



# OPPOSES

Key to Legislative Ratings:  Major Detriment  Substantial Detriment  Detriment



## **A.7122-A (Amedore)**

## **S.191 (Maziarz, et al.)**

### **Summary**

This bill reauthorizes Article 10 of the Public Service Law governing the siting of major electric generating facilities. This bill also establishes certification procedure for repowering projects.

### **Explanation**

Environmental Advocates of New York opposes Article 10 reauthorization without significant reforms. Major electric-generating facilities are large sources of air and water pollution, and should be sited carefully and fairly. In addition, in its 2010 Reliability Needs Assessment, the New York Independent Systems Operator concluded that the resources needed to meet the state's electricity needs will continue to exceed demand through 2020. As such, New York has no need to develop large-scale polluting facilities and must first look to conservation, energy efficiency and renewable sources of generation prior to construction of costly and polluting facilities.

The plant size threshold included in the proposed legislation should be lowered and changed to clarify that the process applies to plants with a specific capacity. We favor a lower threshold that applies to "nameplate generating capacity," not a threshold that can be circumvented.

This bill fails to require a full description of the expected emissions of carbon dioxide, small particulate emissions (referred to as PM 2.5), mercury and all other federal criteria pollutants and toxins. The bill also fails to promulgate performance standards for new power plants and fails to exclude waste to energy, nuclear and coal facilities from a fast track process. Further, this bill does not require a rigorous examination of the cumulative impact of existing and proposed plants in localized areas.

Power plant pollution causes acid rain, smog and global warming. It exacerbates asthma and puts public health at risk. Major reforms of the siting process are needed to ensure active public participation and protection from the harmful effects of air pollution. This bill does not go far enough to include the public in decision making and to protect public health and the environment of New York State.

**Environmental Advocates of New York strongly opposes this bill.**

**Memo 5**