



Clean Deliveries Act (S.2127 Gianaris /A.1718 Mitaynes)

Establishes an indirect source review program for certain warehouse operations; requires the department of environmental conservation to conduct a study regarding zero emissions zones.

What are e-commerce mega-warehouses and how do they impact our communities?

E-commerce mega-warehouses are facilities that are used to facilitate deliveries directly to customers. They are often located in or near urban areas and are used to sort, consolidate, and distribute packages for delivery to customers' homes or businesses. E-commerce mega-warehouses play a critical role in the e-commerce and logistics industry, as they allow for the efficient and timely delivery of goods to customers, but they also generate significant emissions from the large number of delivery trucks that come in and out of the facility, which adversely impact workers and can contribute to poor air quality in surrounding communities. These emissions are not only harmful, but currently unregulated. These mega-warehouses are disproportionately sited near environmental justice communities who experience the most harm from vehicle emissions in and out of these facilities¹.

Why does New York need the Clean Deliveries Act?

E-commerce mega-warehouses generate significant emissions from the large number of delivery trucks that come in and out of each facility, a problem that has only been exacerbated by the pandemic and increase of online purchasing from e-commerce sites². In order to meet demand for fast delivery times, these facilities have been sited closer to major population centers. Unlike traditional warehouses, these warehouses are larger (some are over 1 million square feet), operate 24/7, and some span multiple stories - concentrating emissions and other impacts onto generally overburdened communities where logistics facilities tend to be sited, and onto the workers who support this industry. They require hundreds, sometimes thousands, of vehicle trips per day, including a large number of large heavy-duty trucks. These trucks emit pollutants such as particulate matter, nitrogen oxides, and volatile organic compounds, which contribute to poor air quality and negative health effects in surrounding communities. Delivery vehicles are also a significant source of greenhouse gas emissions, specifically carbon dioxide (CO₂), which contributes to climate change. As e-commerce continues to expand and more

¹<https://www.consumerreports.org/corporate-accountability/when-amazon-expands-these-communities-pay-the-price-a2554249208/>

² <https://www.census.gov/retail/index.html#ecommerce>
consumers purchase goods online, the number of delivery trucks on the road increases, which leads to a rise in greenhouse gas emissions. Without mitigation, the growth in e-commerce-related emissions could thwart achievement of the CLCPA.

What does the Clean Deliveries Act do?

The Clean Deliveries Act addresses the impacts of e-commerce mega-warehouses by establishing an **indirect source rule** for transportation. Key provisions of the bill include:

- A review of emissions from all e-commerce warehouses exceeding 50,000 sq. ft.
- An air emissions reduction and mitigation plan requiring warehouse operators to minimize pollution by implementing one or more of the following:
 - Acquiring zero-emission vehicles & charging infrastructure
 - Installing solar panels and/or batteries on-site
 - Considering alternative transportation modes for incoming or outgoing trips where appropriate
 - Paying additional fees
- Enhanced protections for warehouses operating in disadvantaged communities or that impact schools and similar facilities
- A permit requirement for new warehouse developments or those proposing significant modifications
- Ongoing reporting requirements related to truck traffic and emissions mitigation measures
- A zero-emission zones study on the feasibility, benefits, and costs of implementing low and zero emissions designated areas for air pollution and congestion hotspots within New York State

New York State has been a clean energy leader, passing the landmark Climate Leadership and Community Protection Act (CLCPA) in 2019, adopting the Advanced Clean Trucks (ACT) Rule in 2021, and enacting the Advance Clean Cars II (ACCII) Rule in 2022 to reduce emissions economy wide and advance a just transition towards a zero emission transportation sector. Passing the Clean Deliveries Act is a critical next step towards achieving New York State's climate mandates, and to ensuring that New Yorkers that are burdened with emissions from fossil fuels are prioritized for zero-emission investments.

FOR MORE INFORMATION AND TO SPEAK WITH ELECTRIFYNY,

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