



Empowering communities to Power Change

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MEMORANDUM OF OPPOSITION S.6030 (PARKER) /A.6039 (BARRETT)

Re: An act to amend the environmental conservation law and the public service law, in relation to the state greenhouse gas emission accounting system

WE ACT for Environmental Justice is writing in opposition of an act that amends the public service law to amend the greenhouse gas emission accounting system. This legislation changes the Global Warming Potential (GWP) established in the State's climate law from 20 year to 100 year and allows biomass and biofuels to be excluded from the greenhouse gas (GHG) emissions limits.

In environmental justice communities, low-income communities of color are substantially impacted by pollution burden emitted from industrial facilities, mostly powered by fossil fuels. These industrial facilities are strategically placed in low-income communities of color and not only lower property values but also cause significant health impacts such as asthma, lung and heart disease, increased birth defects, and learning impairments. The Climate Leadership and Community Protection Act (CLCPA) is New York State's response to the climate crisis, centering communities most burdened by environmental hazards. Central to the legislation are policies that will reduce pollution and prevent future pollution in burdened communities.

S.6030 would undo the strong protections that exist for communities under the CLCPA. A 20-year accounting metric is vital over a 100-year metric. The 20-year GWP follows scientific evidence that the most significant climate change impacts occur in the first 20 years after release. A 20-year GWP will also capture shorter term environmental health benefits in the State's climate action plan as it tracks shorter term GHG releases. For example, pollutants like black carbon, methane, ozone, and HFCs have shorter atmospheric lifetimes so much of their activity would be captured in a 20-year GWP. Particularly, we must be fully tracking and accounting for all methane as it is a very potent GHG and it is associated with very important pollution burdens like NO₂ exposure from burning natural gas. Losing this tracking system would lead to more pollution both inside homes and in neighborhoods.

Furthermore, we must include biomass and biofuels in the GHG limits in the CLCPA, as these fuels have extremely significant impacts on air quality and health. If we do not account for them, we will lose the vital ability to track and address pollution burdens in communities. For decades, environmental justice communities have dealt with deadly levels of pollution that went ignored by the government. We cannot repeat these mistakes once more by allowing the State to exclude tracking of scientifically documented sources of pollution.

Dr. Jonathan Buonocore, formally at Harvard T. H. Chan School of Public Health and now at the Boston University School of Public Health, wrote¹:

"Like other combustion fuels, air pollution from burning biomass can cause asthma exacerbations, hospitalizations for heart attack and respiratory disease, birth defects, neurodegenerative diseases and death, among many other health impacts. [...] burning biomass in industrial boilers had a health burden of 8,000 to 15,000 deaths, and using it in commercial buildings had a health burden of 640 to 1,200 deaths. [...] Declaring biomass to be carbon neutral with no regard for the health consequences may set us onto a path toward further

¹West Harlem Environmental Action (WE ACT for Environmental Justice) is a 501(c) (3) nonprofit organization.
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investing in an energy system with an already-serious health burden, ambiguous climate benefits and environmental justice issues in the supply chain."

As a leading organization of the Justice40 Initiative focused on Inflation Reduction Act implementation, we are highly confident New York State will successfully receive significant funding to address the climate crisis.

WE ACT opposes the legislation because we must do all we can to have strict guidelines for protecting communities.

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ⁱ <https://thehill.com/opinion/energy-environment/599950-biomass-is-not-health-neutral/>