



PEAK Coalition
NEW YORK CITY COUNCIL TESTIMONY
Committee on Environmental Protection
December 15, 2022

The PEAK Coalition—UPROSE, THE POINT CDC, New York City Environmental Justice Alliance (NYC-EJA), New York Lawyers for the Public Interest (NYLPI), and Clean Energy Group (CEG)— aims to end the long-standing pollution burden from power plants on the city’s most climate-vulnerable people. This coalition is the first comprehensive effort in the US to reduce the negative and racially disproportionate health impacts of a city’s peaker plants by replacing them with renewable energy and storage solutions.

PEAK Coalition supports Introduction No. 612 of 2022, which would require the City to track the State’s monitoring of power plant emissions, and would require the City to submit comments in permit renewal proceedings for any plant that has exceeded the pollution levels allowed by its permit. This legislation will augment and amplify state monitoring and regulations of power plant emissions in New York City.

Fossil fuel power generation is a major source of both greenhouse gas emissions and local air pollution in New York City. Old, inefficient, and expensive fossil fuel plants being kept online for intermittent use as “peaker plants” during periods of high electricity demand are particularly harmful, emitting up to a third of New York City’s nitrogen oxides pollution during hot summer days, and costing utility ratepayers about \$4.5 billion in so-called “capacity payments” to the plants’ owners over the past ten years alone.

PEAK Coalition supports this bill, as it ensures that our municipal government is engaged with the enormous health risks, climate emissions, and high costs associated with dirty fossil fuel plants, many of which can be replaced by renewable energy, battery storage, and transmission upgrades by 2030. The office of long-term planning and sustainability should make the tracking of power plant emissions and Title V compliance publicly accessible, and take necessary and adequate steps to notify the public about any Title V non-compliances.

We also urge the City Council to explore ways to incentivize the mitigation, retirement, and replacement of these facilities with 100% renewable energy and storage solutions. For example, the City could undertake increased air quality monitoring when any power generator or other Title V air permit holder is found to be out of compliance with its permit. Data from this air monitoring could be incorporated into the comments the City makes in permit renewal proceedings to, among other things, call for the state to impose the maximum penalties allowable under state and local laws for air permit violations.

We further urge the city to explore ways to take action before a Title V air permit holder is out of compliance and take preemptive or long-term planning measures to reduce the possibility. This could come in the form of precautionary outreach to New York State DEC, demand management in city-owned buildings, or distributed energy resources development. The City could also use this data to direct City investments in renewable energy infrastructure in the communities surrounding the dirtiest power plants.

Increasing the city's engagement in Title V permit compliance is a critical step to cleaning up our air, but the city can and must do more to protect all New Yorkers' environment and public health.

While the air pollution impacts from the transportation and energy sector affect us all, low-income communities and communities of color suffer disproportionately from respiratory problems caused by air pollution. We look forward to active conversations with council members to strengthen and pass this bill.