



Talking Points for Public Hearing on Harlem River Yards Peak Power Plants - June 26, 2023, 2pm & 6:30pm

The New York Power Authority (NYPA), which owns and operates the Harlem River Yard power plant in Mott Haven-Port Morris/South Bronx, **has failed to comply with the state's Climate Act.**

- The NYS Department of Environmental Conservation (DEC) should not issue a renewal permit without requiring the plant to reduce its emissions going forward.
- The DEC must fulfill its obligation to prioritize emissions reductions in under-resourced (“disadvantaged”) communities by including emissions limits in the permit.
- The permit should incorporate binding commitments from NYPA to further reduce emissions in accordance with the State’s Climate Act mandates.

The Harlem River Yard plant has significantly increased operations over the past 5 years, which has increased its emissions of both greenhouse gases and local air pollutants.

- DEC must evaluate any disproportionate burdens the plant causes in neighboring communities that the state identifies as “disadvantaged.”
- DEC must evaluate the permit’s consistency with NYS’s Climate Act’s greenhouse gas (GHG) emissions reduction mandates.
- DEC must evaluate alternatives and mitigation measures such as incorporating battery storage.
- DEC and NYPA must both conduct a more detailed analysis of projected GHG emissions over the full permit term and beyond.
- DEC must revise the draft permit to require emissions reductions over the course of the permit and must require NYPA to commit to plans to reach zero emissions on an expedited timeline.

The South Bronx is one of the most under-resourced communities in the entire state. To make matters worse, it is also disproportionately pollution-burdened as a result of a heavy concentration of polluting facilities, including truck-intensive operations (e.g., waste transfer stations and warehouses), highways, and four power plants. This has caused alarmingly high rates of asthma and a number of other illnesses related to air pollution (including infant mortality, cognitive impairment, and heart disease).

Allowing NYPA to operate the Harlem River Yard plant without any plans to reduce emissions is equal to the State turning its back on South Bronx residents and allowing them to continue to be poisoned and harmed. They deserve to breathe clean air, like all people. Their quality of life also matters.

- DEC must require NYPA to reduce emissions and pollutants in under-resourced/low-income communities, including the South Bronx.
- DEC must evaluate alternatives like battery storage and impose emission reduction conditions on the power plant.
- Retiring NYC's peak power plants by 2030 is not soon enough. NYPA must prioritize retiring the peakers in the South Bronx as soon as possible.

The increased emissions at the plant are likely to be inconsistent with the State's Climate Act, but DEC failed to consider any alternatives or mitigation measures at the plant.

- Section 7(3) of the Climate Act prohibits agencies from imposing disproportionate impacts on disadvantaged communities when considering and issuing permits, licenses and other administrative approvals and decisions pursuant to the Climate Act.
- Agencies must also prioritize localized reductions of GHG emissions and co-pollutants in disadvantaged communities, in order to improve public health and advance equity.
- Section 7(2) of the Climate Act requires both the DEC and NYPA to provide a justification and identify alternatives or mitigation measures for any permitting of a project that would be inconsistent with the Climate Act's greenhouse gas reduction mandates.