

**Avaltroni, Robert**

**From:** Kelpin, Gerry  
**Sent:** Tuesday, April 30, 2002 11:10 AM  
**To:** Egan, Michael; Avaltroni, Robert  
**Subject:** FW: ULSD meeting notes



These are the most recent meeting notes on the meetings/conference calls that have been taking place over the last few months.

Early on, the community had expressed a strong desire to have ULSD used at the recovery site. Northeast States for Coordinated Air Use Management (NESCAUM) was interested in helping the City do a pilot project using ULSD and tail pipe controls to show the companies that using this fuel was not a big deal in terms of impact on equipment. It turned out that there were a lot of logistic issues and perhaps setting the stage for FEMA reimbursements.

ULSD with some type of particulate trap or other type of control device for the exhaust pipe results in less emissions. Citywide, it will not be a measurable difference but locally, it is a noticeable difference than if you used regular diesel.

This type of fuel is being used elsewhere and will become a mandate at some point in time. If the costs can be picked up or lessened by FEMA money, I think every effort should be made to make this happen as part of the rebuild efforts.

-----Original Message-----

**From:** Ilan, Lee [mailto:ilan@cityhall.nyc.gov]  
**Sent:** Tuesday, April 23, 2002 2:52 PM  
**To:** 'Carl Johnson - DEC'; 'Mary Ellen Kris'; 'Lou Calcagno'; 'gerry Kelpin'; 'Bob Adams'; Marrocolo, Mary Ann; 'Ray Werner'; 'Dave Park'; 'Dave Shaw'; 'Glenn Goldstein'; Lee, Joyce; 'Robert Tranter'; Simon, Mark; Van Eysden, Inga; Stevens, Erin; 'Steve Flint'; 'smcsherry@dot.nyc.gov'; Benson, Sam; Sumowicz, Alessandra; Blatchford, Laurel; 'Brad Gair'; 'Erica D'Avanzo'; 'Stephen Carruth'; 'Christopher Zeppie'; Kath, Susan; 'garygeiersbach@hotmail.com'; 'kaplans@bpcauthor.org'; 'raraman@nyct.com'; 'mihom@nyct.com'  
**Subject:** ULSD meeting notes

Following are the key points from yesterday's emissions reduction meeting. Feel free to e-mail the group if I got anything wrong or missed something important. Thanks for everyone's interest and participation.

- Lee

1. The next step in getting ULSD in use on the site involves inserting appropriate contract language that can be used as a standard for all projects. MTA and NYS DOT are developing such provisions; when drafts from these or other agencies are ready for comments, please circulate them to the group on this e-mail. (n.b. ULSD refers to fuel with <30ppm of sulfur, Low-Sulfur Diesel is approx. 300ppm, highway diesel is approx. 500ppm, and industrial-grade diesel averages 3,000ppm)
2. Another question involves actually distributing the fuel. Sprague (Steve Levy, contact) is the only distributor of ULSD - he has two suppliers and is willing to work with others. He has expressed willingness to make the fuel available if an on-site storage location can be found. As such a distribution scheme will attract trucks, the group thought that roving



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Commissioner**



refueling trucks would be a better solution, either sent in daily or a dedicated tanker supplying from a small (500-gal) tank in the area. If a storage tank is needed, a waiver from the Fire Code would be required from FDNY. A suitable location would need to be identified as well. To move forward, a conference call between organizations involved would be helpful.

Please estimate how often you would require deliveries and in what quantities, and let me know when you think it is reasonable to have a call on this and who else needs to be involved.

Question for FEMA: if a project is funded by FEMA overall, would the differential costs of ULSD need to be invoiced separately? what about fuel distribution costs?

3. Tully has agreed to voluntarily install scrubbers on its equipment for the MTA's 1/9 project beginning 1 May. The scrubbers are likely to involve catalytic oxidation, which will not have significant effect on emissions until the use of ULSD can be arranged too. BPCA has two earth-moving projects underway, for a ballfield and a park, and would like its contractors to use ULSD and oxidation catalysts. They are ready to go but need fuel supply. The Port Authority is likely to participate as well; however they are on a tight schedule and want their contractors to move quickly.

4. A diesel technology conference is being held in New York City on 2 May. DEC is looking into setting up a meeting with Tully on 1 May to convince them of the merits of participating in emissions reduction projects. The General Contractors Assn has been supportive. It is likely DEC will want to keep this meeting relatively small; they will reach out to agencies for participation once they have more details.

5. DEC reported that EPA has expressed general support for granting an on-road waiver; DEC is working on demonstrating that the NAAQS cannot be attained without it. Also, DEC is working through NYMTC on making the case for a transportation conformity waiver in Congress.
6. Comments on NESCAUM's data on the benefits of ULSD and after-treatment technologies should be sent to Dave Park at [dpark@nescaum.org](mailto:dpark@nescaum.org) <<mailto:dpark@nescaum.org>>

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## Federal Emergency Management Agency

April 16, 2002

Jane M. Kenny  
Regional Administrator  
United States Environmental Protection Agency  
Region 2  
290 Broadway – 26<sup>th</sup> Floor  
New York, New York 10007-1866

Dear Ms. Kenny:

I am writing in response to your March 21, 2002 letter recommending that FEMA authorize reimbursement of costs for the use of Ultra Low Sulfur Diesel Fuel (ULSD) in conjunction with the WTC disaster. In light of the magnitude of the recovery and rebuilding effort and the EPA's concern that actions must be taken to minimize particulate emissions in the interest of public health, I have notified FEMA's Public Assistance Program to reimburse eligible applicants for the additional costs associated with the use of ULSD fuel for all eligible work, should the applicant elect to use this type of fuel. It is my understanding that there is no equipment retrofitting involved and it is simply a matter of reimbursing City and State agencies for the difference in fuel costs between non-ULSD fuel and ULSD fuel for all eligible work.

Thank you for your continued cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Picciano", is written over the typed name. The signature is fluid and cursive, with a large loop at the top.

Joseph F. Picciano, P.E.  
Acting Regional Director



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