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NEW REGULATIONS WILL CLEAN UP NYS OWNED AND OPERATED DIESEL ENGINES *Regulations will Improve Public Health, Create Economic Opportunities and Help Reduce Health Care Costs*

A coalition of environmental, public health and business groups testified this week in support of regulations drafted by the New York State Department of Environmental Conservation (DEC) which implement aspects of the New York State Diesel Emission Reduction Act of 2006 (DERA). Public hearings on the regulations are taking place from Nov. 24-26, 2008, in Albany, Long Island City and Avon.

As specified in regulations, which were published in the New York State Register on October 8, on-road and off-road heavy duty diesel vehicles which are owned or under contract with New York State must use ultra low sulfur diesel (ULSD) fuel, and be fitted with best available retrofit technologies by December 31, 2010.

“Year after year, and day after day, New Yorkers are exposed to some of the dirtiest air in the nation,” said Louise Vetter, Chief Executive Officer for the American Lung Association of New York. “These regulations will ensure that technology, which is available today and can be installed immediately, will be required on the state owned and operated fleet of diesel powered on-road and off-road vehicles.”

“Implementation of comprehensive NY DERA regulations will support the jobs and economic development investment Corning has made in upstate New York,” said G. Thomas Tranter, Jr., President, Corning Enterprises.

The Diesel Emission Reduction Act of 2006 required the Commissioner of DEC to enact rules governing which technologies shall be considered best available retrofit technologies. The law also established the following schedule for installing the retrofit technologies: not less than 33 percent of vehicles by December 31, 2008; not less than 66 percent of vehicles by December 31, 2009; and, not less than 100% of vehicles by December 31, 2010.

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“Environmental Advocates of New York applauds Governor Paterson and Commissioner Grannis for taking this monumental step to clean-up our air. Dirty diesel emissions account for a major portion of the pollution endangering our environment and the health of our families. We urge the Department of Environmental Conservation to finalize the proposed rule without delay, as every day that passes without curbing diesel emissions is another day of increased rates of asthma in children and the further degradation of our natural resources,” said Jackson Morris, Environmental Advocates of New York.

Air pollution problems and their attendant health threats have become serious statewide issues. Millions of New Yorkers are at-risk. In fact, according to the EPA, 89 percent of the state’s population lives in a county where air quality does not attain federal health standards. In addition, the EPA has declared the counties of Suffolk, Nassau, Queens, Kings, Richmond, New York, Bronx, Westchester, Rockland and Orange in “non-attainment” for fine particles.

“The health and environmental impacts of diesel emissions are staggering,” said Laura Haight, senior environmental associate of the New York Public Interest Research Group. “We urge New York State to adopt and implement these regulations as soon as possible. This is an investment in cleaner air, healthier communities, safer workplaces, and green jobs. Most importantly, it will save lives.”

The high air pollution levels in New York State make people sick and even cut lives short. Diesel pollution has been shown by a wealth of science to trigger asthma attacks; is linked to heart attacks, cancer and even premature death; and is associated with ambient levels of both ozone and fine particles.

“These regulations will ensure that all New Yorkers breathe healthier air,” said Isabelle Silverman, an attorney with Environmental Defense Fund. “We owe it to our children to retrofit diesel vehicles with filters that trap more than 85 percent of the toxic pollution that can impair their lung and brain development.”

According to the New York State Department of Health, the typical hospital bill for a person on Medicaid who is hospitalized for an asthma attack is \$9,500, which is more than a diesel particulate filter (DPF) would cost. Thus, if each DPF installed provides enough clean air to avoid just one asthma-related hospital admission, then the legislation pays for itself. Furthermore, this law will increase economic opportunities for companies in New York State who currently make diesel emission reduction technologies.

“Diesel pollution is a very serious public health problem in New York, but we can solve it,” said Richard Kassel, Director of the Clean Fuels and Vehicles Project at the Natural Resources Defense Council (NRDC). “Given that two years have passed since a law was signed to clean up the state’s diesel vehicles, it’s time to get these regulations in place and clean up New York’s dirty diesels.”

“In the case of dirty diesel, the scientific link to lung cancer is a solid one,” said Peter Slocum, vice president of advocacy, American Cancer Society of NY & NJ. “Swift implementation of these regulations will result in fewer diesel emissions by state vehicles, cleaner air and less cancer risk for New Yorkers.”

"Dirty diesel emissions are a threat to public health and the environment. Requiring cleaner systems, that use affordable, available technology, is a logical, protective measure that should be swiftly implemented. Running diesel engines in the 21st century, requiring 21st century technology, just makes sense." stated Adrienne Esposito, Executive Director, Citizens Campaign for the Environment.

The American Lung Association’s *State of the Air 2008* report found that from Buffalo to Bayport, and from Staten Island to Saratoga millions of New Yorkers are being forced to breathe unhealthy air. For most of the state, there truly is no escape for New Yorkers whose health is impacted by air pollution.

Investing in diesel reduction is good for New York's economy. There will be increased economic opportunity for companies in New York that manufacture diesel emission reduction technology. Many cost-effective and affordable retrofit technologies are currently available reducing particulate matter (soot) pollution by over 85 percent.

Diesel emissions contribute to climate change and smog. Diesel engines release a wide array of harmful substances directly into our air -- including particulate matter (soot), nitrogen oxides that act as a precursor to ozone, carbon monoxide and carbon dioxide. It is estimated that diesel emissions include a staggering 40 hazardous air pollutants that are listed under the Clean Air Act.

Diesel emissions remain a particularly troublesome health threat. They are a contributing factor to the ozone problems facing so many New York communities and are a big reason why the New York City metro area has such a problem with fine particles. Diesel particulate filters trap fine particles. In fact, New York State has the highest number of deaths and the greatest rate of disease associated with diesel exhaust particles. The New York City metropolitan area leads the nation in total deaths, cancer deaths, and heart attacks associated with diesel emissions. Unlike many areas of the country, the health effects associated with diesel pollution in New York are even greater than those associated with power plant fine particle pollution.

An interactive map showing air quality findings in New York, by county, is available at www.alany.org.

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