



Legislation Text

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Res. No. 1351

Resolution calling on the New York State Department of Environmental Conservation to make publicly available on their website the air pollutant emissions and fuel use data that facilities with Title V Permits are required to submit annually

By Council Members Constantinides, Barron and Chin

Whereas, Title V of the federal Clean Air Act requires facilities that are major sources of air pollutants to obtain, and operate in compliance with, an operating permit (Title V Permit); and

Whereas, The New York State Department of Environmental Conservation (DEC) issues the required Title V Permits to facilities, such as power plants and distributed generation units, which are located in New York; and

Whereas, Title V Permits effectively support enforcement of air pollution laws by (1) recording in a single document all of the air pollution control requirements that are applicable to regulated facilities, (2) requiring such facilities to report regularly on their emissions and controls on such emissions, (3) adding monitoring, testing and record-keeping requirements on such facilities, and (4) increasing transparency by providing the public with information about air polluting facilities; and

Whereas, Presently, data on air pollutant emissions, fuel use and other information that facilities with Title V Permits are required to submit annually to DEC is not publicly available, and the only way for members of the public to access this information is by filing a Freedom of Information Law request with DEC; and

Whereas, DEC should make such data and information regarding facilities with Title V Permits more readily available and accessible to the public by publishing it on their website; and

Whereas, By making data and information about facilities with Title V Permits more accessible to the public, DEC will increase transparency and support its own enforcement efforts; and

Whereas, According to the Mayor's Office of Sustainability there are 24 in-City power plants, all of which require Title V Permits, and there are also several smaller distributed generation in-City facilities which require Title V Permits; and

Whereas, These in-City power plants and facilities contribute a significant amount of pollution to the City's air; and

Whereas, Pollutants emitted by these power plants and facilities include particulate matter, nitrogen oxides, sulfur dioxide and carbon dioxide, all of which have impacts on public health, the environment and climate change; and

Whereas, According to data from "Emission Statements" submitted by facilities with Title V Permits to DEC in 2015, several of these in-City power plants are still burning Number 6 heating oil, which is a crude and dirty fuel; and

Whereas, In 2014, the Council passed, and Mayor Bill de Blasio signed, Local Law 66, requiring New York City to reduce citywide greenhouse gas emissions by 80%, relative to 2005 levels, by the year 2050; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Department of Environmental Conservation to make publicly available on their website the air pollutant emissions and fuel use data that facilities with Title V Permits are required to submit annually.

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