



## Memorandum of Support

### **S.3328 (Fernandez)/A.7363 (Septimo)**

**Purpose:** This legislation is necessary to reduce emissions of toxic air contaminants in New York State, and lessen their impact in low-income neighborhoods and communities of color.

**Statement of Support:** New Yorkers are chronically suffering from poor air quality, especially those who live in disadvantaged communities and communities of color. The most severe toxic air emissions from service vehicles and trucks, major highways, oil and gas fueled power plants, home heating systems, chemical factories, petroleum distribution centers, incinerators and bus and rail depots correspond with the highest poverty rates and highest minority-residency rates in the State. This disproportionate burden of pollution also corresponds with hospitalizations for asthma, respiratory illnesses, and cardiovascular diseases at a much higher rate than those found in predominantly white communities.

The Department of Environmental Conservation (DEC) has ambient air quality guidelines for public health, but has struggled to keep New York's major urban areas within safe levels for the emissions of toxic air pollutants like benzene, formaldehyde, vinylchloride, polychlorinated dibenzodioxins, polychlorinated dibenzofurans, trichloroethylene and mercury. Part of the struggle is that the DEC has no enforceable emissions standards for these criteria pollutants and has difficulty achieving toxic air emissions reductions when the violations come from multiple small sources that contribute to the cumulative problem.

S.3328/A.7363 will empower the DEC to set enforceable standards for some of the most common and harmful air contaminants in environmental justice communities, require air monitoring in environmental justice neighborhoods, provide greater authority to take enforcement action against problem polluters and create a community mitigation fund from the proceeds of those enforcement fines that can finance further clean air programs.

**The Sierra Club Atlantic Chapter Strongly Urges Your Support of S.3328/A.7363**