

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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November 29, 2017

Start: 1:29 p.m.

Recess: 1:41 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: COSTA G. CONSTANTINIDES
Chairperson

COUNCIL MEMBERS: Stephen T. Levin
Rory I. Lancman
Donovan J. Richards
Eric L. Ulrich

A P P E A R A N C E S (CONTINUED)

2 [sound check, pause] [gavel]

3 CHAIRPERSON CONSTANTINIDES: Alright,
4 good afternoon. I am Costa Constantinides, Chair of
5 the Environmental Protection Committee, and today the
6 committee will hear a vote—hear and vote on Intro
7 1465-A, a bill amending the Administrative Code in
8 relation to the use of fossil fuels in New York City,
9 and intro 1300-A, a bill amending the Administrative
10 Code in relation to noise mitigation plans. Intro
11 1465 shortens the time that power plants can burn the
12 dirtiest fuels. Currently, power plants can burn
13 Fuel Oil number grade—Fuel Oil Grade No. 6 until
14 2020, and Fuel Oil Grade No. 4 until 2030. Under
15 this bill, power plants would have the option of
16 either: (1) continuing to burn fuel oil Grade No. 6
17 until 2021, but switching immediately thereafter to
18 Fuel Oil Grade No. 2, or secondly, switching from
19 Fuel Oil Grade No. 4 to Fuel Oil Grade No. 2 by 2025
20 instead of 2030. According to one report, No. 4 Oil
21 is—that is used in the city is typically a mix of No.
22 6 and No. 2 Oil in 50/50 proportion. Like 6 and 2
23 Oils, No. 4 is defined by physical and performance
24 specifications that it meets. No. 6 and No. 4 Oil
25 are used in large stationary engines, power plants

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2 and large building boilers, and can contain sulfur,
3 nickel, and other impurities. Combustion of these
4 fuels emit unburned-unburned fuels in the form of
5 soot, which spews out of exhaust stacks and chimneys,
6 or which coats boiler and combustion equipment.

7 Because of their sulfur content burning No. 6 and No.
8 4 Oils also releases significant quantities of
9 particulate matter into the air. Switching from No.
10 4 to No. 2 eliminates the emission of harmful nickel.
11 Currently in New York's area—in New York City area is
12 still in violation or non-attainment of the Clean Air
13 Act Ozone standard. Low ozone levels is produced at
14 low-low-low-level ozone is produced in part from
15 nitrous oxides emitted by various sources including
16 from boilers burning fuel oil. With Intro 1465-A,
17 the city could see a significant drop in nitrous
18 oxides from power plants. This legislation will also
19 save lives being lost to asthma, and prevent hospital
20 room visits due to asthma, heart and lung disease.
21 As someone who represents a community that is
22 surrounded by power plants and see that the western
23 most portion of my district zip codes No. 101, 102
24 and 106 have asthma rates, ER admissions and
25 hospitalizations that are above the borough average

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2 of Queens, and they're situated next to these power

3 plants seeing the—the lessening of the burning of

4 these fossil fuel oils will be a great victory for

5 our community and for all communities, and we need

6 to—I'm—I'm glad to be able to do this today. Intro

7 1300-A amends the Noise Code to require that each

8 contract post a noise mitigation plan for the

9 construction project on site. Noise mitigation plans

10 must provide in detail the noise mitigation

11 strategies, methods, procedures, and technology that

12 will be used to limit sound from a variety of

13 construction equipment and activities. Both laws

14 seek to reduce the unnecessary air and noise

15 pollution while equitably protecting all New Yorkers.

16 I recommend a yes vote on both pieces of legislation.

17 I do want to thank Ritchie Torres who is the lead

18 sponsor on 1465 for helping us get this over the—

19 helping us get this done. Obviously, again as I

20 said, a big win for our communities that are adjacent

21 to power plants who too often are Environmental

22 Justice communities, and are impacted significantly

23 in the form of asthma by these fuel oils being

24 burned. With that, I'll ask the clerk to call the

25 roll.

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2 CLERK: Committee Clerk Matthew

3 DiStefano, Committee on Environmental Protection.

4 Roll call vote on Proposed Intro Nos. 1300-A and

5 1465-A. Chair Constantinides.

6 CHAIRPERSON CONSTANTINIDES: Happy to

7 vote aye.

8 CLERK: Levin. Levin.

9 COUNCIL MEMBER LEVIN: I vote aye.

10 CLERK: Richards.

11 COUNCIL MEMBER RICHARDS: Happy Birthday

12 to my son, D3, and thank you Costa for making sure

13 that his future will be more resilient and

14 sustainable. I vote aye.

15 CLERK: Ulrich.

16 COUNCIL MEMBER ULRICH: I vote aye and

17 happy birthday to D3. Thank you, Mr. Chair.

18 CLERK: By a vote of 4 in the affirmative,

19 0 in the negative and no abstentions, the items have

20 been adopted.

21 COUNCIL MEMBER RICHARDS: And

22 congratulations Samara.

23 CHAIRPERSON CONSTANTINIDES: Yeah, Yeah,

24 so congrats. I want—I want to first say happy

25 birthday to D3. I hope he has a great second

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2 birthday but, of course, I want to thank our
3 committee attorney Samara Swanston, our Policy
4 Analyst Nydia Johnson. My staff Nicholas Wizowski,
5 who worked on this—these bills, and I'm glad that we
6 can bet them done today. With that, I'll the—the
7 record open so Councilman Lancman can come and vote
8 as well. Thank you. [gavel] [pause] [background
9 comments, pause]

10 CLERK: Continuation of roll call.

11 Intros Nos, 1300-A and 1465-A, Council Member

12 Lancman.

13 COUNCIL MEMBER LANCMAN: Aye.

14 CLERK: The vote now stands for approval

15 5 in the affirmative, 0 in the negative and no

16 abstentions. Thank you.

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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 18, 2017