades for air pollution. Specifically here in New  
21 York City, Queens, Staten Island, the Bronx, and  
22 Manhattan all received failing grades for ozone and  
23 those of you from Brooklyn we... actually there is no  
24 air quality monitor in Brooklyn so it's unclear what  
25 the air quality is but we know that air pollution

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2 doesn't normally stop at, at borough boundaries. The  
3 New York metro area remains one of the few eastern  
4 cities on the most polluted list for ozone. To be  
5 clear New York's air pollution problems aren't simply  
6 a result of locally produced power plant emissions  
7 but there are also result of vehicle emissions,  
8 heating oil combustion even from coal fired powered  
9 plants located out in the Midwest. Besides the  
10 effects of traditional air pollutants like ozone and  
11 particle pollution we know that carbon pollution is  
12 also a major problem with these and the U.S. surgeon  
13 general has recently declared that we know that  
14 climate change means higher temperatures overall and  
15 it also means longer and hotter heat waves, higher  
16 temperatures can mean worse air in cities, more smog  
17 and more ozone. We know more intent wild fires will  
18 mean an increase smoke in the air and we know that  
19 earlier springs and longer summers mean longer  
20 allergy seasons. So to protect our communities and  
21 the public the U.S. must significantly reduce carbon  
22 pollution from its largest source which is existing  
23 power plants. The Lung Association was proud to  
24 support the clean power plan and we're working on  
25 states across the country to make sure that it was



1  
2 implemented. We're glad the city and state of New  
3 York have taken proactive measures to move forward  
4 with the action to address climate change and we call  
5 on the city and state to continue, continue these  
6 efforts regardless of how the courts and or the Trump  
7 administration decide to act with regards to the  
8 clean power plan and we're glad to hear the De Blasio  
9 administration made that declaration today. Over the  
10 last several years New York City has taken proactive  
11 steps to address a major source of both carbon  
12 pollution and air pollution, the combustion of dirty  
13 heating oil. The elimination of number six oil and  
14 the phase out of number four, four oil will help  
15 reduce a major source of New York City's particle  
16 pollution and lead to reductions of SO2 and CO2.  
17 However the combustion of number four and six in our  
18 power plants especially those concentrated in western  
19 Queens are a major contributor to air pollution so we  
20 support the passage of resolution 320 which calls on  
21 New York State to phase out the burning of number  
22 four and number six. We know that if New York State  
23 was to pass regulations to do so the only thing  
24 preventing these power plants from phasing this out  
25 is their economic bottom line, it's about technology.

1  
2 So we hope that the state will take action or that  
3 the city chooses to pass legislation to change that  
4 time line. The Lung Association has an old tag line  
5 you may remember, if you can't breath nothing else  
6 matters, those words hold true today as they have for  
7 decades. We call on the council to heed that  
8 important mantra and move forward on initiatives that  
9 will not only clean up the air we breath but will  
10 lead to healthier New Yorkers who will live longer  
11 more vibrant lives. Thanks.

12 CHAIRPERSON CONSTANTINIDES: Thank you  
13 Mike, I appreciate that and Miss Coger it's always  
14 great to see you, I hope you had a wonderful  
15 Thanksgiving.

16 CLAUDIA COGER: I greet you all are..  
17 Councilman Constantinides is my councilman and all of  
18 the panel I greet you. I'm the, the Astoria resident  
19 association president from Astoria houses and I live  
20 in our Niger development and why I'm here to support  
21 the, the phasing out of the number four and number  
22 six oil our percentage is because in my household I  
23 have a, a granddaughter that's now 35 years old and I  
24 also have two great grandchildren and all three of  
25 those have asthmatic conditions and they are.. you

1  
2 know they walk around with a pump and they have  
3 different machines and etcetera which is not the best  
4 element to be in but in Astoria we have... and it's  
5 already been address here this morning that we have  
6 three plants within a seven mile radius on the water  
7 and we live on a peninsula where we have the cross  
8 winds that brings everything right into our faces so  
9 our... it's, it's our... important to us and health wise  
10 and, and as longevity to have our... the cleanest our  
11 emissions coming into our development. Our... we know  
12 that the, the number six oil is the dirtiest  
13 emission... it puts out the dirtiest emission as  
14 possible so our... it creates 26 more times of carbon  
15 and four more percent more times of nitrogen and 27  
16 percent times more sulfate than burning the number  
17 two oil which is significantly cleaner and would  
18 reduce carbon, the carbon emission by 93 percent and  
19 the nitrogen by 65 percent and the sulfate by 68  
20 percent. In switching our, our... living in public  
21 housing number six oil is burnt in, in Astoria houses  
22 and also then we have the Ravenswood houses and we  
23 have the Queens houses as which this oil is being  
24 burnt in, in the boilers and the, the, the... using the  
25 number two would drastically reduce the emissions

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2 that the boiler releases into the atmosphere. The..  
3 this is causing our 16 percent of 10,000  
4 absenteeism's in elementary schools in the Long  
5 Island city Astoria area. Students miss at least 20  
6 days in the school year and this is statistics, they..  
7 in the school year from asthmatic conditions as well  
8 as these pumps have to be stabilized in the schools  
9 at all times and in the after school programs they  
10 also have to be there so and it has already been  
11 noted that it's also an expense to the households  
12 most of the time they really cannot afford these co-  
13 pays conditions that they have to... are... be in. The  
14 hospitalization percentage rated for the children  
15 from five to 14 years old in a Long Island City  
16 Astoria area is about half the rates of the rating  
17 city wide and the adults percentage is a rating at  
18 203 per 100,000, 32 percent which is higher than the  
19 overall Queens rate. So overall it seems feasible to  
20 get rid of the number four and number six oil and  
21 replace it with number two as a life and health  
22 protection analysis for the longevity of the growing  
23 population in northwestern Queens and I thank you.

24 CHAIRPERSON CONSTANTINIDES: Thank you  
25 Miss Coger. Thank you for your advocacy whether it's

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2 transportation and improving our communities, water  
3 access or finding out you're always on the front  
4 line, so thank you for all your great, great work.  
5 Mr. Bailey?

6           LOUIS BAILEY: Good morning. Good  
7 morning to all the members of the committee on  
8 environmental protection and New York City council.  
9 My name is Louis Bailey; I'm a community organizer,  
10 an outreach coordinator at WEACTION for environmental  
11 justice. I'm here today on behalf of our organization  
12 to testify regarding the state's position to  
13 transition fuel oil types in power plants based on  
14 reduction goals set by the EPA's clean power plan. As  
15 noted in resolution 320 the state of New York has an  
16 opportunity to phase out number four and six oil in  
17 exchange for number two fuel oil. This process has  
18 been replicated by a private organization such as  
19 ConEdison and has proven itself cost effective. It  
20 also presents an opportunity to significantly reduce  
21 particulate matter in emission relevant to the clean  
22 power plan. While these are important benefits we  
23 believe the most important impact of this transition  
24 will be the impact on public health. We support the  
25 city of New York in their efforts to phase out

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2 harmful pollution sources that pose a threat to city  
3 residents and beyond and believe it is a step in the  
4 right direction to improving public health. For 28  
5 years WEACTION has been at the forefront for the fight  
6 for healthy communities that are historically  
7 vulnerable to environmental injustices including  
8 exposure to air pollution. Historically northern  
9 Manhattan has been over burdened by air pollution due  
10 to facilities such as bus depots which they are five  
11 in northern Manhattan, marine transfer stations and  
12 also a sewage treatment plant. On top of this many  
13 buildings have burned number six and four oil that  
14 have contributed to poor air quality in our  
15 community. As a result, asthma and other respiratory  
16 illnesses have diminished the health of residents  
17 creating a toxic legacy that reduces the livelihood  
18 of it's residents. In the past, the few oil  
19 transition has been limited by cost and other  
20 hurdles. However, this policy represents an  
21 opportunity to deliver justice in effective  
22 communities and protect others from severe pollution  
23 exposure. We hope that you will keep our community in  
24 mind as you make such impactful decisions that  
25 support public health.

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2 CHAIRPERSON CONSTANTINIDES: Thank you  
3 Mr. Bailey and just to sort of expand further on some  
4 of the data that we have from the DEC big Alice which  
5 I think we should start calling it big Dirty in  
6 western Queens over a two year span burned 15 million  
7 gallons of six oil, three million gallons last year  
8 in 2015 and 12 million gallons in 2014. Astoria  
9 generating burned 12 million gallons over a two year  
10 time line so three million gallons last year and  
11 another nine million the year before in 2014 and then  
12 we have the 74th Street generating station, we only  
13 have the documents for 2015 that's another three  
14 million so just from those three plants over a two  
15 year span we're talking about 30 million gallons of  
16 six oil being burned and as we talked about with the  
17 administration that that's highly unacceptable  
18 especially when we have pockets of, of public  
19 housing, we have... in our... my district we have Astoria  
20 houses, a great leader, Claudia Coger, here today, we  
21 have Ravenswood, we have Queens bridge and all of  
22 these public housing developments are, are located  
23 directly next to big Alice... are nearby to 74th Street  
24 and are on the cross wind from Astoria generating and  
25 as pointed out from the Asthma Coalition of Queens

1  
2 there, there's an asthma rate that is higher in  
3 district 22 and in, in Astoria and Long Island city  
4 than in other parts of Queens so we know that there  
5 is something going on there and, and it's more than  
6 coincidence that they're burning all of this six oil  
7 and we're seeing asthma rates at a higher so I  
8 appreciate all of your advocacy and, and, and, and  
9 work in this field and, and pointing this out. We...  
10 the more we have these conversations and I think  
11 we're, we're moving in the right step... the right  
12 direction in phasing out six by 2020 though I'd like  
13 to see it quicker, I think we're going to have this  
14 legislative conversation about four oil and making  
15 that a lot quicker but we need to do more and we have  
16 this strong commitment from the administration and,  
17 and, and from this... from our legislative body we, we,  
18 we need to be... we're going to be boulder over the  
19 next coming months and, and we're going to need great  
20 partners like you to continue that boldness in the  
21 face of a presidency that may not be aligned with our  
22 values in the environment in this particular  
23 instance. So with that I'll, I'll say thank you for  
24 your testimonies and, and look forward to working  
25 with you all.



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LOUIS BAILEY: Thank you.

CHAIRPERSON CONSTANTINIDES: I just want to go on the record very quickly I find it deeply disappointing that none of the power generating companies are here today to testify or provide any testimony whatsoever if they are planning on phasing out in 2020 and complying with New York city law would have to have hear that and we would happily have, have heard their testimony and, and looking forward to hearing their plans to meeting that goal of 2020 and reduce... and, and phasing out four oil by 2030 and hearing why they can... why they can't do it quicker to burn... to stop burning four and six but unfortunately we don't have any slips from them today so I, I will go on record saying my deep disappointment for that, there, there should have been someone here to testify, they were all invited, they had ample opportunity to tell us of their good works of what they were doing and they told... chose not to and, and that is of deep disappointment to me and to this committee and this institution so if they're interested in submitting... to meeting with me and, and going on the record there will always be an opportunity moving forward to do so 'cause we want to

1  
2 hear how this is going to happen and... over the next  
3 three years how they plan on, on stopping six oil  
4 and, and phasing out four oil and at the bare minimum  
5 going to two and, and to natural gas but we need to  
6 do much better so with that I'll bring up our next  
7 panel, I'll bring of Ling Cho from United for Action  
8 and I'll bring up Catherine Skopic our, our people's  
9 climate movement, our, our good friends so if can  
10 come up forward and be sworn in.

11 Samara Swanson: Please raise your right  
12 hand, do you swear, affirm to tell the truth, the  
13 whole truth and nothing but the truth today?

14 CHAIRPERSON CONSTANTINIDES: Ling Cho I  
15 guess we'll start with you since you, you, you took  
16 the...

17 LING CHO: I...

18 CHAIRPERSON CONSTANTINIDES: ...the corner  
19 chair, there you go...

20 LING CHO: Okay. Alright.

21 CATHERINE SKOPIC: You said her name  
22 first so...

23 LING CHO: Good morning Chairman  
24 Constantinides. My name is Ling Cho, I'm a co-founder  
25 of United for Action, a grass roots group in New York

1  
2 City working to end our addiction to fossil fuel and  
3 nuclear power and advocating for renewable energy. We  
4 totally agree with the resolution 320 calling on New  
5 York state to phase out number four and number six  
6 fuel oil in power plants. The burning of number four  
7 and number six fuel oil in power plants produces high  
8 level of emission of particulate matter and nitrogen  
9 oxides associated with negative health impacts  
10 including decrease lung function, aggravated asthma,  
11 respiratory symptoms, and premature death. Many of  
12 these power plants are clustered in environmental  
13 justice communities. If we stop burning number four  
14 and number six oil this will decrease the levels of  
15 harmful pollutants emitted into the air and inhaled  
16 by many people. However, while burning of number two  
17 oil and natural gas in power plants produce lower  
18 level of air pollutants we're still burning fossil  
19 fuel which will not reduce green house gas emissions  
20 that contribute to global warming and climate change.  
21 2016 is on track to be the hottest year in our  
22 planet's recorded history smashing 2015's record  
23 heat. Natural gas is not a green energy nor is it a  
24 transitional fuel and natural gas is methane which is  
25 potent green house gas 85 times more potent than

1  
2 carbon dioxide when measured over a 20 year time  
3 frame. Increased natural gas usage and expansion of  
4 natural gas infrastructure will lead to more fracking  
5 and green house gas emissions and exacerbate climate  
6 change. Now is the time we must invest in energy  
7 conservation, energy efficiency and renewable energy  
8 sources to reduce green house gas emissions and  
9 combat climate change and not prolong our dependence  
10 on fossil fuel. Climate change is the most critical  
11 issue of our generation. We need to leave those  
12 fossil fuels in the ground and urgently switch to  
13 renewable energy sources before it is too late. Thank  
14 you very much.

15 CHAIRPERSON CONSTANTINIDES: Thank you..  
16 Thank you.

17 CATHERINE SKOPIC: Good morning. Good  
18 morning, my name is Catherin Skopic and I'm a member  
19 of the Peoples Climate Movement in New York, Steering  
20 Committee, a member of the Sierra Club and am it's  
21 New York city group representative to the peoples  
22 climate movement in New York and am a member of the  
23 board of directors for Interfaith Moral Action on  
24 climate. Thank you for introducing this resolution  
25 and providing the opportunity to address this phasing

1  
2 out of number four and number six fuel oil for in  
3 city power plants in the effort to meet carbon  
4 dioxide reduction goals as set by the environmental  
5 protection agency clean energy plan. Three points I  
6 would like to make; both four and six oil have heavy  
7 concentrations of particulates that contribute to air  
8 borne diseases such as asthma and related lung  
9 diseases as well as spew massive amounts of carbon  
10 dioxide into our atmosphere that prevent us from  
11 meeting the EPA's goal as well as the commitment we  
12 made to the United Nations climate agreement December  
13 12th, 2015. Eliminating number four and number six  
14 oil is necessary for health of people and planet and  
15 you are to be commended for this resolution in that  
16 sense. Second point, natural gas or methane is at  
17 least 60 times more green house gas producing than is  
18 oil therefore replacing number four and number six  
19 oil with natural gas although reduces particulates  
20 does not reduce our carbon dioxide emissions but  
21 increases green house gases getting us further away  
22 from the EPA agency's clean energy plan. Emphatically  
23 we can not forget the disastrous effects of fracking  
24 for natural gas. Use of thousands of gallons of water  
25 to frac each well at a time when water is becoming

1  
2 increasingly scarce. Contaminating pristine sources  
3 of drinking water gas pipe line explosions killing  
4 people and poisoning animals, plants, land, water,  
5 and air causing earthquakes, just google Oklahoma.  
6 Although fracking has been banned in New York state  
7 gas pipelines crisscross our state carrying gas from  
8 Pennsylvania and other states. By replacing oil with  
9 gas we further support this destructive industry that  
10 is becoming increasingly economically bankrupt. Here  
11 I would just like to insert something an idea that I  
12 have, I don't know if it would be the department.. the  
13 committee on the environment or committee on  
14 transportation but I've been thinking about and I'm  
15 interested in writing legislation that would limit  
16 delivery trucks in New York city to only delivering  
17 during the hours of 12 a.m. and six a.m. and this  
18 would decrease congestion, decrease the quality of  
19 air both indoors and outdoors so I'm very interested  
20 in working on this legislation, the hours could be  
21 adjusted, okay at worse it would mean companies  
22 having to put a person on overtime to be there to  
23 receive the goods but truck deliveries are one of the  
24 main sources of traffic types in New York City, I'm  
25 sure you know this so this is a piece of legislation

1  
2 I'm interested in working on, I don't know if it  
3 would be you Costa or the department of  
4 transportation but it doesn't specifically relate  
5 number four and number six but it does relate to  
6 ambient air and the air quality that we're discussing  
7 today.

8 CHAIRPERSON CONSTANTINIDES: We'll  
9 happily talk with you, we'll figure it out, we're,  
10 we're the right place to go.

11 LING CHO: Excellent, great. You've got  
12 it.

13 CHAIRPERSON CONSTANTINIDES: Okay.

14 LING CHO: Okay, the third point it takes  
15 time to build renewable energy infrastructures but we  
16 could do this one power plant at a time starting with  
17 big Dirty.

18 CHAIRPERSON CONSTANTINIDES: You like the  
19 transition...

20 LING CHO: ...yeah I like that name... right.  
21 We know that renewable energy systems supply more  
22 higher power... higher paying and permanent jobs  
23 increasing our economic and tax space and they  
24 actually get us to the New York City, New York state  
25 and United States environmental protection agencies

1  
2 clean energy plan. I ask, no plead with you to invest  
3 our energy dollars in solar, wind, heat pump storage,  
4 geothermal, and community based aggregations that  
5 function locally and independently making us more  
6 resilient in storms and all actually we do think  
7 carbon dioxide enough to listen to the testimony  
8 today, I know that's the direction we're moving and  
9 the direction you're taking us in Costa so I really  
10 appreciate your efforts and finally I call to your  
11 attention the fact that mayor De Blasio has pledged  
12 to switch out New York city electricity contracts to  
13 renewable energy sources when the present contracts  
14 are up. This is fine incentive as I know the city  
15 council and the mayor's office have frequently worked  
16 hand in hand in support of one another. This is the  
17 time to hop on that renewable energy train or should  
18 I say subway.

19 CHAIRPERSON CONSTANTINIDES: I, I  
20 definitely appreciate your, your testimony today and,  
21 and your good works in the environmental movement, we  
22 need more people that are talking and speaking out on  
23 a, on a regular basis and I agree with you API calls  
24 fracking the, the energy revolution I, I call it the,  
25 the, the fracking devolution..



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LING CHO: ...devolution, right...

CHAIRPERSON CONSTANTINIDES: ...yeah we...  
we...

LING CHO: ...I like that...

CHAIRPERSON CONSTANTINIDES: ...we're,  
we're going in the wrong direction there so I... you  
know my strong stance against fracking and we did a  
lot of great work already this year...

LING CHO: ...right...

CHAIRPERSON CONSTANTINIDES: ...banning the  
frackway in New York City, partnering with my, my  
colleague Steve Levin so we're, we're, we're moving  
in the right direction here in New York state and now  
more than ever our voices need to be amplified, we  
need to stand up a little bit taller and speak a  
little bit louder and make sure that we're continuing  
to lead the way on environmental issues.

LING CHO: Thank you, you can count on me  
to do just that and continue to work with you.

CHAIRPERSON CONSTANTINIDES: Thank you...

CATHERINE SKOPIC: I, I, I think you know  
going forward at least for the next four years that  
we are really going to have to depend on the city to  
lead the way, the city and state. We're not sure

1  
2 anything's going to be done on the federal level or  
3 maybe it will bring us back but we cannot stop, we  
4 have to move forward so thank you very much.

5 CHAIRPERSON CONSTANTINIDES: Thank you  
6 and I'm... I, I want to definitely recognize the mayors  
7 office who's been a great partner in... into doing that  
8 and we're going to need that partnership more than  
9 ever as we move forward.

10 CATHERIN SKOPIC: Thank you.

11 LING CHO: Thank you.

12 CHAIRPERSON CONSTANTINIDES: Thank you.  
13 Alright, so seeing no other witnesses, does anyone  
14 else wish to testify today? Alright, so I'm  
15 disappointed to not see any other witnesses  
16 especially from the power companies but I will  
17 always... I will make this pledge if they ever decide  
18 they'd like to submit testimony on the record at any  
19 hearing I'm having no matter what the subject I will  
20 always make time at the end of our hearing for the  
21 next year for them to demonstrate to us on the record  
22 what their plan is to reduce four and six oil on, on  
23 time so whether that's a hearing on sewage or, or a  
24 hearing on geothermal no matter what we'll make time  
25 at any hearing that they wish to show up at to go on

1  
2 the record and tell us how they plan on complying  
3 with phasing out four and six oil and how they plan  
4 on making our, our grid even greener in New York City  
5 and what they're plans are for repowering so we  
6 ensure that our community is... especially our  
7 communities in, in, in vulnerable areas are being  
8 addressed in the right way so I, I, I, I appreciate  
9 that and we, we can do... we do this in the city  
10 council 'cause there's no clapping but I'll end two  
11 ways one to quote president Obama whose leadership  
12 has been so strong on, on climate change we're the  
13 first generation to feel the effect of climate change  
14 and the last generation that'll be able to do  
15 anything about it so we know our mission we know what  
16 we have to do, I, I appreciate today our, our mayors  
17 office and, and good partnership on the environment  
18 we'll continue that. We need... we all need to be  
19 bolder, stand up a little bit taller over the next  
20 four years and make sure that we continue to lead the  
21 way. This was the first time the council's had a  
22 hearing on in city power generation in my tenure at  
23 least in the ten years I've worked here which ten  
24 years went really fast as a staff member than as a  
25 council member but we definitely will revisit this

1  
2 topic over the next... if I have the, the great  
3 privilege to continue to serve in this council. So I  
4 want to thank our staff, thank our legislative  
5 attorney, Samara Swanson, our policy analyst Bill  
6 Murray who put countless hours in to go into this  
7 topic and when we foiled all these documents it  
8 wasn't what they gave us just the information we  
9 asked for, it was like 2,000 pages a piece so we went  
10 through a lot of documents and I'm glad for that  
11 partnership so thank you Samara and Bill and my own  
12 staff, Bill Murray, I'll, I'll recognize my colleague  
13 from Queens Eric Ulrich who's here. No, not yet. I  
14 appreciate that Eric, thank you. I was, I was about  
15 to close do you have anything you'd like to add or..

16 ERIC ULRICH: No.

17 CHAIRPERSON CONSTANTINIDES: Alright, so  
18 I'll, I'll thank my staff, Nick Jaworski, John  
19 Benjamin who again had to pour through 100's of  
20 documents and our... my, my chief of staff Nick Rose  
21 and my communications director Shaw Hersherone, all  
22 the staff here today and I want to thank our speaker  
23 as well who has been a strong environmental leader  
24 on, on a global scale so I appreciate her, great work  
25 in all the central staff that put time and effort

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into making this hearing today, so with that I'll,  
I'll gavel this committee of the environmental  
protection closed.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date December 19, 2016