

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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September 23, 2019

Start: 1:42 p.m.

Recess: 3:42 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: COSTA CONSTANTINIDES  
Chairperson

COUNCIL MEMBERS: Rafael L. Espinal, Jr.  
Stephen T. Levin  
Carlos Menchaca  
Conovan J. Richards  
Eric A. Ulrivh  
Kalman Yeger

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

Jeri Calpin, Division Director of Air and Noise Policies and Enforcement, New York City Department of Environmental Protection

Carolyn Olson, Assistant Commissioner for Environmental Surveillance and Policy at the New York City Department of Health and Mental Hygiene

Carl Wade (sic), Mayor's Office of Sustainability

George Thurston, Attending Professor of Environmental Medicine and Population and Director of the Program of Exposure Assessment and Health Effects, NYU School of Medicine

Dr. Hope Orwell, (sic) New York City Environmental Justice Alliance

Jenny Veloz, Environmental Justice Organizer  
New York Lawyers for the Public Interest

Melissa Iachan, Senior Staff Attorney,  
Environmental Justice Program, New York Lawyers for the Public Interest

Josh Kleinberg, New York League of Conservation Voters Appearing on Behalf of Adriana Espinoza

Katherine McVay Hughes, Served 20 years on Manhattan Community Board 1, currently representing Financial District Neighborhood Association, FDNA

Greg Waltman, General Counsel, Clean Energy Company G1-Quantum



2 [sound check] [pause]

3 CHAIRPERSON CONSTANTINIDES: Alright.

4 [gavel] Alright, good afternoon. I am still Costa  
5 Constantinides and I am Chair of the Environmental  
6 Protection Committee. Today we'll hold an oversight  
7 hearing by protecting health by improving air  
8 quality. New York City has a significant  
9 concentration of low-income communities and  
10 communities of color residing adjacent to or very  
11 near New York City's 24 electricity generating power  
12 plants. The Department of Environmental  
13 Conservation, DEC issues permits for the emission of  
14 air pollutants. More than half of the city power  
15 generation capacity is concentrated right in my neck  
16 of the woods in Astoria and Long Island City in  
17 Western Queens. Power plants emit air pollutants as  
18 they burn fossil fuels in order to generate  
19 electricity and the pollutants are very bad for human  
20 health, and particularly bad for children with  
21 developing lungs. These pollutants include  
22 particulate matter, Noxious oxide, sulfur dioxide.  
23 Particulate matter especially PM 2.5 the fine  
24 particles which may deeply penetrate lung tissue are  
25 also formed secondarily from gaseous precursors such

2 as sulfur dioxide, oxides of nitrogen or organic  
3 compounds. Exposures to these airborne pollutants  
4 has been linked to a variety of negative health  
5 outcomes both physical and psychological. Children  
6 can be particularly vulnerable to the effects of  
7 exposures to airborne pollutants because they consume  
8 more air and water per unit of body size compared to  
9 adults and more likely to be active outdoors during  
10 peak traffic hours tend to play closer to the ground  
11 where particulate matter concentrates or  
12 concentrations are the highest and because their  
13 barriers are not fully developed, had childhood  
14 exposures to nitrous oxide, airborne particulate  
15 matter, polycyclic, aromatic hydrocarbons has been  
16 linked to low scores in intellectual development  
17 tests from infants to school age children, a pattern  
18 that persists in both cross-sectional and  
19 longitudinal studies. Exposures also linked to  
20 increase in instances of psychiatric-psychiatric  
21 disorders, difficulties with emotional self-  
22 regulation and heightened instances of ADHD symptoms.  
23 Prenatal exposure has been positively correlated with  
24 heightened instances of heart wall defects, valve  
25 defects, aorta defects, low birth weights in babies,

2 heightened risks of pre-eclampsia in mothers as  
3 significant increase in the likelihood of childhood  
4 obesity for children born to mothers who were expoed-  
5 exposed to polycyclic aromatic hydrocarbons during  
6 pregnancy. Cardiovascular events and rates of  
7 hospitalization for cardiovascular issues are  
8 positively correlated with increases in ambient  
9 particulate matter with a 10 microgram per square  
10 meter increase in black smoke averaging to a 4.8  
11 increase hospitalizations for populations 65 and  
12 over. A 20 microgram per square meter increase in  
13 PM2.5 levels was associated with a 24% increase in  
14 the risk of heart attack or stroke and 67% increase  
15 in the risk of death from cardiovascular disease in  
16 post-menopausal women. Exposure to PM2.5, PM10 and  
17 nitrous oxide are strongly associated with increases  
18 in blood pressure while long term exposure to PM2.5  
19 and nitrous oxide has been linked to heightened  
20 levels of inflammation biomarkers in the blood  
21 stream. Waste transfer stations and sewer treatment  
22 plants are also disproportionately located in or near  
23 communities of color. Activities in these facilities  
24 also exasperate air pollution exposures in  
25 communities of color. People living in environments

2 with high level of sulfate particles were 36% more  
3 likely to have lung cancer compared to those living  
4 in a community lower levels of sulfate particle  
5 pollution. Exposure to ozone levels in excess of 100  
6 parts per billion has been linked to 319% increase in  
7 death caused by lung cancer in non-smoking males and  
8 positive correlations have been found between ambient  
9 concentrations of Noxious oxide and incidences of  
10 breast cancer in women. Improving air quality for  
11 New York City's most vulnerable residents is a  
12 responsibility of the Department of Health and Mental  
13 Hygiene who I know are here today, and the department  
14 we look at hearing from you about your plans for  
15 updating maps relating to asthma from 2014.

16 Similarly, we have taken positive steps instead of  
17 just planting trees, which we need to do more of by  
18 more than 100,000 additional street trees could be  
19 planted in low-income communities and communities of  
20 color. I have legislation that would work on that  
21 well and I definitely hope that we're doing a hearing  
22 on that in the Parks Committee at some point. We  
23 need to take steps expeditiously to protect the most  
24 vulnerable individuals. While there is no one silver  
25 bullet electrification of space and water heating,

2 greater implementation of technology such as air and  
3 ground source heat exchangers employing solar thermal  
4 water heaters and transition to non-combustion-  
5 combustion dependent renewal energy generation as  
6 it's part of the path to protection public health by  
7 improving air quality. Before we begin I want to  
8 recognize my colleague Steve Levin who is here. I  
9 think that Rafael Espinal was here as well at the  
10 beginning of the hearing. So, before we begin I'd  
11 like to thank our staff Committee Counsel Samara  
12 Swanston, Policy Analyst Nadia Johnson and Ricky  
13 Charla, Financial Analyst Jonathan Seltzer, my  
14 Legislative Counsel Nick Wizowski along with staff  
15 from the other committees as well. Thank you so  
16 much, and with that, we'll have Samara Swanston swear  
17 in our panel.

18 SAMARA SWANSTON: Can you please raise  
19 your right hands. Do you swear of affirm to tell the  
20 truth, the whole truth and nothing but the truth  
21 today?

22 PANEL MEMBER: I do. [background  
23 comments/pause]

24 CHAIRPERSON CONSTANTINIDES: Go ahead.

2 JERI CALPIN: Good afternoon Chairman  
3 Constantinides and members. I'm Jeri Calpin (sic)  
4 Division Director of Air and Noise Policies and  
5 Enforcement in the New York City Department of  
6 Environmental Protection. I am joined at the table  
7 by Carolyn Olson of the Department of Health and  
8 Mental Hygiene and Carl Wade (sic) from the Mayor's  
9 Office of Sustainability. Thank you for the  
10 opportunity to testify at today's oversight hearing  
11 protection health through improving air quality. As  
12 the members are aware, the Federal Environmental  
13 Protection Agency—sorry—sets the national ambient air  
14 quality standards, which all states are required to  
15 comply with by implementing state implementation  
16 plans. (coughs) States use the SIPS to determine  
17 that local air quality will with comply with an ask  
18 by the area's attainment date. When this standard is  
19 achieved there is then a process where the state  
20 requests designation as being in attainment with the  
21 specific national ambient air quality standard. New  
22 York City is unique in that as a city we enact very  
23 strict legislation focused on improving local air  
24 quality where we are not preempted by federal law.  
25 Our local standards are often stricter than the

state's SIPs require. The state does not specifically cite local sources of air pollution in their regulations, but the city usually does. We also regulate some of the same sources that the state does, but we choose to enforce them locally. New York is delivering on its commitment to be a sustainable city and a leader in environmental stewardship. Sensible regulations have always resulted in a profound improvement in air quality. These improvements are the result of a collection of changes that have occurred at the national, state and local levels. For example, federal and state regulations and initiatives focusing on on- and off-road diesel vehicle engines have reduced emissions. Our regulatory paradigm has been recognized by the state as a model to follow. For example, one of the SIPs regulates the emission of small, easily inhalable particulates known as PM 2.5. The state has recognized the importance in reducing emissions in fuel oil by enacting ultra low sulfur heating oil requirements, which enable the city [coughs] to phase out Number 6 and Number 4 fuel oil. This joint effort by the state and the city is an important element in the SIP in achieving the attainment of the

2 PM 2.5 standard. In partnership with the City  
3 Council local actions have contributed to the  
4 dramatic progress towards meeting the city's clean  
5 air goals. These intent—these initiatives include  
6 cleaning heating fuel, more hybrid and electric  
7 vehicles in the municipal fleet, reduction on  
8 emissions from school buses and construction  
9 vehicles, requirements that commercial restaurants  
10 must have emission control devices for charbroilers  
11 or coal in wood cook stoves. Building on these  
12 accomplishments, we are continuing to create new  
13 initiatives such as Local Law all waste hauling  
14 vehicle licensed by the Business Integrity Commission  
15 would be required to have emission control devices on  
16 new model engines by 2020. DEP has reconvened the  
17 Advisory Committee to revise cook stove rules to  
18 require existing cook stoves have emission controls  
19 as required by Local Law 31 of 2015. I would also  
20 like to highlight the work being done by the  
21 Department of Transportation to increase electric  
22 vehicle charging stations. This initiative directly  
23 aligns with this work DEP does to reduce idling. We  
24 look forward to working once again with the Council  
25 to develop new regulations that will reduce the use

of secondary diesel engine idling. Reducing engine idling will help mitigate the effects of not only PM 2.5 but also ozone and Nox. Despite all of our work within the city, we cannot address all air quality challenges on our own. New York City is a part of the Ozone Multi-State Nonattainment Area, often referred to as the New Yorker Metropolitan Area. Emissions from out of state, upland and power plants and other industrial sources come into New York. This blown-in pollution has prevented the state from meeting certain ozone standards. Another critical state that the city took to improve air quality was converting boilers from residual fuel No. 6 to No. 2 fuel oil or natural gas. In 2011, DEP issues regulations requiring residential and commercial buildings to convert from No. 6 and No. 4 heating oils to cleaner fuels. The transition from No. 6 fuel was completed by June 30<sup>th</sup> of 2015. The city's Administrative Code requires that any use of No. 6 Fuel Oil be ended by 2020 and the new use of No. 4 Fuel Oil by January 1, 2030. Approximately 5,300 buildings have converted to cleaner fuel and only about 13% of the boilers permitted by DEP operate on No. 4 fuel. As a result of all fuel conversion since

2012, greenhouse gas emissions in New York City have decreased by 925,000 metric tons of carbon dioxide annually. That's the equivalent of taking roughly 195,000 cars off the road. PM 2.5 emissions from buildings has also decreased by 1,200 tons on an annual basis. The regulation of both larger and smaller localized sources has not only reduced particulate matter emissions, but has saved lives as my colleagues at the Department of Health and Mental Hygiene will explain. These sources are not directly legislated by the state, but by the city. The air pollution—the air pollutants with the greatest public health impacts in New York City result mainly from fuel combustion emissions of on and off-road vehicles, heating oil, other building sources and electric power generation. By focusing our efforts on these areas we have reduced citywide air pollution levels and also improve the quality of life and the environment that makes for a more sustainable city. There is still a great deal of work to be done, and we look forward to working with the Council to continue to improve the city's air quality. Thank you.

2 CHAIRPERSON CONSTANTINIDES: Well, before  
3 you give your testimony I want to recognize that  
4 we're joined also by Council Members Kalman Yeger  
5 from Brooklyn and Council Member Donovan Richards  
6 from Queens as well.

7 ASSISTANT COMMISSIONER OLSON: Good  
8 afternoon Chair Constantinides and members for the  
9 Environmental Protection Committee. I am Carolyn  
10 Olson, Assistant Commissioner for Environmental  
11 Surveillance and Policy at the New York City  
12 Department of Health and Mental Hygiene. On behalf  
13 of Commissioner Barbot, thank you for the opportunity  
14 to join my colleagues from the Department of  
15 Environmental Protection to testify today on the  
16 Health Department's role in air quality surveillance  
17 and assessment of related public health impacts. The  
18 Health Department's Air Quality Program aims to bring  
19 public health into discussions of equitable,  
20 sustainable policies for our city. Air pollution has  
21 long been known to have an impact on public health  
22 that is disproportionately borne by lower income  
23 communities and communities of color. While the  
24 Federal Clean Air Act already provides for  
25 surveillance of air quality at the citywide level, we

recognize the importance of tracking spatial differences in air quality within the city and therefore established the New York City Community Air Survey or NYCAS in 2007. NCAS is the largest ongoing air monitoring program of any U.S. city. It is designed to track neighborhood level differences and changes over time in air quality within the five boroughs, and provide that information to the public to support program and policy development, community awareness and research. With enactment of Local Law 103 of 2015, the City Council codified NYCAS and its annual report, which we delivered to the Council and publish every Earth Day. We began collecting data in December of 2008 and now have more than a decade of air quality data for the city. Briefly I'd like to explain how NYCAS works. The department collaborates with Queens College of the City University of New York to collect two-week air pollution samples at around 90 street level sites across the five boroughs four times a year. Each site was purposely selected to provide a representative sample of pollution across the variety of natural and built environments and emission sources within the city ranging from the middle of Claremont Park in the Bronx to Times Square

to residential neighborhoods in Queens. We then generate estimates—estimates for five pollutants: Fine particulate matter or PM 2.5, black carbon, which is a specific type o PM 2.5, nitrous oxide and nitrogen oxide, ozone and sulfur dioxide. Each monitoring site contributes to our resulting air pollution models, which include the averages for each pollutant and allows us to estimate variation in levels across the city. NYCAS has documented significant improvements in the city's overall air quality over the past decade, which means better health for all New Yorkers. Annual average levels of PM 2.5, nitrogen dioxide, nitric oxide and black carbon have all declined more than 26% and average wintertime levels of sulfur dioxide have plummeted 96% bringing levels in line with those measured in rural areas of the country. Only ozone has remained unchanged. Ground level ozone is not emitted directly into the air, but created in the atmosphere often far down wind from the source. The Health Department's Air Quality program also conducts research on the public health burden of air pollution and estimates the health benefits of polices that either directly or indirectly address air quality.

1 Exposures to air pollutants can affect the  
2 cardiovascular and respiratory system increasing risk  
3 of hospitalizations, emergency room visits and  
4 premature death. A key factor in the city's air  
5 quality improvements has been the phase-out of the  
6 dirtiest heating oils in buildings already discussed  
7 by my colleague—by my DEP colleague. We conducted a  
8 health impact assessment for the improvements in  
9 citywide PM 2.5 resulting from both the reduced  
10 emissions from local heating sources and state  
11 actions to clean up the fuel's oil supply. The  
12 resulting improvement in air quality from these  
13 policies alone contributes to approximately 290 fewer  
14 premature deaths, 550 fewer Emergency Department  
15 visits and 180 fewer hospitalizations each year.  
16 However, we still have more work to do to ensure that  
17 all residents and visitors to New York City can  
18 breathe clean air. We estimate that PM 2.5 levels in  
19 the city contribute to approximately 2,300 deaths and  
20 6,300 Emergency Department visits and  
21 hospitalizations each year. Building boiler and  
22 commercial cooking emissions, traffic pollution, and  
23 industrial land use using—including on-site truck  
24 traffic and idling are the major sources of PM 2.5.  
25

1 Neighborhoods where all these sources coincide have  
2 significantly higher levels. Also, while serious  
3 health problems related to air pollution can be found  
4 in all neighborhoods, they disproportionately affect  
5 the poorest communities. For example, cardiovascular  
6 hospitalizations related to PM 2.5 are almost 50%  
7 higher in the poorest communities as compared to  
8 wealthier neighborhoods in New York City. The Health  
9 Department has also partnered with other city  
10 agencies to implement the city's Green New Deal, One  
11 NYC and the road map to the 80 x 50. Through these  
12 efforts we recognize and are committed to the need  
13 for a long-term carbon reduction strategy to preserve  
14 our planet, and to mitigate the detrimental health  
15 effects of poor air quality. I would like to  
16 conclude with acknowledgement of on of the major  
17 challenges we face for continuing air quality  
18 improvement. Air quality in New York City has  
19 impacted not only by local policies and regulations,  
20 but also by state and federal regulations that govern  
21 the fuel efficiency of the vehicles on New York City  
22 road, the fuel choices of power plants up wind of the  
23 city and the regulation of the transportation system  
24 among other sectors. In the current political

2 reality of both threatened and actual rollbacks of  
3 key environment protections by the federal  
4 government, the Health Department is committed to  
5 documenting neighborhood level impacts of state and  
6 federal air quality regulations on the city's  
7 ambitious sustainability plans. We look forward to  
8 continuing our work with DEP, the Mayor's Office of  
9 Sustainability, and the Council to improve the city's  
10 air quality and by extension the health of New  
11 Yorkers. Thank you for the opportunity to testify.  
12 I'd be happy to take questions.

13 CHAIRPERSON CONSTANTINIDES: Thank you  
14 for your testimony. I guess let's begin on you were  
15 talking about on page 3 how the neighborhoods where  
16 all these sources coincide have significant high  
17 levels, right. So, what are we doing in those  
18 communities to lessen those impacts because those are  
19 the most vulnerable to the PM 2.5 and all of the  
20 illnesses and challenges that come with it?

21 ASSISTANT COMMISSIONER OLSON: Thank you  
22 for the question. So, as I said, we know that the  
23 major sources of pollution are traffic, building  
24 density, and industrial use, and we see those  
25 coinciding in certain neighborhoods, and so as we

2 think about the policies that we're putting in place  
3 for the city what we know is that if we can influence  
4 each of those sectors with the policies that for  
5 example the Council has passed related to building  
6 energy mandates, we are going to see improvement in  
7 each of those neighborhoods.

8 CHAIRPERSON CONSTANTINIDES: And what-  
9 what sort of outreach are we doing to sort of  
10 ascertain asthma rates and sort of deal with those  
11 challenges to help those communities?

12 ASSISTANT COMMISSIONER OLSON: So the  
13 Health Department has a tremendous amount of  
14 information from NYCAS. It's available online, and  
15 we publish that information and get it out to  
16 communities in order to empower community groups and  
17 individuals to think about how to improve their air  
18 quality. So, we also have information about asthma  
19 rates and asthma and health-health impacts from air  
20 quality that are available by neighborhood on our  
21 Environment and Health Data Portal, and then we  
22 publish our annual report as well.

23 CHAIRPERSON CONSTANTINIDES: And when it  
24 comes to peaker plants an Environmental Justice

2 communities, what role do they play in poor air  
3 quality?

4 ASSISTANT COMMISSIONER OLSON: So, we—we  
5 know as-as-as Jeri mentioned that energy generation  
6 is one of the emission sources for PM 2.5, but when  
7 we look at the variation in air quality across the  
8 city and we've looked specifically at power plants we  
9 know that power plant emissions can't explain the  
10 variation that we see in pollution across the city.  
11 So, really the—the pieces that we have to focus on  
12 are in addition to—I mean, of course, we want to  
13 clean up power plants, but we also need to focus on  
14 traffic and buildings and industrial uses.

15 JERI CALPIN: We read them at—so, sorry.  
16 (sic) So, the city has been an active supporter and  
17 we are looking forward to the implementation of  
18 what's known as the DEC Peaker Rule. So, this is  
19 something that the State Department of Environmental  
20 Conservation has been working on for a couple of  
21 years that is intended to get the city into  
22 compliance, will get at the region and the city into  
23 compliance from an ozone perspective. So, as you  
24 mentioned there really serious effects from ozone,  
25 which is general—which is generated coincidentally

2 during these high—these hot summer days where we all—  
3 we also use the most energy, and so therefore run the  
4 peaker plant and so essentially what that rule will d  
5 is for all of the pre-1990 peaker units, which are  
6 much dirtier because they use much older  
7 technologies, they will essentially either be forced  
8 to retire, replace in part or in whole with storage  
9 or required to put on backend controls to  
10 significantly reduce the emissions that come from  
11 these units. We anticipate further DEC rule that the  
12 phasing of this will happen between 2023 and 2025 and  
13 that will see about potentially 800 to 1,000  
14 megawatts of peaking units affected. So, we do hope  
15 that that will go a long way in terms of reducing  
16 ozone and ozone related effects during these hot  
17 summer days that come from peaking units.

18 CHAIRPERSON CONSTANTINIDES: And what  
19 about those plants that are—that were open during the  
20 Power Now sort of era. Yeah, they were—they told us  
21 at the time they were installed that they were going  
22 to be only around for three more years, you know, for  
23 three years total, and that's why they did not  
24 require an environmental impact study, and you know,  
25 18, 19 years later they're old enough to vote. So,

2 like how do we reconcile, you know, they're—they're  
3 coming up for renewal soon. What is sort of our  
4 thought process, and how do we wean ourselves off  
5 those plants as well that replaced in all EJ  
6 communities with no environmental impact statement.

7 JERI CALPIN: So, I think and we continue  
8 to work with Council on identifying ways to reduce in  
9 general our overall dependency on fossil fuel power  
10 plants, right. So I think the specific Power Now  
11 units are those that are owned by the New York Power  
12 Authority, and so they're—you know, that's something  
13 that we would continue to need to have conversations  
14 with Council and potentially the state to identify,  
15 you know, what to do there, but as a whole the city  
16 given our commitment to 100% clean electricity by  
17 2040 and it's carbon neutrality by 2050, that  
18 essentially means we need to, you know, replace  
19 most, if not all of the fossil generating units with  
20 large scale renewables, distributed generation and  
21 other carbon free sources, and so we continue to work  
22 with Council on figuring out ways to expand  
23 transmission, bring in large scale renewables, figure  
24 out how we can maximize the amount of offshore wind  
25 that we can get from the recent state announcements,

2 and so and also to maximize storage in the city, and  
3 I think those are all things that we continue to work  
4 closely with Council on.

5 CHAIRPERSON CONSTANTINIDES: I'm looking  
6 forward to working on—with you guys on that as well.  
7 Have we identified locations for large scale  
8 renewables here in the city of New York of  
9 potentialities for solar farms and other sort of  
10 renewable energy beyond the offshore wind that was  
11 sort of announced by the state government earlier  
12 this—this month? Well, last month actually. It's—all  
13 the months are blending into each other at this  
14 point.

15 JERI CALPIN: No, it's okay. There's been  
16 a lot of announcements. So, so, you know, when we  
17 talked about largescale renewables in New York City,  
18 that can be a little bit more challenging than in  
19 other jurisdictions because as you all are likely to  
20 know, we have very limited large spaces to cite these  
21 projects, and so--

22 CHAIRPERSON CONSTANTINIDES:  
23 [interposing] And that close.

24 JERI CALPIN: --something that we  
25 continue to struggle with, and so, we really are

2 focused on maximizing the amount of what we call  
3 distributed generation in the city, and we really  
4 hope that with as part of, you know, the Climate  
5 Mobilization Act in addition to Local 187, which is  
6 obviously a key piece to all of this, there was also  
7 Local Law of '92 and '94, which should see us  
8 continue to increase the amount of solar in the city.  
9 We're currently on track to meet our 1,000 megawatt  
10 by 2030 solar target. We have about over 200  
11 megawatts this year, and so we're really excited to  
12 continue those efforts. As you know, as part of the  
13 long-term energy plan we'll be looking at distributed  
14 wind as well as geothermal and so forth. So, I think  
15 there's a lot of-it's something we still continue to  
16 work on, but, you know, to be honest the lack of  
17 large open spaces has been a challenge. That's also  
18 really why we need to continue to bring in renewables  
19 from the rest of the state and really focus on  
20 expanding our transmission capacity so that we can  
21 access all of the clean energy that's already  
22 deployed in New York State, and so, you know, it's  
23 really a kind of all hands on deck, all measures that  
24 we have at-at our disposal we really need to take  
25 advantage of.

2 CHAIRPERSON CONSTANTINIDES: So, if there  
3 were to be a location that were to-that would become  
4 open, you know, maybe about 413 acres, would that be  
5 something that we would consider for renewable energy  
6 generation?

7 JERI CALPIN: We're definitely--so I think  
8 you maybe referring to an island, Rikers maybe. So,  
9 I--look, we're really interested in any studies that  
10 you already have been looking at the potential of  
11 Rikers and we look forward to continuing our  
12 conversations with Council about what we can do there  
13 to--to support our clean energy goals.

14 CHAIRPERSON CONSTANTINIDES: I think that  
15 that is, you know, it presents us with a unique  
16 opportunity because as your testimony and your  
17 answers have indicated, a large amount of space is  
18 not just available in the city of New York, right?  
19 That we have this opportunity and I firmly believe  
20 that, you know, with the--the moral and social  
21 imperative of closing Rikers, which we all recognize,  
22 and that is without question that once we do do that  
23 work it's imperative for us to sort of find a way  
24 forward for these communities that have been impacted  
25 by these power plants, impacted within all these

2 Environmental Justice challenges, wastewater-  
3 wastewater treatment plants, waste stations. We need  
4 to be able to take that property and if we miss an  
5 opportunity, it's the missing of, you know, not just  
6 this generation but generations to come, right. This  
7 is an opportunity for us to take a real hard look on  
8 how we deploy renewable energy in the city of New  
9 York. So, I'm—I'm looking forward to having continued  
10 conversations with the Administration on not just how  
11 we close Rikers and making sure that it is closed,  
12 but what we do after because what we do after  
13 presents us with a very unique opportunity to write a  
14 lot of wrongs. So. I'm, you know, that's a hearing  
15 for another day, but I will ask this so coming back.  
16 When you talk about asthma, the Department of Health  
17 Studies are—how old are they when it comes to asthma  
18 rats in the city of New York?

19 ASSISTANT COMMISSIONER OLSON: So the  
20 Health Department collects a lot of data on asthma.  
21 We collect information on asthma rates, and then a  
22 lot of the information that we put out is based on  
23 the state's SPARCS System, which is healthcare  
24 utilization data, hospitalizations and ED visits, and  
25

2 so the most recent data that are available from—from  
3 those—from that data source is 2016.

4 CHAIRPERSON CONSTANTINIDES: 2016. So,  
5 it's, so we have three years since that last—when is  
6 the next time it will be updated?

7 ASSISTANT COMMISSIONER OLSON: That  
8 depends on the State. So we wait until they release  
9 those data. As soon as the data are released then we  
10 will update it.

11 CHAIRPERSON CONSTANTINIDES: Are we doing  
12 any of our own collection? Do we do it? What is  
13 sort of our asthma map look like?

14 ASSISTANT COMMISSIONER OLSON: So, we  
15 have on the New York City Health Department's website  
16 there's a couple of different sources that you can  
17 look at, both EpiQuery and the Environment on Health  
18 Data Portal have the most recent maps available on  
19 hospitalizations, ED visits, et cetera, and we do see  
20 the same—the same patterns that I was talking about  
21 for air quality related health impacts. We also see  
22 for asthma that they're—we see the highest rates in  
23 our poorest communities and communities of color.

24 CHAIRPERSON CONSTANTINIDES: And, but the  
25 data we're using for those maps is three years old or

2 that's most recent from like this year. We're  
3 charting those hospitalizations and E.R. visits.

4 ASSISTANT COMMISSIONER OLSON: It is—so  
5 there's a lag in all of those data.

6 CHAIRPERSON CONSTANTINIDES: And how long  
7 is the lag?

8 ASSISTANT COMMISSIONER OLSON: So, for  
9 hospitalization and E.D. visits, the most recent data  
10 is 2016. We have our Community Health Survey, which  
11 asks questions about asthma of adults in New York  
12 City. Those data I believe the most recent year is  
13 2017, but I would have to get back to the council on  
14 that, and we can certainly provide all of the data  
15 that we have available. It's available online, and  
16 also work with you to—to talk—talk through what is  
17 available.

18 CHAIRPERSON CONSTANTINIDES: That's  
19 about—I mean I just—I hear what you're saying it's  
20 about. It just seems like we need to have a—a sort of  
21 a more accurate snapshot, right of communities, right  
22 to have what is now a three-year lag in this data.  
23 There's been children who have been born since then.  
24 I'm guessing a whole bunch and—and there are kids who  
25 have developed asthma probably a whole bunch since

2 then, and we're not having that--by not having--by not  
3 having that lag. We're not having an accurate  
4 snapshot of what's happening in those communities.  
5 We're sort of taking a three-year lookback, right,  
6 but would there be something valuable in having a  
7 more sort of time sensitive snapshot?

8 ASSISTANT COMMISSIONER OLSON: So, I mean  
9 the Health Department is always interested in--I mean  
10 we base all of our work on data, and we're very  
11 interested in using the best possible data that are  
12 available. Data take time to collect and--and--and  
13 analyze and so that is one of the limitations, but I  
14 think that we have the ability to look back at--at the  
15 data that and the trends that we see and we use that  
16 to inform the--the different interventions that we  
17 have and so we're--we're very focused on using  
18 whatever is available and--and trying to make sure  
19 that it's available to communities so that they can  
20 use it as well.

21 CHAIRPERSON CONSTANTINIDES: Are there  
22 other non-profit entities or other entities that are  
23 keeping this data in a more sort of instantaneous  
24 way, or we're the only ones sort of keeping--we're--  
25 we're sort of the most up to date?

2 ASSISTANT COMMISSIONER OLSON: I can't  
3 speak to other non-profits, but I—I think that to my  
4 knowledge the data that we have at the Health  
5 Department is the best to our knowledge to look at  
6 these issues, and I can definitely—so I—I also want  
7 to say so, there's other parts of the Health  
8 Department that work and think all the time about  
9 asthma in particular, and I'm very happy to connect  
10 you with them so that they can give you more  
11 information.

12 CHAIRPERSON CONSTANTINIDES: Well, and I  
13 appreciate that, and I guess lastly before I pass it  
14 onto my colleagues I know that have questions, you  
15 know, what are we doing? I know that the U.S. EPA is  
16 not a resource at the moment, which is a huge source  
17 of frustration for all of us in this room, but what  
18 are we doing to coordinate with the New York State  
19 DEC and—and the EPA when they are not, you know,  
20 ripping up environmental legislation, to minimize,  
21 you know the impacts of a lot of the facilities that  
22 you talked about that are polluting and they are  
23 sending pollution down wind, and so how—what are  
24 those conversations like?

2 ASSISTANT COMMISSIONER OLSON: Yeah, so  
3 I, um, the Health Department focuses on neighborhood  
4 level surveillance, but we're not the regulatory body  
5 for that to work with DEC. So, I'll—I'll defer to  
6 Jeri to talk a little more about that.

7 JERI CALPIN: Thanks. The, um, the  
8 Cleaner Act there—there are still many parts of it  
9 that allows us to continue the efforts from the  
10 state, the city and even EPA.

11 CHAIRPERSON CONSTANTINIDES: That's good  
12 to hear that there's still some parts left.

13 JERI CALPIN: There's—there's still—  
14 there's still some good parts especially in terms of  
15 trying to maintain the standards. I think the shift  
16 is that where we—where some of the programs were  
17 federal in nature, those may be the ones that are—are  
18 going to change, but the programs that the city and  
19 state initiate I believe will actually get more  
20 stringent because we're going to have to make up for  
21 some of the loss of the benefit from cleaner vehicles  
22 unless things change and we can only keep our fingers  
23 crossed on that. So, in terms of our relationship we  
24 work with DEC on the—with them on the regulations.  
25 Very often we support the regulations that they

2 propose as has been already mentioned on the  
3 generation of issues there. We're very supportive of  
4 that because of the emissions benefit it will give  
5 us. We also work with the regional organizations  
6 where all of the states are putting together a  
7 mission control device—programs.

8 CHAIRPERSON CONSTANTINIDES: And just  
9 really quickly I don't know if anyone has this data  
10 handy or sort of done that, but what is the, you  
11 know, we have Local Law 97 formerly known as the bill  
12 that was 1253-A and the entirety of the Climate  
13 Mobilization Act. What is the air quality potential  
14 benefit from the retrofits that we're doing?

15 ASSISTANT COMMISSIONER OLSON: So, I'll  
16 start that answer, and then if others want to add.  
17 So, we—so the—the Health Department in collaboration  
18 with the Mayor's Office of Sustainability and  
19 NYSERDA, have worked together and we're conducting an  
20 evaluation of the 80x50 the 80x50 plan, and one piece  
21 of that is the—the Energy Mandates, and so we're—  
22 we're working on getting the exact numbers, but we do  
23 know and expect that these—that these improvements  
24 will result in decrease in PM 2.5, which is one of  
25 the main and the—the most dangerous of the

2 pollutants, which will translate into averted  
3 premature deaths, and hospitalizations.

4 JERI CALPIN: Yeah, and just, to echo  
5 that, we're still in the process of finalizing that  
6 study as I understand that we hope to have it  
7 finalized by end of this year, and we would, you  
8 know, love to walk the Council through that.

9 CHAIRPERSON CONSTANTINIDES: Wonderful.  
10 I look forward to—with that I will turn over  
11 questions to Council Member Steve Levin.

12 COUNCIL MEMBER LEVIN: Than you, Chair.  
13 Thank you very much for your testimony and for being  
14 here today. My first question, Council Member Yeger  
15 did have to leave, but he did want me to ask about  
16 the National Grid Moratorium that's currently in  
17 place in Brooklyn and Queens. They're refusing to  
18 either upgrade or allow for new gas hookups and so  
19 in the meantime a lot of—a lot of households and  
20 businesses are either going to electric or going to  
21 oil. Are you seeing—how are you kind of measuring  
22 the impact of something like that especially, you  
23 know, more businesses or—home going to oil heat?  
24 Would you be able to see an impact? [pause] As we're

2 going into heating season, I think a lot of, you  
3 know—

4 ASSISTANT COMMISSIONER OLSON: [off mic]  
5 You want to start up on the measurement of that.(sic)

6 COUNCIL MEMBER LEVIN: Yeah sure.

7 ASSISTANT COMMISSIONER OLSON: Okay, so I  
8 mean I think to the measurement question this is  
9 where NYCAS is so powerful. So, we are continuing  
10 our—we—we are—are in our current—currently in our  
11 11<sup>th</sup> our 12<sup>th</sup> our 11<sup>th</sup>, our 11<sup>th</sup> year o data collection  
12 right now and so what the—the power of that is the  
13 ability to see whether we see shifts and like if our  
14 improvements are—start to level off, et cetera. So,  
15 those are things that we are continually doing and we  
16 can look at by neighborhood.

17 COUNCIL MEMBER LEVIN: And that's being  
18 done in a kind of continuous fashion or--?

19 ASSISTANT COMMISSIONER OLSON: Exactly.  
20 So NYCAS is ongoing. We are collecting data every  
21 season and have been for 11 years now.

22 COUNCIL MEMBER LEVIN: Okay.

23 ASSISTANT COMMISSIONER OLSON: I think  
24 also one thing to keep in mind is that when you look  
25 at burning natural gas for heating, which is what it

2 sounds like they're, you know, asking for the hookups  
3 for versus ultralow sulfur diesel, which has PPM of  
4 15 per the state and city laws that govern that. You  
5 actually see from and a Nox SO2 AND PM 2.5  
6 perspective, but they're almost identical from an  
7 admissions factor perspective.

8 COUNCIL MEMBER LEVIN: Okay.

9 ASSISTANT COMMISSIONER OLSON: The  
10 benefit of going to electric, however, is that you  
11 would no longer be creating a very localized source  
12 of pollution, which has a relatively low stack. You  
13 would be, you know, running those heat pumps I  
14 imagine on good power so that may be coming from, a,  
15 you know--

16 COUNCIL MEMBER LEVIN: A polluter also.

17 ASSISTANT COMMISSIONER OLSON: --other  
18 parts of the state or at least different parts of the  
19 city where the power points of higher stacks. So that  
20 again underscores the need for us to then focus on  
21 transitioning off of fossil fuels for power  
22 generation as well.

23 COUNCIL MEMBER LEVIN: And for the  
24 record, I just signed to Chair Constantinides' bills  
25 around Rikers Island, and so I would, you know, hope

2 that in 2026, DEP will—will take possession and—and  
3 make it a renewable energy source. In terms of the—  
4 in terms of the spaces that are needed, I—I have met  
5 with Con Edison because in the district I represent  
6 in the southern part of the district they own a piece  
7 of proper and are—are looking to do a battery sale  
8 configuration there as well as I met with a private  
9 company who is looking to do a battery sale of the  
10 Brooklyn Navy Yard on a barge, and so any of those  
11 opportunities I'm interested in exploring in the  
12 district I represent and—and assessing where those  
13 opportunities are citywide. I do want to ask about—I  
14 represent Greenpoint, the greater Greenpoint and  
15 there's a lot of construction happening in Greenpoint  
16 because pursuant to the 2005 waterfront rezoning,  
17 which allowed for maybe 10 million square feet of—of  
18 construction, maybe even more, it's a massive,  
19 massive amount of development that has been going in  
20 fits and starts, but right now is—is—is really  
21 picking up the pace, and I am hearing from—whenever I  
22 have a community meeting about these issues I'm  
23 hearing people concerned around dust and debris.  
24 Greenpoint is also very, as you know, a very toxic  
25 neighborhood because of its industrial past. So, you

2 know there are, you know, numerous super fund site,  
3 state Superfund sites, federal Superfund sites, Brown  
4 Fields, E-Designation, some properties are Superfund  
5 and E-Designation. So, there is just an array of  
6 contaminants. Some are airborne, some are not, and  
7 there's a lot of—there's a lot of rear in the  
8 neighborhood about the health impacts that these  
9 contaminants could have particularly when there's a  
10 lot of digging on, you know, people, you know, they—  
11 other than calling 311 because, you know, somebody is  
12 not spraying down their trucks or whatever, people  
13 feel very helpless in terms of confronting it. I  
14 mean sometimes I hear about, you know, just large  
15 amounts of particulate matter that's out there. So,  
16 you know, Polystyrene just floating through, you  
17 know, massive amounts of Polystyrene. They're just,  
18 you know, out in the neighborhood off of a particular  
19 construction site. You know, the—obviously we're  
20 working with DEP on this—the—the sewer issue in  
21 Greenpoint just this—just earlier this summer. So,  
22 there's just kind of a—a, um—how do you address a  
23 neighborhood like that that is with the nexus of  
24 massive amounts of development, a lot of young  
25 children and young families and—and this history of

2 just toxic industrial behavior for going back, you  
3 know seven or eight generations?

4 JERI CALPIN: I'll take a crack at the  
5 practical issues. In terms of the construction once  
6 it's sort of in full swing responsibility for  
7 ensuring that the—the sites keep their dust  
8 physically on site, it is DEP's and we have numerous  
9 regulations on dust containment. When the—the  
10 company is not performing properly we do rely on  
11 people using 311 to let us know, and we have a rapid  
12 response to the construction that they're able to get  
13 there and make sure that the mitigation measures are  
14 in place.

15 COUNCIL MEMBER LEVIN: Uh-hm.

16 JERI CALPIN: Recent changes thanks to  
17 the Council give us the authority to actually stop  
18 work so that if they have run out of water for some  
19 odd reason, they can't start again until they have a  
20 water mechanism to keep the dust down. At the 20th  
21 time they have to come up with another mechanism for  
22 containing the dust. The Superfund sites, and I  
23 would say that the hazardous materials should be  
24 being removed prior the actual construction where DEP

2 gets involved, and I know that the community is  
3 always concerned about that--

4 COUNCIL MEMBER LEVIN: Uh-hm.

5 JERI CALPIN: --and how effective it is,  
6 and for the most part in terms of monitoring I've  
7 seen from the programs during the removal of the  
8 contaminated voice (sic) seems to be very effective,  
9 but again, that's sort of my opinion.

10 COUNCIL MEMBER LEVIN: Uh-hm.

11 JERI CALPIN: I'm not intimately involved  
12 in it, and I'm not sure if anybody set it up  
13 differently. (sic)

14 COUNCIL MEMBER LEVIN: [interposing]  
15 Yeah, I mean how do we what do I--what do I tell  
16 parents of young children who are, you know, very,  
17 very concerned about the health impacts to their  
18 children particularly if the, you know, with the  
19 ambient particulate matter?

20 ASSISTANT COMMISSIONER OLSON: I really--I  
21 appreciate the question, and the concern. I think  
22 that that's--that's very real and--and people's  
23 experiences especially for--for parents for their  
24 children. They're concerned about what it means and  
25 I think, you know, as we've all been talking about we

1 know that air quality impacts health, and that's why  
2 we're thinking about the public health around this,  
3 but I think when we talk about individual exposure,  
4 it's also important to remember that environmental  
5 health impacts are about through how long a person is  
6 expected to exposed and how much the-and to how much  
7 is the particular environmental risk, and you have to  
8 think about that in the balance of everything else,  
9 all the other risks and benefits that are out there.  
10 So, we—we know research has shown that the long-term  
11 benefits of regular exercise getting out, being—doing  
12 your life, children playing on playgrounds, et cetera  
13 far outweigh the ambient air quality risks of  
14 breathing the are and so that is not to minimize the  
15 concerns. I completely hear those, but I think we  
16 always want to send a message for—for healthy New  
17 Yorkers to get out there and—and use New York City as  
18 their gym and—and—and not be afraid to breathe our  
19 air, which has been improving tremendously and  
20 continues to improve, and then we all together are  
21 working on policies to continue to improve the air.  
22 It's difficult to speak to these individual concerns,  
23 but I--

25 COUNCIL MEMBER LEVIN: Right.

2 ASSISTANT COMMISSIONER OLSON: --I think  
3 we can say with confidence that we want our children  
4 to be outside and playing, and then the other thing I  
5 would mention is that in combination DEC and the New  
6 York State Health Department issue air quality alert  
7 days and the Health Department works very hard to  
8 additionally push out those messages and when we do  
9 that we really focus on communities most at risk,  
10 populations most at risk with chronic health  
11 conditions so that they can think about on those days  
12 when the levels are a little bit higher to think  
13 about whether I'm, you know, not going to choose to  
14 go outside at the peak time during rush hour when  
15 there might be even high levels of pollution in the  
16 air to minimize that risk.

17 COUNCIL MEMBER LEVIN: And how does the  
18 Health Department look at or kind of explain the--the  
19 disparities between neighborhoods. So, some  
20 neighborhood is having a higher asthma rate than  
21 others. Is there a kind of clear kind of correlation  
22 or causation that you can identify there?

23 ASSISTANT COMMISSIONER OLSON: So that's  
24 a very big question. There's--there is non one cause  
25 that explains all of those things, but we spent a lot

2 of time thinking specifically for about the  
3 differences in asthma across the city and other  
4 health outcomes, and we know that both air quality  
5 related health impacts and other health impacts to be  
6 as we were discussing earlier concentrated in our  
7 lowest community, our poorest communities and  
8 communities of color--

9 COUNCIL MEMBER LEVIN: Uh-hm.

10 ASSISTANT COMMISSIONER OLSON: --and that  
11 really stems from the--from sort of historical racist  
12 policies and historic disinvestment in these  
13 Environmental Justice communities and we--those come  
14 with and are fundamental cause of health problems,  
15 and that includes air quality problems, but if we're  
16 speaking specifically about asthma when we think  
17 about the inequities that we see across the city, the  
18 Health Department is really focused on indoor air  
19 quality and the indoor asthma triggers that--that vary  
20 with poor housing and things like that as well as  
21 access to clinical--clinical care. So--

22 COUNCIL MEMBER LEVIN: Uh-hm.

23 ASSISTANT COMMISSIONER OLSON: --not to  
24 say that air quality is not a piece of that puzzle,  
25 but when we think about those inequities, those are

2 the places that we think that we think, too, are most  
3 amenable to change.

4 COUNCIL MEMBER LEVIN: And you're  
5 tracking neighborhood by neighborhood disparities  
6 through the Sparks data.

7 ASSISTANT COMMISSIONER OLSON: That's  
8 the—the major source of asthma data that we use,  
9 yeah.

10 COUNCIL MEMBER LEVIN: Okay, it would be  
11 great for our office to connect with the Health  
12 Department to examine kind of Greenpoint specifically  
13 and what the—the Sparks data is showing for  
14 Greenpoint to just—just because I—again the community  
15 and that I meet with regularly is—this is a topic  
16 that comes up all the time, and Jeri I think you've  
17 probably been out to -with me before and, you know,  
18 it's—it's something that they say, a constant topic.  
19 You know we have going back, you know, 30 years we  
20 had Wasterwater Fueling (sic) facility, Newtown  
21 Creek, Superfund sites that they would fund all you  
22 name it. It's something that we should continue to—to  
23 engage on.

24 JERI CALPIN: We'd be very happy to do  
25 that and I'm sure you're also aware of like the

2 Community Health Profiles that have come out that  
3 have specific information.

4 COUNCIL MEMBER LEVIN: Um, actually, I  
5 have one more question. You know there's been this  
6 recent—a lot of recent attention around the 9/11  
7 Health Fund and the Victims Compensation Fund. I  
8 don't know if anyone can talk about the Health Fund  
9 because I also represent Downtown Brooklyn and  
10 Brooklyn Heights, and, um, it's my understanding that  
11 the—the Health Fund, the radius is 1.5 miles to the  
12 9/11 Health Fund and I realize it's not a City  
13 Department of Health program, but it would—I'd be  
14 interested in examining, you know, how many people in  
15 that zip code of 11201 have signed up for the Health  
16 Fund and are aware that if they were living down  
17 there at the time within that 1.5 mile radius that  
18 they could sign up and—and potentially receive  
19 benefits that they're experiencing health issues  
20 related to 9/11. It's something that the Health that  
21 the Health Department is kind of paying attention to  
22 or focused?

23 ASSISTANT COMMISSIONER OLSON: I can't  
24 speak to that directly, but I'm happy to bring that  
25 back to my colleagues. We—we have the World Trade

2 Center health Registry, which is constantly  
3 monitoring and thinking about all the issues around  
4 that. So, I maybe that's -we'll get back to you.

5 COUNCIL MEMBER LEVIN: Okay, wonderful.  
6 Thanks so much.

7 CHAIRPERSON CONSTANTINIDES: Thank you  
8 Council Member Levin. I just want to quickly follow  
9 up on one of his questions, and this may be above  
10 your ability to answer so, if you can't answer this,  
11 that's okay, but and I'm very concerned as well with  
12 the lack of connections, and I feel it's-it's a ploy  
13 on behalf of National Grid. It seems very convenient  
14 that that lack of hookups immediately started after  
15 the Williams Pipeline was denied. Have you-I asked  
16 them, this committee asked them for data to  
17 demonstrate need back in April. It is now September.  
18 So, it is what? Five months later. I have yet to  
19 hear form National Grid, and you know, I feel this is  
20 a ploy for them to try to lock us into fossil fuel  
21 infrastructure that we don't need in the long term.  
22 So, has there been any conversations between New York  
23 City and-and-and National Grid to actually show us  
24 this need, or we're-we're still jut relying on them

1 saying yes we really do need—we—we just can't provide  
2 these hookups at the moment.

3  
4 ASSISTANT COMMISSIONER OLSON: So, we  
5 understand that the state has—is currently  
6 investigating this exact situation both in terms of  
7 whether there is a supply need, and also they're—I  
8 understand they've recently expanded the  
9 investigation to focus on how they're actually  
10 operationalizing the moratorium that you and Council  
11 member Levin are asking about. We are eagerly  
12 awaiting those results at this time. The state is  
13 the regulator for National Grid. So they're the ones  
14 that have that authority and that jurisdiction over  
15 them to—to get information from them, and so we are,  
16 you know, eagerly awaiting those results. At the  
17 same time I think we're also really focused on, you  
18 know the implementation Climate Globalization Act  
19 because part of the solution to all of this is to  
20 reduce the amount of energy our buildings consume for  
21 heating and hot water. As you recognized that the  
22 primary source of emissions for the city is. So, part  
23 of this is continued to decarbonize both how we run  
24 our buildings as well as significantly increasing the  
25 energy efficiency including the amount of, you know,

2 gas or ultra low sulfur diesel that we consume for  
3 heating. So, you know, that's really where we need  
4 to also be looking at, and we need to be accelerating  
5 those efforts given the climate with that.

6 CHAIRPERSON CONSTANTINIDES: I heartily  
7 agree with that. That's been, you know, that's why I  
8 will not play National Grid's game, and to call  
9 their, you know, I'm here calling their bluff again  
10 today saying that, you know, we're not going to be  
11 locked into the Williams Pipeline. We're not going  
12 to sort of accede to your demands and you're holding,  
13 you know, buildings hostage in order to do that. So,  
14 I'm not going to allow them. I'm not going to play  
15 their game. We need to move away from fossil fuels,  
16 and we need to move to a place where, you know,  
17 we're—we're not locking ourselves into 50 to 80 years  
18 of a pipeline that we, you know, the rate payers are  
19 going to pay for. It's going to come out of our  
20 pockets, you know, our grandkids' pockets. I'd  
21 rather not do that. So, and I think moving towards  
22 new energy is where we need to go. So I thank you  
23 guys for your time and I appreciate all of your  
24 testimony. [background comments] Alright, so our next  
25 panel so we have Dr. George Thornton, or Thurston.

2 I'm sorry. I forgot my glasses today, Professor of  
3 Environmental Medicine and Population Health at NYU  
4 School of Medicine; Toka Aola from New York City EJA,  
5 Jenny Valez from New York Lawyers Public Interest;  
6 Melissa Ichan from New York Lawyers for Public  
7 Interest and Josh Kleinberg from LCV. [background  
8 comments/pause] If you just get us one more chair  
9 that would be great. [background comments/pause]  
10 Alright. So, let's just start on this side,  
11 professor.

12 Oh, my microphone just broke.

13 [background comments/pause] Is that on.

14 CHAIRPERSON CONSTANTINIDES: Yeah, it's  
15 working again. I fixed it.

16 GEORGE THURSTON: [off mic] Oh, Good  
17 afternoon. Is it? [on mic] Now it's on. Okay,  
18 Good afternoon Chairperson Constantinides, Council  
19 Members present and my name is George Thurston. I'm  
20 an attending Professor of Environmental Medicine and  
21 Population Health at the NYU School of Medicine. My  
22 scientific research involves investigations of the  
23 Human Health Effects of air pollution, and I'm  
24 presently Director of the Program of Exposure  
25 Assessment and Health Effects in my department at the

1 School of Medicine. So thank you for the opportunity  
2 to testify today and share my knowledge of the human  
3 health impacts of outdoor air pollution especially  
4 from fine particulate matter as we've discussed  
5 earlier PM 2.5 air pollution and the health benefits  
6 to our children that can be achieved by improving the  
7 quality of the air we all breathe. The adverse  
8 health consequences of breathing air pollution and we  
9 discussed some even at levels below the current U.S.  
10 Air Quality Standards are serious and well  
11 documented. These effects include but are not  
12 limited to decreased lung function, the ability to  
13 breathe air in and out, more frequent asthma  
14 symptoms, increased numbers of asthma attacks, more  
15 frequent emergency department visits, additional  
16 hospital emissions and increased numbers of death,  
17 and I did what to mention the previous speakers  
18 talked about the NYCAS system, and I have to say as a  
19 scientist I really appreciate that system. I hope  
20 you don't realize how unique it really and that New  
21 York is—was way out in front on this, and other  
22 places around the world are copying what they did  
23 here. This information is very valuable to assessing  
24 the interactions of, you know, what exposures people  
25

2 are getting and then health effects. So, that's very  
3 important program that they should be very proud of.  
4 Traffic is a major contributor to air pollution in  
5 New York City as we all know, and elsewhere in the  
6 United States. An increasing body of evidence  
7 indicates that the traffic related exposures and  
8 residential proximity to vehicular traffic are  
9 associated with increased respiratory conditions and  
10 symptoms in children including increased prevalence  
11 of asthma, wheezing, recurrent respiratory illness  
12 and hospital emissions for asthma. Cars, buses,  
13 trucks and other motorized fossil-fossil fuel driven  
14 vehicles are among the largest sources of air  
15 pollution that have been clearly linked to adverse  
16 health effects, and I give some references in my  
17 testimony. Most people are exposed to air pollution  
18 from road traffic on a daily basis whether as a  
19 result of residing in homes located near highways or  
20 driving, walking or standing along busy streets, and  
21 I would just say as an aside the drivers get some  
22 substantial exposure. Some studies have shown like  
23 in California that nearly 90% of people's daily  
24 exposures is when they're driving to work and back.  
25 So, so, it's us pedestrians, but it's also the

1 drivers are getting exposed. So they should be  
2 interested in improving, too. Vehicle engines are  
3 known to produce a number of pollutants that pose  
4 risks to public health, and these engines burn fossil  
5 fuels, chemicals such as fine particulate matters,  
6 ultrafine particles, nitrogen oxides, carbon  
7 monoxide, volatile organic compounds, elemental  
8 carbon, black carbon soot are all emitted. My own  
9 research involving elementary school children in the  
10 South Bronx and New York City has shown there's a  
11 statistically significant increase in children's  
12 asthma symptoms as well as reduction in their lung  
13 function on days with elevated levels of elemental  
14 carbon soot such as that emitted by diesel vehicles.  
15 As show in the plots that are in my testimony the  
16 impact of diesel traffic related to elemental carbon  
17 soot was larger and more significant than particles  
18 in general. So, so we—we regulate particular matter  
19 fine PM 2.5, but not all particles are the same, and  
20 some are much more toxic and certainly diesel  
21 particulate matter falls into that much more toxic  
22 category, and that's why it's good that NYCAS is  
23 monitoring carbon levels and it would be good if we  
24 could monitor it in more places. Moreover, as shown  
25

1 in the figure 2 of the my testimony, the daily counts  
2 of shortness of breath and wheezing symptoms were  
3 also significantly associated with elemental carbon  
4 soot levels. These results document that elemental  
5 carbon soot is more strongly associated with adverse  
6 asthma symptoms than other particles in general.

7 This particular research even led to an article on  
8 the effects of diesel pollution on children in New  
9 York times—on children with asthma in the New York  
10 Times and entitled: *A Study Links Truck's Exhaust to*  
11 *School Children's Asthma*, and then, too, a subsequent  
12 New York Times editorial entitled: *Black Soot and*  
13 *Asthma* in which the editors called upon policy makers  
14 to reduce this problem by declaring war on poisonous  
15 diesel fumes, and I give you a link to that  
16 editorial. To my knowledge insufficient action has  
17 been taken on the reforms recommended more than a  
18 decade ago for our city's trash handling, and  
19 commercial traffic burden, and there are some good  
20 ideas in that editorial. Studies including my own  
21 have found the poor and under-served minorities in  
22 our city are among the most affected by air pollution  
23 and other environmental insults in part because they  
24 are exposed to more pollution and also because they  
25

1 are more vulnerable to the effects of pollution, and  
2 I would again having done studies in the South Bronx  
3 I would point to Hunts Point as a classic example of  
4 a place where there's just a tremendous amount of  
5 diesel emissions with. Those trucks go to the flower  
6 market, the Fulton Fish Market, the produce market  
7 and right through peoples neighborhoods where people  
8 live, and it just undesirable and unfair especially  
9 where they're located right next to the water. Like  
10 all that could be brought in by water and that's part  
11 of what's in that editorial that we should be using  
12 our waterways around the city much more to move the  
13 commercial goods rather than having them drive  
14 through residential streets, and study that we did we  
15 looked at the--the disparities based on race and also  
16 on socio-economic situation, and I did that study  
17 with Sharan Quinn who you may know. She's one of the  
18 Deputy Commissioners. She was a student of mine  
19 about 20 years ago, but now she's a Deputy Commission  
20 of the Department of Health, and we did find that--  
21 that the people like the under-served minority  
22 populations were much more affected, but also it was  
23 interesting we found that the poor at least the poor  
24 and the working poor in the white community were also

1 affected. So, it's-it's really-it's a question a lot  
2 of poverty, and I've done maps in my talks where I  
3 show the poverty levels in New York City and then I  
4 show the asthma rates in New York City, and people  
5 say wait, that's the same map. There's a lapse in a  
6 lot of these and the I once had a person in the  
7 audience get up and say wait a second that's my lead  
8 poisoning map. So, you know, there's really a  
9 concentration of problems in the same communities and  
10 it has a lot to do with well, just with inequities in  
11 wealth and poverty. More recently a variety of  
12 studies have show that air pollution exposures can  
13 also lead to an increased risk of a child developing  
14 asthma in the first place. So as we have always been  
15 able to show that in studies that kids with asthma  
16 are more affected now these studies are showing that  
17 children who are exposed to pollution over years have  
18 a higher rate of getting asthma, but on a hopeful  
19 note, one recent study about which I wrote an  
20 editorial in the General American Medical Association  
21 this year, showed that declining air pollution levels  
22 in Southern California over the past decade have led  
23 to a 20% associated decrease in the number of  
24 children developing asthma. So, if we lower  
25

2 pollution levels there have been proven to be health  
3 benefits from that. Another problem I have studied  
4 that I mentioned in New York City is air pollution in  
5 our subways. This pollution has derived from decades  
6 of break wear and diesel emissions from service  
7 trains that operate in the subway system, and I give  
8 you a citation to one of our studies. I've read that  
9 they the MTA is about to spend billions on upgrading  
10 our subway systems, but I have not read anything  
11 about improvements in the ventilation or adding air  
12 filtration systems for the subways and if I have a  
13 second I could tell you a little story how I  
14 discovered this. I was doing—I was asked to do an  
15 interview for the magazine Vogue. Very unusual for  
16 me, but it—but, in my whole career it's the only time  
17 I've impressed my daughter. So, it was good, but I—  
18 so I brought a piece of measurement equipment with me  
19 a hand-held particle measurement this unit, and I was  
20 going to Washington Square, and I thought I'd walk  
21 the reporter around and showed them how the level  
22 varied when if we're standing at Broadway versus in  
23 the Park, and I had it on while I was in the subway  
24 and I said, oh, my God, this is really, you hundreds.  
25 This is—you know, normally it would read like 10 or

1 15. It was reading hundreds of micrograms in the  
2 subway, and I said this is broken. How am I going to  
3 do this interview with this broken like this? These  
4 ae unbelievable levels, and then as I got off on the  
5 9<sup>th</sup> Street Station and walked up the stairs, the  
6 levels when down, down, down and I got up to the  
7 street level and they were normal levels again. So  
8 that's why we ended up doing the study that we  
9 published in 2014 and we're still continuing to do  
10 monitoring. So, that's—I don't—it's probably not  
11 your department, but—but certainly something we  
12 should really do.

14 CHAIRPERSON CONSTANTINIDES: You know, I—  
15 I—when passed the Climate Mobilization Act, it ended  
16 up Teen Vogue and, um, I asked my 12-year niece if  
17 this made me cool now, and she was like well, this is  
18 cool but you're not, Uncle Costa. So, I hear your  
19 pain. [laughs]

20 GEORGE THURSTON: I don't know. Thus  
21 urban air pollution especially air pollution from  
22 diesel powered vehicles have been shown to cause  
23 children with asthma to have more breathing problems,  
24 and to cause children to develop asthma in the first  
25 place. Importantly, however, new—new research has

2 also documented improving air quality can reduce the  
3 number of children who get asthma. It's therefore  
4 possible for the City of New York to improve the  
5 health of our children as well as of adults by acting  
6 to achieve cleaner air for us to breathe. Thank you  
7 for this opportunity to testify and we welcome any  
8 additional questions the committee—the committee may  
9 have. Thank you.

10 CHAIRPERSON CONSTANTINIDES: Thank you,  
11 professor. I'll come back—I'll come back with  
12 questions. I sort of—

13 GEORGE THURSTON: [off mic] I'm on your  
14 team. (sic)

15 CHAIRPERSON CONSTANTINIDES: As do I, but  
16 we—[laughter] well, I appreciate it. Let's—we'll go  
17 through the whole panel and then we'll save some of  
18 the questions.

19 DR. HOPE ORWELL: Okay. Thank you for  
20 the opportunity to testify. My name is Dr. Hope  
21 Orwell, (sic) and I'm testifying on behalf of the  
22 New York City Environmental Justice Alliance.  
23 Founded in 1991 NYEJA is non-profit citywide  
24 membership network linking grassroots organizations  
25 from low-income neighborhoods and communities of

color in their fight for environmental justice. For Decades NYEJA has led efforts to improve air quality in New York City particularly as it relates to disproportionate health burdens in low-income communities and communities of color. Our 2018 Climate Justice Agenda highlights our focus on localized air quality monitoring, an essential tool to understand health burdens on Environmental Justice Communities, Community, Air and Methane project for Environmental Justice or CAMPEJ was born out the shared concerns from our members about air pollution in their neighborhoods. Our members represent EJ communities who live alongside the most Noxious infrastructure in our city including diesel truck intensive waste, export facilities, highways, power plants and other heavy industrial uses. As a result, these communities face higher rates of negative health outcomes with the PM 2.5 pollution including asthma, heart disease and cancer. As climate change progresses heat waves are expected to be more frequent and severe which will worsen air quality and contribute to air quality related disease and death. Extreme heat is the deadliest climate change risk, and estimates for New York City project that the

number of heat waves could triple by 2050, and we continue to advocate for an ambitious set of goals for New York City's urban forests and street trees. Equitable investments in natural infrastructure and a robust maintenance plan that creates good jobs, which can help mitigate extreme heat and improve air quality particularly in the most heat vulnerable communities. In transportation we advocate for electrification of vehicles with an emphasis on New York City's public bus infrastructure. Fossil fuel dependent buses emit PM 2.5, which most heavily impacts low-income communities and communities of color who comprise most of MTA ridership, and tend to live where MTA bus depots are sited. We also advocate for the use of creative funding streams to improve air quality such as funds from the 2016 Volkswagen Settlement. We are looking to reform the Solid Waste system in New York City. Truck dependent transfer stations have been clustered in low-income communities and communities of color for decades causing high proportions of health consequences such as asthma, hear disease and cancer. According to the city' recent draft Environmental Impact Statement passage of the Commercial Waste Zones Bill introduced

1 in June Intro 1574, would achieve up to 68% reduction  
2 in the vehicle miles traveled by diesel waste trucks  
3 along with reductions in associated aerial  
4 particulate emissions, greenhouse gas emissions, road  
5 damage and the noise by implementing exclusive zone  
6 waste collection system. Additionally, we are  
7 pleased that the bill will require truck compliance  
8 with certain environmental laws such as Local Law 145  
9 and that within the bill DSNY would review contract  
10 applications on the basis of the carting companies'  
11 disposal of waste at transfer stations that are  
12 geographically approximate to the zones reducing  
13 truck burdens in the EJ communities. Finally, we  
14 advocate for a transition in energy siting and  
15 storage. New York City is home to 16 peaker plants,  
16 many with multiple generating units both publicly and  
17 privately owned. These highly polluting fossil fuel  
18 power plants known as peakers fire up in the South  
19 Bronx, Sunset Park and other communities of color on  
20 the hottest days of the year when air quality is at  
21 its worst, and sensitive populations are willing to  
22 stay in doors. Peakers then spew even more harmful  
23 emissions into neighborhoods already overburdened by  
24 pollution, and exacerbate widespread health problems.  
25

Existing and new gas fired peaker plants could be replaced by renewables and battery storage technologies. Renewables are already cost competitive with and often cheaper than fossil fuels while battery storage adds flexibility and control to transform solar and wind into reliable, dispatchable resources that can be operated much like peaker power plants. We need innovative citywide large scale energy planning projects that center Environmental Justice. For examples—for example, Rikers Island long home to a notorious jail with terrible conditions that has held New Yorkers of color can be a home for largescale clean infrastructure for energy. Renewable and resilient energy systems will advance energy democracy, reduce energy cost burdens, strengthen the resiliency of communities and improve air quality. The Climate Leadership and Community Protection Act, which legislated commitments to eliminate fossil fuel emissions in New York State by 2050 makes it imperative for New York City to transition to a renewable energy future. We thank the Committed on Environmental Protection for holding this oversight hearing, and for consideration of our

2 comments. We look forward to working together to  
3 improve air quality in the city. Thanks.

4 CHAIRPERSON CONSTANTINIDES: Thank you.  
5 Please.

6 JENNY VELOZ: Thank you for this  
7 opportunity to speak with you on improving air  
8 quality. My name is Jenny Veloz and I am the  
9 Environmental Justice Organizer in New York Lawyers  
10 for the Public Interest. We are facing a climate  
11 crisis that will only improve if we in the city begin  
12 to do our part, and especially in Environmental  
13 Justice communities in our city the same sources that  
14 cause climate change by emitting greenhouse gas  
15 emissions also emit air pollutants that contribute to  
16 serve as health problem like asthma, respiratory and  
17 heart disease. We cannot stand by and continue to do  
18 nothing as harmful emissions such as diesel fumes and  
19 fine particulate matter from trucks, buses and power  
20 plants continue to pollute our air and make it  
21 increasingly dangerous to breathe. There are  
22 concrete and immediate ways the City Council can take  
23 action to improve air quality. One is improving and  
24 updating the city's almost 10,000 school bus fleet,  
25 which are old and highly polluting. The emission of

1 these harmful diesel fumes poses a huge health risk  
2 to students. Some students spend more two hours a  
3 day on a school bus sometimes longer for special  
4 education students. It is unimaginable to think that  
5 a student with asthma continues to ride a school bus  
6 that will worsen his or her medical condition. The  
7 unequal impact of this issue is exacerbated because  
8 my school bus depots are located in Environmental  
9 Justice communities where one in four children have  
10 asthma. Every morning and afternoon hundreds of  
11 school buses leave diesel fumes in neighborhoods that  
12 also house power plants, truck depots, waste transfer  
13 station and other polluting sites. School buses also  
14 frequently idle in front of schools longer than  
15 legally allowed resulting in even more toxic fumes  
16 near our children and increasing the likelihood of  
17 asthma and other respiratory ailments. For example,  
18 of the 105 school buses we observed 95% idled in  
19 front of schools for more than a minute. We urge the  
20 Council to vote Intro 455 and into law, which will  
21 require the electrification of school buses by 2040  
22 and would be a long-term solution to reducing the  
23 environmental impact of our huge school bus fleet.  
24 In the short term we can lessen the impact of air  
25

2 pollutants by enforcing existing idling laws. If we  
3 are serious about wanting a cleaner New York we need  
4 to start by easing some of burden on Environmental  
5 Justice Communities. We can no longer justify  
6 housing major causes of air pollution school bus  
7 depots, power plants, et cetera in these over-  
8 burdened communities. We are risking the health and  
9 wellbeing of the individuals when we should be  
10 ensuring that we lead healthy pollution free lives. We  
11 all deserve the right to breathe clean air. Thank  
12 you.

13 CHAIRPERSON EUGENE: I know dis—as the  
14 sponsor of the bill, I don't disagree with you. We  
15 are most—it is something we are working on every day.

16 JENNY VELOZ: Thank you.

17 CHAIRPERSON EUGENE: Every day there's a  
18 conversation that goes on every day, so we are  
19 committed to getting that bill done.

20 MELISSA IACHAN: So this is definitely a  
21 great choir to be preaching to because my testimony  
22 is very—it's going to sound very familiar after  
23 hearing testimony and it's no coincidence. We work  
24 together on all of these issues. So, Good afternoon.  
25 My name is Melissa Iachan. I'm as senior staff

2 attorney in the Environmental Justice Program at New  
3 York Lawyers for the Public Interest. NYLPI  
4 Environmental Justice Program has worked with  
5 communities who have shouldered the disproportionate  
6 burden of pollution in our city for decades. Thank  
7 you to Chair Constantinides and this committee for  
8 your efforts to highlight the serious impact air  
9 pollution has on public health in our city, and in  
10 particular in the neighborhoods where multiple  
11 sources of air pollution like trucks and power plants  
12 are clustered. Today in my testimony I'd like to  
13 highlight some of the work NYLPI is doing with our  
14 community partners to reduce the levels of harmful  
15 air pollutants in low-income communities and  
16 communities of color and how the Council can take  
17 action to improve the air quality as well. First,  
18 the Council can pass Intro 1574 adopting commercial  
19 waste zones which will reduce the amount of  
20 greenhouse gas and PM 2.5 emissions from commercial  
21 waste trucks by more than 60%. Second, the Council  
22 can support efforts to transition the city's power  
23 sources away from fossil fuel burning plants and  
24 invest in renewable energy. A step toward doing that  
25 is represented in the Renewables Riker—the Renewable

2 Rikers Act, three bills Intro 1591, 1592 and 1593  
3 introduced a couple of months ago. Commercial waste  
4 zones presents an opportunity to make great strides  
5 in reducing air pollution and greenhouse gas  
6 emissions while also accomplishing numerous  
7 additional goals such as improving street safety,  
8 increasing diversion of waste from landfill and  
9 raising labor standards in a notoriously dangerous  
10 industry. As many of you know, resident of  
11 communities where waste transfer stations and truck  
12 depots are clustered face much higher rates of asthma  
13 and respiratory health problems due to the idling  
14 diesel burning trucks congregating the waste transfer  
15 stations and criss-crossing their streets. As you can  
16 see on the poster in Access, the Environmental  
17 Justice communities in North Brooklyn and the South  
18 Bronx have a particular problem with asthma inducing  
19 air pollution and they also are the two neighborhoods  
20 who by far have the most commercial waste truck trips  
21 per day according to 2018 data. That is no  
22 coincidence. Intro 1574 would greatly reduce the  
23 number of vehicles traveling in these communities and  
24 have two provisions to ensure that any company  
25 submitting a bid would have to invest in cleaner

1 trucks, which would go a long way to improving air  
2 quality and public health in overburdened  
3 communities. The same communities who bear the brunt  
4 of our commercial waste processing plants are also  
5 over-burdened by our fossil fuel based power system  
6 in the city. Peaker plants, fossil fueled based  
7 power plants that fire up during times of peak  
8 electricity demand spiel harmful pollutants into our  
9 air, and are located in many of the same  
10 neighborhoods where trucks and other industrial  
11 polluting facilities are concentrated. Many peaker  
12 plants in New York City are over 40 years old. They  
13 can emit up to 20 times the level of nitrogen oxides,  
14 Nox of other power plants. When Nox combines with  
15 traffic emissions on hot sunny days when peaker  
16 plants are most likely to be on--it results in  
17 dangerously high ozone levels. In New York City  
18 exposure to ozone concentrations above background  
19 levels causes more than 400 premature deaths, 850  
20 hospitalizations for asthma, and 4,500 Emergency  
21 Department for asthma each year. Ozone health  
22 impacts are disproportionately borne by low-income  
23 New Yorkers. New regulations from the state will  
24 mitigate Nox emissions, but we and must do more. We  
25

2 need to phase out peaker plants entirely, and replace  
3 them with renewable energy and battery storage. The  
4 Council should take advantage of opportunities to  
5 build renewable infrastructure wherever possible. For  
6 example by transferring Rikers Island to DEP as a  
7 proposed in the Renewable Rikers Act. We look forward  
8 to continuing to collaborate with the Council to pass  
9 Intro 1574 and the Renewable Rikers Act to truly  
10 bring transformative progress to our air quality and  
11 reduce our city's pollution. Thank you. [background  
12 comments/pause]

13 JOSH KLEINBERG: Okay. Happy Climate  
14 Week everybody.

15 CHAIRPERSON CONSTANTINIDES: Yeah, Happy  
16 Climate Week.

17 JOSH KLEINBERG: How are you? So my name  
18 is Josh Kleinberg and I'm representing the New York  
19 League of Conservation Voters. I'd like to thank  
20 chair Constantinides for the opportunity to testify  
21 today, and also the Council and the staff for all the  
22 work that you do every day on behalf of our  
23 environment. It is very much appreciated. I'm here  
24 delivering testimony on behalf of my colleagues  
25 Adriana Espinoza who is unavailable to be here today,

1 and so here I am. As you've heard from our  
2 distinguished panel of experts so far, very simply  
3 poor air quality leads to poor health outcomes  
4 especially for vulnerable populations like seniors  
5 and children and particulate matter and ozone are  
6 most associated with health issues such as  
7 respiratory and cardiovascular diseases. So, I've  
8 broken no ground there. So, let me get to you. Our  
9 policy priorities from New York League of  
10 Conservation Voters that we believe can reduce these  
11 harmful emissions, and improve public health. So,  
12 New York LCV supports a rapid transition to cleaner  
13 fuels by heavy duty fleets in New York City  
14 including transit buses, garbage trucks, and school  
15 buses. In order to maximize climate and health  
16 benefits priority for this transition should be for  
17 fleets that are older, those with high vehicle miles  
18 traveled, and those traveling in and around  
19 Environmental Justice communities. For those  
20 reasons, NYLCV supports Intro 455 by Council Member  
21 Dromm to speed up the transition to cleaner, safer  
22 zero emission school buses. NYLCV also strongly  
23 believes that any commercial waste zone policy such  
24 as Intro 1574 by Council Member Reynoso must include  
25

1 a plan by waste haulers to reduce emissions from  
2 their fleets in any and every way feasible. We also  
3 need policies that reduce congestion, heavier  
4 incentives for off peak delivery, green loading  
5 zones, neighborhood distribution centers and cargo  
6 bikes for last mile deliver are all worthy examples.  
7 Since a large portion of indoor and outdoor air  
8 pollution still comes from the burning of dirty  
9 heating oils in our buildings the city has an  
10 obligation to move more swiftly. Buildings all  
11 around New York City are still burning No. 4 heating  
12 oil, which releases large volumes of fine particular  
13 matter. The current schedule for phasing out No. 4  
14 heating oil from residential buildings is January,  
15 2030 and this is not aggressive enough. Accelerating  
16 the deadline to 2025 as well as providing incentives  
17 for new heating technology, beneficial extraction and  
18 energy efficiency are important steps the city can  
19 and should take now. This five-year difference could  
20 prevent hundreds of deaths and thousands of emergency  
21 room visits. Finally, in order to have air quality  
22 and public health, we should be doing everything we  
23 can to avoid the use of old dirty peaker plants in  
24 the city. Actions that the City can take include and  
25

2 investment in energy, efficiency in buildings,  
3 participation and demand response programs and rapid  
4 adoption of cleaner technologies including battery  
5 storage. So we are proud at New Yorker League of  
6 Conversation Voters to have worked with the City  
7 Council over the years on policies that have improved  
8 the air quality and public health, and we're urging  
9 the Council and the committee here to consider these  
10 recommendations and to continue that great trend.  
11 Thank you.

12 CHAIRPERSON CONSTANTINIDES: Thank you  
13 for your testimony. I will say that tomorrow the  
14 Transportation Committee, you know, while we're doing  
15 this they'll be doing—tomorrow they'll be voting on a  
16 bill that does have a feasibility study for night,  
17 you know, for off peak hour deliveries for New York  
18 City buildings in Manhattan and, but hm? Huh? Inside  
19 of the Transportation Committee. So we are going to  
20 be—we are taking a look at overnight deliveries. It's  
21 something that I feel is-is-is an important part of  
22 this equation as well. So, the bill should be voted  
23 out of the Trans—you know, it's—it's coming for a  
24 vote. So, it's not done, but there is opportunity  
25 for us to do that tomorrow, which I'm glad to be the

2 lead sponsor on that bill. So, I think you've  
3 answered this question already, but do you feel that  
4 enough is being done to address or control  
5 particulate emissions in New York City? You can have  
6 this Keith.

7 JENNY VELOZ: Clearly no [laughter] and I  
8 think this entire panel has given really concrete--

9 CHAIRPERSON CONSTANTINIDES: Right.

10 JENNY VELOZ: --steps that can ben taken,  
11 and can be taken soon by the Council and not  
12 requiring state or federal actions.

13 CHAIRPERSON CONSTANTINIDES: Uh-hm. I  
14 think that, you know, we are—I know that in the  
15 Sanitation Committee, which I'm really glad to be a  
16 member of I know that 1574 is on the docket, and the  
17 conversations around that bill continue to happen,  
18 and I'm a proud sponsor of that legislation. I—I, you  
19 know so talk a little bit about more about the  
20 impacts of these, you know, waste transfer stations  
21 and all of these trucks driving around out city. I  
22 know that's not in our committee exactly, but does  
23 have a direct sort of correlation to air quality of  
24 having all that going on in communities.

2 JENNY VELOZ: I'll take that. Sure.

3 First, thank you so much for attending NEJA and  
4 Members of Southeast Queens civic associations  
5 organized a march and call to action calling that the  
6 issue around the transfer stations in that area in  
7 Southeast Queens and Jamaica so, the—the biggest  
8 issues there are like facing or the stench as well  
9 very high rates of asthma there and this is the same  
10 in North Brooklyn and the South Bronx, and also rates  
11 of COPD, Tuberculosis. So, yeah the—the contributions  
12 are—are both respiratory and cardiovascular, but also  
13 just a nuisance and people, you know, keep their  
14 windows closed because of the stench near these  
15 transfer stations and, you know, a lot of people have  
16 reported having friends that have moved out of the  
17 neighborhood or family members moved out of the  
18 neighborhood for these reasons so--

19 MELISSA IACHAN: So what the bill  
20 actually would do is [laughs] is that it would really  
21 bring greater efficiencies into the routes these  
22 trucks take. It would really make the transfer  
23 stations that each truck goes to more rational as  
24 opposed to driving an extra 10 miles to go to the  
25 transfer station that Cousin Sal owns. Haulers would

2 be selected based on their commitment to dispose at  
3 the most proximate transfer station to their route,  
4 which would theoretically require haulers to go to  
5 more equitably sited transfer stations, but very  
6 importantly it is requiring haulers to show that they  
7 are investing in clean burning trucks. There is a  
8 benchmark that we have heard is going to be included  
9 to have all electric trucks by 2040, which the  
10 commercial waste trucks are the dirtiest trucks that--  
11 that crisscross our city and the least safe ones.  
12 We've had two more deaths in the last two--

13 CHAIRPERSON CONSTANTINIDES:

14 [interposing] I think it was yesterday there was--I  
15 don't know if that was a commercial, however, there's  
16 a dump truck, but still it's terrible, terrible.

17 MELISSA IACHAN: A garbage truck, yeah.

18 CHAIRPERSON CONSTANTINIDES: Yeah,  
19 terrible, heartbreaking.

20 MELISSA IACHAN: But there are a lot of  
21 profound we've been to, to really move this  
22 legislation and, you know, air quality is a huge one,  
23 but not the only one.

24 CHAIRPERSON CONSTANTINIDES: So, let me  
25 say--god ahead doctor.

2           GEORGE THURSTON: The comment I made  
3 about the waterways I mean I—some of the transfer  
4 stations are along the water, but I don't see why we  
5 don't have more of them along the water so that they  
6 aren't going into residential neighborhoods. Instead  
7 they're going to the waterways, and then taking it  
8 where it's going, by, you know, you can have trucks  
9 and then they go get to another truck at the other  
10 end, and we're surrounded by water. Why don't we use  
11 that more for our transportation problems to minimize  
12 and we can use it for trash and use it for these  
13 deliveries, you know, instead of having them drive  
14 through the Bronx to go into Manhattan and then all  
15 the way through Manhattan to deliver. You could have  
16 them, you know, get onto a barge and then go to  
17 wherever they're going nearby and come off, and you  
18 know you could—I could see having a transfer station  
19 some place less populated. You know, maybe Darien,  
20 Connecticut would be nice. You know, have a big  
21 transfer station there. They wouldn't mind I'm sure,  
22 and that was facetious, but still [background  
23 comments/pause] Yeah, the, well, you know, I know  
24 that, but—but it happens, right, and so it can

2 happen. Why isn't this happening more. That's my  
3 question.

4 CHAIRPERSON CONSTANTINIDES: Well, I  
5 agree with you. I mean we have—we are a city  
6 surrounded by water, and why we don't use those  
7 waterways to the benefit of the everyday New Yorkers  
8 I think makes—it's one of the things that always  
9 bedevils me. I'm always trying to figure out why  
10 that is the case. I think it's part of the  
11 opportunity for a Renewal Rikers is having anaerobic  
12 digestion there, and then, you know, dealing with  
13 some of those issues we could have solar and battery  
14 storage. We could have anaerobic digestion and  
15 dealing with a lot of our waste, and—and we could  
16 also have a wastewater treatment plant there that  
17 would, you know, keep billions of gallons of sewage  
18 out of our waterway. I think that's a real  
19 opportunity. It's not an opportunity that's going to  
20 happen tomorrow, right? It's not going to solve the  
21 issues that we have in this city, but it's going to  
22 be a long term opportunity that I don't feel we  
23 should miss, [siren] and we only have ten minutes to  
24 chime in there. (sic)

2 JENNY VELOZ: Yeah, just that, um, that  
3 that is one of the additions to 1574 is that, you  
4 know, we don't want to rely solely on truck-dependent  
5 transfer stations, but also we're more people who—who  
6 do use the marina or rail based.

7 CHAIRPERSON CONSTANTINIDES: So, I mean  
8 I'll just—I'll just quickly say this, and, you know,  
9 so let's—let's take a step back for a moment. I agree  
10 with all of you and all of the points that you made  
11 today whether it's on 4 (sic) whether it's on 1574,  
12 whether its on 455 that we have the Rikers Act,  
13 what's the sort of next frontier on combating air  
14 quality, right? What are the things that we're  
15 thinking about when we do win these fights on these  
16 pieces of legislation, what else do you feel we could  
17 be doing as a city to combat poor air quality?

18 [pause]

19 JOSH KLEINBERG: This is a great  
20 opportunity to let you know that New York LCV's  
21 policy agenda is going to be coming out in a few  
22 weeks with all the answers to those questions and  
23 much, much more.

24 CHAIRPERSON CONSTANTINIDES: I'll be  
25 looking forward to that. [laughter]

2 JOSH KLEINBERG: Well, I think greater,  
3 you know, greater electrification is an obvious one.  
4 I personally, you know I ride mass transit into the  
5 city, but occasionally like if I'm staying for the  
6 opera or something, it's late. I can't get home. I  
7 live in the Hudson Valley. So, I can't get home at  
8 that hour. So, I drive in, but I have an electric  
9 car. So, I drive my electric car in. Can I get it  
10 charged? No.

11 CHAIRPERSON CONSTANTINIDES: Uh-hm.

12 JOSH KLEINBERG: Go to a parking garage,  
13 and they either don't have a charging station or they  
14 say yeah, we have one. It's behind those 15 cars and  
15 you can't get there. You know, if there was I think  
16 one of the things you could do is require every  
17 parking garage to have charging stations, and then  
18 people who would be more inclined to drive electric  
19 cars and to the extent they have to drive in. I mean  
20 I hate to drive into the city, but when I do, you  
21 know, and then the electric cars could charge up and  
22 they're encouraged to use their electric car rather  
23 than their fossil fuel combustion car. So that's  
24 one. I mean there are so many things, and switching  
25 from No. 4 by 2030, that's really--

2 CHAIRPERSON CONSTANTINIDES: And that was  
3 and that was on. Why was that there?

4 JOSH KLEINBERG: [interposing] Well, I  
5 thought that was probably already done by now. I mean  
6 because, you know, I just—I switched my house over  
7 from oil. You know out in the country most—a lot of  
8 people have oil but I got natural gas in, and you  
9 just change the gun and on your—on the furnace and  
10 you hook up natural gas. I mean I don't understand  
11 why they can't be doing that here more readily than  
12 off oil to natural gas, and really ultimately off  
13 fossil fuels. I mean—I mean I don't know. There's no  
14 real reason.

15 CHAIRPERSON CONSTANTINIDES: I think  
16 those are some solid ideas that we can definitely  
17 take back. I'm just, you know this hearing I think  
18 we're just trying to get some ideas as well, right,  
19 and I think we need to start sort of brainstorming  
20 around what can come next and, you know, we have this  
21 opportunity with this Council for the next two years,  
22 and three months and so, and we want to make sure we  
23 use that time as effectively as possible to generate  
24 policy that will have longstanding impacts  
25 communities that—that have been burning for so long.

2 So, you know, I definitely hope that, you know, we  
3 can—we're going to continue to fight. So, I don't  
4 want to diminish anything you guys talked about  
5 today. I am wholeheartedly behind 1574 and 455 and  
6 the Renewable Rikers Act and phasing up for oil. I  
7 mean those are all things that I know we have those  
8 shared values. So, as most of you said we're sitting  
9 in a very good choir with one another just thinking  
10 about well what's the next song, and how do we sort  
11 of figure out what those things are. I think I would  
12 love to have that conversation more robustly over  
13 time so we can figure out like what should be our  
14 priorities on air quality in, you know, 2020 and 2021  
15 and beyond, right. I think that is a conversation  
16 I'd want to have.

17 JOSH KLEINBERG: So, we—we as advocates  
18 absolutely welcome that conversation because, you  
19 know, when it comes to talking about pollution and  
20 its effect on air quality which ads you come upon, we  
21 are exhausted. We are literally exhausted. So, you  
22 know, mindful of the fact that you're where you are  
23 and—and everyone here is where they are in this  
24 current term, and right, at beginning in 2021, you  
25 know, we're hoping that that action happens very

2 swiftly and there comes another one that we clean the  
3 air on this particulate matter once and for all.

4 Alright, I-I said that.

5 CHAIRPERSON CONSTANTINIDES: You know and  
6 you guys have been amazing partners. You know we-I  
7 am so glad that you hold us accountable, and that for  
8 the work that you do to benefit New Yorkers every  
9 day. So, I want to thank you all for the work that  
10 you do. I'm very grateful for it. I'm going to let  
11 you go. I promise, but go ahead.

12 GEORGE THURSTON: Well, I was just going  
13 to say, you know, I, um, the thing is that this all  
14 makes such economic sense because when you look at  
15 these health benefits, and I know it shouldn't come  
16 down to dollars and cents, but in our capitalistic  
17 system and the way regulations are set up, it comes-  
18 does often come down to dollars and cents, and  
19 whenever you do an analysis of the health benefits  
20 that come from cleaning the air, they more than pay.  
21 The benefits are the valuation, the economic  
22 valuation of those health benefits far outweigh the  
23 costs of the cleanup, and I think part of the problem  
24 is that people who get the benefits aren't the people  
25 who are the most influential. So, that's, you know,

2 and inequity problem, but basically if, you know,  
3 look at the economics and this true of climate change  
4 as well. I first talked about this in—at COP 5,  
5 Community Parties 5. In 1999 at Bon, Germany. It was  
6 1999. Al Gore was going to be president. We were  
7 going to do all these things. It didn't work out,  
8 but—but, you know, I talked about the health benefits  
9 far outweighing the, you know, it's the carrot, you  
10 know, that if—people are always saying with climate  
11 change if we don't do anything, this terrible thing  
12 is going to happen, and it already has started to  
13 happen, but on the other hand if we do something, if  
14 we go forward, if we reduce fossil fuels, we're going  
15 to get lots of benefits. I think we need to  
16 emphasize more those health benefits from the clean  
17 air. Also diet. I have to mention diet that if  
18 people ate a better, you know, diet like less meat  
19 we'd have less methane and then there would also have  
20 healthier lives and less cardiovascular disease right  
21 now. You know, our habit with meat eating is  
22 spreading around the world and there's just the  
23 cardiovascular disease is epidemic in the developing  
24 world because they're starting to eat like we do,  
25 which is not a good idea for them or for the world,

2 but anyway, so, most, you know, most of the stuff  
3 that we talk about that we should do for climate  
4 change they just, they're good for us and actually,  
5 you know, if we go forward we're going to get all  
6 these benefits and economically it makes sense as  
7 well so-

8 JENNY VELOZ: So, just adding like, um,  
9 you know, we work with micro-haulers who are-are, you  
10 know, able to haul organic waste and encompass that  
11 using bicycles and they have been advocating for more  
12 bicycle infrastructure.

13 CHAIRPERSON CONSTANTINIDES: Uh-hm.

14 JENNY VELOZ: Also as a non-micro-hauler  
15 bicyclist, you know, I think that a lot of people I  
16 know are afraid to bike in the city because of all  
17 the recent accidents especially with waste trucks  
18 that are-that are going on, and so bike  
19 infrastructure would, you know, reduce the-the number  
20 of cars.

21 CHAIRPERSON CONSTANTINIDES: Totally  
22 great, totally great. So I definitely want to thank  
23 you all for your time and your thoughts, and I think  
24 we should convene these conversations around air  
25 quality more often, and again I want to thank you for

2 all the great work that you do every single day  
3 fighting for New Yorkers who need a stronger voice in  
4 government. So I will look forward to continuing our  
5 great partnership on Renewable Rikers and 455 and  
6 1574 and for oil and all the ideas that we've talked  
7 about today. So thank you. We have one last panel.  
8 We have Katherine McVay Hughes. Katherine, always  
9 great to see you, and Greg Waltman from G-1 Quantum.  
10 [pause] Alright, so Katherine, always good to see  
11 you.

12 KATHERINE MCVAY HUGHES: Good afternoon.  
13 It's a pleasure to be here again. I'm sorry I  
14 brought a thumb drive with three slides, but they  
15 said it's not going to work the AV so you'll just  
16 have to refer to the diagrams in the-

17 CHAIRPERSON CONSTANTINIDES: Okay.

18 KATHERINE MCVAY HUGHES: --testimony if  
19 that's okay. Good afternoon Chair Constantinides and  
20 his--and the wonderful folks that are still here. My  
21 name is Katherine McVay Hughes. I served 20 years on  
22 Manhattan Community Board 1. You are in Lower  
23 Manhattan, which is part of Community Board 1, half  
24 of that time as Chair or Vice Chair. Today I'm  
25 representing the Financial District Neighborhood

2 Association, FDNA. FDNA is home to to roughly 50,000  
3 residents and is the fourth largest business  
4 district in the country. As of yesterday the Text  
5 for T-2019-5011 was not available on the New York  
6 City Legislative Calendar website. So, I will first  
7 focus on air quality hotspots on our community and  
8 urgent action items. Lower Manhattan, first of all  
9 please I'd like to draw your attention to the map  
10 here on the left. It has some of the city's worst  
11 air quality according to the latest data available  
12 from the New York City Health Department, New York  
13 City Community Air Survey, NYCAS. We heard about  
14 that earlier from the New York City Department of  
15 Health. The particular graph here on your left  
16 refers to NO2. Despite some improvements over the  
17 years as per the NO2 Pollutant Map, the source of NO2  
18 emission are quote from the website: "Buses and other  
19 vehicles on busy roadways" and is an indicator "of  
20 traffic congestion." Note, Lower Manhattan  
21 specifically CB1 has one bridge, the Brooklyn Bridge  
22 and two tunnels the Brooklyn Battery Tunnel and the  
23 Holland Tunnel in this dense 1.5 square miles. It  
24 also includes numbers ferry terminals including the  
25 Staten Island Ferry Terminal, Pier 11 and the Port

2 Authority New Yorker and New Jersey of Battery Park  
3 City, and also large tourist boats stops at various  
4 locations including the Battery, Pier 15, Pier 16 and  
5 a helicopter pad at Pier 6. The city us tracking  
6 dozens of ongoing construction projects still going  
7 on in this area. Immediate and doable actions to  
8 protect our health through improving air quality  
9 include: (1) Implementation—implement Make Way for  
10 Lower Manhattan, and I've given you your own copy of  
11 the document to improve air quality, pedestrian  
12 safety, small business viability and the quality of  
13 life. (2) Release the 2018 NYCAS data and city  
14 inventory of greenhouse gas emissions immediately.  
15 (3) Add our monitor—add air monitoring stations.  
16 Currently there's only one that exists in CB1—to  
17 monitor impacts of congestion pricing. (4) include  
18 greenhouse gas and air quality indicators in the  
19 Mayor's Management Report. (5) Enforce existing laws  
20 including idling, demolition, façade, street,  
21 sidewalk and utility work to minimize air pollutants  
22 and dust. (6) Plant new trees in empty tree pits in  
23 and maintain trees throughout the district.  
24 According to the Tree Map referred earlier, you'll  
25 see that the Financial District is right or almost

1 has no trees. Each of these is a near term fix that  
2 brings immeasurable benefits at a minimal cost. In  
3 the medium term air quality improvements require that  
4 we shift the transportation sector from petroleum run  
5 vehicles, buses, shuttles, truck, ferries and  
6 construction equipment to electrification, and  
7 renewable sources and the same for buildings a major  
8 stationary source. As for the footnote provided,  
9 conveniently the other day, there's a recent article  
10 on this in Bloomberg New in the footnote section.  
11 With our support we can have a greener FIA (sic) with  
12 implementation to make way for Lower Manhattan, the  
13 Shared Streets project. In March of 2019, FDNA  
14 released Make Way or Lower Manhattan, a vision to  
15 make the Financial District greener by making the  
16 streets and sidewalks cleaner and safer for the  
17 people who live and work there. How did this come  
18 about? Ignited by Bloomberg Administrative New York  
19 City Department of Transportation Study Lower  
20 Manhattan Congestion called the Street Management  
21 Framework for Lower Manhattan the Downtown of the  
22 21<sup>st</sup> Century. Community residents began a process of  
23 advocacy for cleaner sub-streets in the neighborhood  
24 over a decade ago. Six months ago the first of its  
25

1 kind of study was then incorporated into the New York  
2 City's Earth Day 2019 announcement OneNYC, Mayor de  
3 Blasio announces transportation measures to increase  
4 New Yorkers' mobility, the city has identified  
5 locations to implement its Bus Action Plan to  
6 increase bus speeds by 25% by 2020, help more  
7 businesses receive off-hour deliveries, and explore  
8 ne pedestrian zones in Lower Manhattan. The New York  
9 City Department of Transportation has just begun the  
10 process of its Lower Manhattan Transportation Study,  
11 which should be completed next year in June of 2020.  
12 The geographic reach of the Shared Street Pilot is in  
13 the full—is in a full district from Broadway to Water  
14 and Fulton to Broadway. So, if you look at the  
15 footnote there's a graph right there, and frankly,  
16 if—if you know the grid for Lower Manhattan it is  
17 designed during horse and buggy time when the  
18 buildings were one or two stories, but now the  
19 buildings are 50 or 60 stories, and the streets and  
20 sidewalks have not cut—kept up with that  
21 infrastructure, and so that's why your proposal  
22 earlier discussed about Sanitation is particularly  
23 interesting. The implementation make way for a Lower  
24 Manhattan pilot project, New York City would be one  
25

step closer to meeting the 20<sup>th</sup> Century goals addressing the global climate crisis by reducing vehicle congestion, returning the public domain to those who live, work and visit the fourth largest business district in our country. Cutting congestion means improving air quality and protecting the health of residents, workers and visitors. In September 2014, New York City Committed to reduce greenhouse gas emissions by at least 80% for 2050. With an interim target to reduce emissions 40% by 2030, the graph below, this one here shows that since 2005 the baseline New York City has reduced citywide greenhouse gas emissions by 17% in 12 years, and hovers around the 2012 levels. Based on our discussions earlier today, you recall that's when the conversion from dirty heating oil went to natural gas as a bridge solution. [bell] Most of the greenhouse gas is made divided into a third for transportation, two-thirds stationary energy. Clearly there is much more to do to reach the 2030 goal, which would require another 23% reduction in this decade. So, please act now and thank you for the opportunity to testify today.

2 CHAIRPERSON CONSTANTINIDES: Thank you,  
3 Katherine. Go ahead.

4 GREG WALTMAN: Chair Constantinides,  
5 General Greg Waltman representing Clean Energy  
6 Company G1-Quantum. You know, it is really  
7 interesting hearing everyone's testimony today about  
8 climate change and the initiatives. Obviously, in  
9 the advent of the U.N. initiatives that are ongoing,  
10 which, you know has gathered support not only here in  
11 the city, but across the country, but, you know,  
12 really dialing in on the solutions a lot is talked  
13 about on the impact of greenhouse gas and different  
14 types of emissions, and those problems, but again  
15 Chair Constantinides, we find ourself at the illusion  
16 of choice solution again. We are the value  
17 narratives through the media and mainstream media,  
18 you know, not to take away from Greta Thunberg and  
19 that type of narrative, but, you know, and I've never  
20 sailed across the Atlantic. I'm not a big sailor but—  
21 but to—to use narratives like that to redirect the  
22 actual solutions that are available to addressing the  
23 climate issues is I think of a major concern  
24 especially as you look at the solar application not  
25 only to the US/Mexico border wall, but then obviously

2 taking it one step further to Tel Aviv or one step  
3 further again to Riad and then addressing issues that  
4 are complex issues regarding Israel/Palestine type of  
5 issues regarding energy and different types of  
6 conflict in Yemin and scare of the issues. So, these  
7 solutions that I'm presenting to you have quite the  
8 major, you know, geopolitical implication if  
9 addressed or allowed to have the time within the  
10 value media space that again has this type of  
11 implicit bias and censorship kind of deriving from  
12 the post-9/11 value establishment. So, as we parse  
13 through that—that type of context I just want to  
14 bring to your attention again that, you know, the  
15 public is being presented the Green New Deal, and  
16 other types of value illusions and scams and  
17 redirection when in reality we have these simple  
18 solutions. It doesn't—it's not rocket science to—to  
19 screw a solar panel on a wall that's been there for  
20 over 100 years if the—the wall is going to be there  
21 for another 100, right? These are simple solutions,  
22 and—and—and, you know, just to backtrack on that  
23 because I feel like I present the argument very well  
24 without—with no type of value opposition for several  
25 months coming my way. Just to backtrack a bit, on

2 the first panel, you know, they're talking about  
3 space and other types of things and the next, as you  
4 said, song in the choir, of course, and—and I do want  
5 to—I don't want to take away from your positive note  
6 then because you—you've articulated yourself on this  
7 issue before where you—you, you know, are somewhat in  
8 agreement with the—the theory of an illusion of  
9 choice by the value type of media in the construct,  
10 but, you know, redirecting the type of argument or  
11 your position on these issues to a type of negative  
12 context, Rikers Island and other types isn't—I don't  
13 think it's really necessary. I think within the  
14 quantum track solutions and the other proprietary  
15 innovations, you find more type of traction in—in  
16 creating the type perhaps vacuum system to  
17 accommodate the different types of air flow issues  
18 and fluctuations within the subway and also create  
19 energy. We're not talking about the Deutsche Bahn in  
20 Germany that goes 300 miles an hour. We're talking—  
21 we're talking about something that goes about 20  
22 miles an hour and as we go through obsolete track  
23 enhancements and—and retrofitting tracks, we're not  
24 including or even approaching these solutions that  
25 are available, which is a variation of speed breaker

2 technology which is already a proven technology. So,  
3 even—even though I would—I would need to conduct a  
4 study and I see your legislation provides the  
5 opportunity to conduct a study upon Commission  
6 approval, you know, I feel like that that would be  
7 type of condition or the type of appropriate context  
8 to then move forward with that type of solution, but  
9 again, going back to the core issues here, you know,  
10 these—these solutions that have been presented is  
11 very straightforward. We have a border wall. How do  
12 we pay for it? But the solar panels pay for the  
13 border wall.

14 CHAIRPERSON CONSTANTINIDES:

15 [interposing] Let's—let's focus on—I have no idea  
16 what you're—how you're weaving that into this  
17 conversation, but let's—let's just focus on the  
18 issue.

19 GREG WALTMAN: No, I feel like it's  
20 really straightforward and it just doesn't—it doesn't  
21 make any sense to me that, you know, the value to--

22 CHAIRPERSON CONSTANTINIDES:

23 [interposing] You're—you're making no sense to me  
24 either. So, I think we're both not making sense to  
25 each other. So, if you could maybe try to weave back

2 what we're here to talk about today, which is air  
3 quality here in New York City, I'd be much  
4 appreciative of that.

5 GREG WALTMAN: Well, you know, obviously  
6 going back to quantum tracks and the proprietary  
7 innovation proposed over several months of being  
8 here, you know, a study could be perhaps, you know,  
9 most appropriate to address the types of air  
10 conditioning and air quality control issues that seem  
11 to be our major deterrents and then also supplement  
12 fiscal and budgetary concerns. I was talking to Chair  
13 Treyger last week and he seemed to be in accordance  
14 where we're not talking past each other, we're  
15 talking to each other, and if it's—and if I seem,  
16 you, know this value type of issue kind of plaguing  
17 advancement around these types of issues, you know,  
18 it—it seems that there's—there's, you know there's  
19 some legal context that needs to be cleared up with  
20 respect to that, and I, you know, I really vey much  
21 appreciate you giving me the opportunity to speak and  
22 advance these solutions, and I feel like, you know,  
23 like I said the legislation that you provided context  
24 to for the Commissioner to approve different types of  
25 studies, I feel like is the appropriate context to

2 address not only you air quality concerns, but also  
3 your energy concerns and with respect to the quantum  
4 tracks, and as I go across the street to talk about  
5 contracts, this is all intertwined solar application  
6 of the Border Wall and other types of things. So  
7 thank you, Chair--

8 CHAIRPERSON CONSTANTINIDES: Thank you.

9 GREG WALTMAN: --Constantinides. I  
10 appreciate your time.

11 CHAIRPERSON CONSTANTINIDES: Have a great  
12 day. Thank you. Katherine, I'm definitely because I  
13 know you wanted to chime in something else.

14 KATHERINE MCVAY HUGHES: Yes, if that's  
15 okay. I think you may remember when I used to  
16 represent Community Board 1 and we also came here  
17 testifying--

18 CHAIRPERSON CONSTANTINIDES: Uh-hm.

19 KATHERINE MCVAY HUGHES: --on the  
20 conversion of dirty heating oil with our friend at  
21 EDF Isabel Silveman, and the conversion--

22 CHAIRPERSON CONSTANTINIDES: Uh-hm.

23 KATHERINE MCVAY HUGHES: --from No. 6 and  
24 4 and 2 to cleaner fuel, and it seems like there's a  
25 lot of opportunity to make that switch of the

2 remaining buildings using the No. 4 heating oil. Now  
3 seems to be the time to do it. We cannot wait  
4 another 10 years based on that graph, and I think we  
5 need to get the data out of the city agencies because  
6 even their own legislation requires that both of the  
7 data should have already been provided. So, the map  
8 that I had on the first page it said Earth Day. It  
9 should have 2018 data already. This is 2017 data.

10 CHAIRPERSON CONSTANTINIDES: Uh-hm.

11 KATHERINE MCVAY HUGHES: So, you can  
12 really base your decisions on more current data and  
13 the second thing this graph down here about the  
14 greenhouse gases, where is the 2018 data? The  
15 deadline for that already passed on September 7<sup>th</sup>.  
16 So that really needs to get out, and again the  
17 Mayor's Management Report, which over 400 pages long  
18 there's not a single indicator on greenhouse gases  
19 for citywide data or air quality. This is what New  
20 York--this a key right now right here in your  
21 committee for the entire city. If you're looking for  
22 something to do, I remember testifying in the '90s  
23 for lead poisoning, and ways to solve the problem.  
24 We had got some of those indicators incorporated into  
25 the Mayor's Management Report.

2 CHAIRPERSON CONSTANTINIDES: Uh-hm.

3 KATHERINE MCVAY HUGHES: If they're not  
4 tracking it and getting it into that annual report,  
5 it's not being monitored on a regular basis.

6 CHAIRPERSON CONSTANTINIDES: I think we  
7 should have definitely, and I think I brought that  
8 question up, and it feels like a long time ago, but  
9 at the beginning of this hearing I was talking about  
10 the need for us to have data that isn't several years  
11 old informing our actions, right. I mean in the  
12 three plus years since the last report that they've  
13 issued, there's been babies born, there have been  
14 young people who have acquired asthma. It's-it's-by  
15 not tracking that and not having sort of the most up  
16 to date snapshot, I think we're doing ourselves a  
17 disservice.

18 KATHERINE MCVAY HUGHES: Right, and the  
19 fact that it's plateaued--

20 CHAIRPERSON CONSTANTINIDES: Yeah,  
21 that's--that's a--

22 KATHERINE MCVAY HUGHES: --since 2012.

23 CHAIRPERSON CONSTANTINIDES: That's a  
24 real big problem. I agree with you.

2 KATHERINE MCVAY HUGHES: We need to look  
3 at real numbers not spin. We need to see what's  
4 actually happening.

5 CHAIRPERSON CONSTANTINIDES: Uh-hm. I  
6 agree. I agree with you, Katherine. Thank you. I  
7 appreciate the work that you do. Thank you. Thank  
8 you both for testifying today.

9 GREG WALTMAN: Do you have any—do you  
10 have any questions?

11 CHAIRPERSON CONSTANTINIDES: I don't. I  
12 don't. Thank you very much. Have a wonderful day. So  
13 with that I want to thank our Staff Attorney Samara  
14 Wanston—Swanston Swanston, our Policy Analyst Nadia  
15 Johnson and Ricky Charla, our Financial Analyst  
16 Jonathan Seltezer and my Legislative Counsel Nicholas  
17 Wizowski as wells as the sergeant-at-arms who are  
18 always doing great jobs. Thank you for all that you  
19 do. With that, I will—Katherine, thank you, and all  
20 those who testified today for coming out today and  
21 being part of this hearing. We look forward to  
22 working with all of you, and with that, I will gavel  
23 this committee hearing of the Environmental  
24 Protection Committee closed. Thank you. [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 September 26, 2019