

Gilsenan, Michael

From: Kelpin, Gerry
Sent: Friday, March 22, 2002 3:54 PM
To: Avaltroni, Robert; Gilsenan, Michael; Nudelman, Harold
Subject: FW: ULSD - NYS Assembly Press Release

FYI - The press release may be overstating a few things that this legislation will accomplish but it is a press release. I don't think this legislation can require the use of the fuel in vehicles until a waiver is granted by EPA. There is not the same issue for use in off road engines, ie. construction equipment, generators, etc. We need to look at the final language to give you a realistic assessment of benefits and implimentation issues.

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

From: Ilan, Lee [mailto:ilan@cityhall.nyc.gov]
 Sent: Friday, March 22, 2002 3:51 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'
 Cc: Benson, Sam; Gabriel, Edward; Sumowicz, Alessandra; Blatchford, Laurel
 Subject: ULSD - NYS Assembly Press Release

FYI-

The Assembly passed the ULSD bill (see press release below). I am having our legislative people find out if there's any further information on whether it's going anywhere.

Meanwhile I am about to forward to DEC all the contacts I've received for invitation to a meeting with Tully. Thank you all for your feedback.

--Lee

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NYS Seal <<http://www.assembly.state.ny.us/Press/images/NYSSeal.gif>> For
 Immediate Release:
 March 20, 2002

Assembly Approves Legislation to Require Use of Low-Sulfur Fuel
 Measure Would Address Residents' Air Quality Concerns in Lower Manhattan

Residents, students, workers and tourists in Lower Manhattan would be better protected from the harmful effects of diesel engine emissions under legislation approved today by the Assembly.

The measure would mandate the use of low-sulfur fuel in diesel trucks and equipment at the World Trade Center site. Hundreds of diesel trucks and diesel-powered engines are in use there every day to clean up the site and remove debris, and diesel-powered equipment will continue to be used at the site for future construction.

"In the aftermath of September 11, the people of Lower Manhattan have expressed concern about a range of air quality problems, and addressing these issues is vital to the well-being, stability and resurgence of the residential and business community here," said Assembly Speaker Sheldon Silver, the sponsor of the legislation. "The use of low-sulfur fuel would immediately reduce emissions of particulate matter by an estimated 40 percent."

The legislation (A.10130 <<http://www.assembly.state.ny.us/leg/?bn=A.10130>>) would apply to all of Manhattan, where low-sulfur fuel is readily

available and has been used by the MTA in its entire diesel bus fleet for the past year.

"Diesel exhaust particles cause asthma attacks, trigger heart ailments and have been linked to lung cancer and premature death," said Assembly Environmental Conservation Committee Chair Thomas DiNapoli (D-Thomaston). "The health threats posed by these emissions for the residents of Lower Manhattan can be reduced dramatically by having all of the equipment operating on low-sulfur diesel fuel."

The Assembly Environmental Conservation, Health and Labor committees convened a hearing in November on air quality issues in Lower Manhattan in the aftermath of the World Trade Center terrorist attacks. The eight-hour-long hearing included testimony from city, state and federal government officials, business owners, residents, labor, health, medical and environmental organizations and community groups.

Based on testimony at the hearing, Silver wrote to Governor George Pataki in December to urge him to issue an executive order requiring that low-sulfur fuel be used in diesel trucks and equipment at ground zero. Because the governor did not take action, Silver chose to proceed with introduction of legislation.

Silver is a life-long resident of the Lower Manhattan, and his legislative district includes the World Trade Center site and the downtown financial district. His office is located a few blocks from ground zero.

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